

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, APRIL 16, 2008
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Council motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion.

1. **Call to Order**
The meeting was called to order at 6:30 p.m.
2. **Roll Call**
Mayor Gioia, Vice Mayor Hauser, Councilors Smith, Garrison, Kovacovich, German and Elmer were present.

Also Present: Town Manager Mike Scannell, Library Director Gerard Laurito, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.
3. **Pledge of Allegiance**
The Pledge was led by Garrison.
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) April 9, 2008 – Work Session – Quarterly Reports
 - 2) April 2, 2008 – Regular Session
 - b) **Set Next Meeting, Date and Time:**
 - 1) Council Hears Planning & Zoning – April 23, 2008 at 6:30 p.m.
 - 2) Regular Session – May 7, 2008 at 6:30 p.m.
 - 3) Regular Session – May 21, 2008 at 6:30 p.m.
 - 4) Council Hears Planning & Zoning – May 28, 2008 at 6:30 p.m.
 - c) **Possible approval of Proclamation declaring April 13-19, 2008 as National Library Week.** *Staff Resource: Mayor Gioia*
 - d) **Possible approval of Proclamation declaring April as Child Abuse Prevention Month.** *Staff Resource: Debbie Barber*
 - e) **Possible acceptance of the following letters of resignation and presentation of Certificates of Appreciation to Trapper Moore, Chair Parks & Recreation; Ginger Mason, Vice-Chair Parks & Recreation; and Dugan McDonald, Vice-Chair of Design Review Board.** *Staff Resource: Debbie Barber*
 - f) **Possible award of bid for a comprehensive classification and compensation study to the low bidder Public Sector Personnel Consultants not to exceed \$25,000.** There is \$50,000 budgeted in Consultant Services, Line Item 01-50-55-6604. *Staff Resource: David R. Smith*
 - g) **Possible approval of a hiring freeze of all vacant Town positions.** *Staff Resource: Michael Scannell*
 - h) **Possible authorization for Town Manager to review and approve or reject any budgeted expenditures over \$1,000 through the end of the 2007-2008 fiscal year.** *Staff Resource: Michael Scannell*
 - i) **Possible approval of the interfund transfers to correct unbudgeted and misappropriated amounts in the FY 2007/2008 budget.** *Staff Resource: Michael Scannell*
 - j) **Possible consolidation of the Town's bank accounts.** *Staff Resource: Michael Scannell*

On a motion by Smith, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the exception of **Items c) and d)**.

Mayor Gioia reviewed the change in items available to be heard at the April 23rd meeting; and requested that Item 4.c) be pulled for separate consideration; Vice Mayor Hauser requested that Item 4.d) be pulled also.

c) Possible approval of Proclamation declaring April 13-19, 2008 as National Library Week.

d) Possible approval of Proclamation declaring April as Child Abuse Prevention Month.

On a motion by Hauser, seconded by Smith, the Council unanimously approved **Items 4.c) and d)** as read.

Mayor Gioia read aloud the Proclamation declaring National Library Week; and Vice Mayor Hauser read the Proclamation regarding Child Abuse Prevention Month.

Kathy McLaughlin of the Yavapai Family Advocacy Center expressed appreciation to the Council and the community for the Proclamation regarding the importance of recognizing and reporting child abuse.

5. Call to the Public for Items not on the Agenda.

Howard Parrish reminded everyone of the April 24th deadline for getting mail picked up for delivery on May 2nd at the old post office; he also outlined the tentative plans for the dinner.

Leonard Krautbauer wanted to know the status of the hearing on the hog situation. *He was advised that the matter is in the process of being agendized.*

John Gray complained about a recent problem caused for Rocky Construction Company by a Town Inspector shutting down their operation based on misinformation regarding a grading permit, and then allowing them to continue after discovering there was a mistake. Mr. Gray said he could not understand why a legal operation can be shut down arbitrarily, and yet the illegal operation of the Woodyard continues with no intervention, including their lack of responses to written notification from the Town's offices regarding non-compliance.

Joyce Gray said she lives in the middle of the Woodyard and had never had a problem with them, but described the problem the new people are creating by noise late at night.

Gerry Laurito, Library Director, thanked the Council for the Proclamation for National Library Week, and outlined the on-going Library activities celebrating Library Week.

Robin Whatley, a parent and educator, described the great benefits of observing TV Turn-Off Week, both to her family and to the school, and encouraged the Council members to participate as well.

There was no further public input.

6. Council Informational Reports

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

Elmer said that in connection with April 22nd Earth Day, the local grocery store will exchange a cloth bag for 5 plastic bags; customers are being encouraged to use cloth bags; Elmer also reported on Little League Opening Day activities last Saturday.

Hauser commented on the yearly MatForce training session today, and the great documentary last night on Crystal Darkness.

Smith reported on meeting with Dee Hines to discuss the planning stages of the Copper Canyon Trailhead; it is anticipated that by the end of summer the project will be finished; forming a Citizens Group to patrol occasionally to help prevent vandalism was also discussed. Smith reviewed highlights of the Sanitary District Work Session and the Red Rock Rangers District Open House in Sedona.

Garrison also spoke about the Sanitary District Work Session; they will be discussing raising either rates or monthly user fees, or taxes. Garrison commented that the MatForce meeting was very informative, and stressed the importance of dealing with the issue of allowing under-age drinking at private parties.

Gioia described the activities celebrating the Day of the Soldier this weekend. Gioia reported on his attendance at the Verde Watershed Association and the Water Advisory Committee meetings including a presentation by the Arizona Department of Water Resources that gave an update on recent changes related to the Williams wells issue stemming from the Town's intervention on HB 2772.

7. **Discussion, consideration, and possible award of bid for CDBG project #107-07 to Asphalt Paving and Supply to include Alternate #2, for a total contract price of \$465,231, authorization for the Mayor to execute the contract documents, and authorization for staff to request a transfer of CDBG administration funds to the project fund as needed. This is a budgeted item in CDBG and CIP. Staff Resource: Ron Long**

On a motion by Gioia, seconded by Kovacovich, the Council unanimously voted to award CDBG project #107-07 to Asphalt Paving and Supply to include Alternate #2, for a total contract price of \$465,231, authorizing the Mayor to execute the contract documents, and authorizing staff to request a transfer of CDBG administration funds to the project fund as needed.

Town Manager Scannell explained that at the January 29th presentation he had indicated a shortfall of funding for the project; after making some adjustments there now are sufficient funds for the project. Scannell said that it is a good project and it is time to get it underway, and recommended awarding the bid to Asphalt Paving and Supply. Scannell added that he wanted to recognize two staff members, Ron Long and Debbie Barber, who have done a fine job in pulling the project together. Mayor Gioia also thanked staff for resurrecting the project.

There was no public input.

8. **Discussion, consideration, and possible authorization for the Mayor to send a letter to the U.S. Forest Service requesting that they refrain from divesting public lands located within the Town limits.**

On a motion by Gioia, seconded by Hauser, the Council voted 4-3 to approve sending the letter with the outline, indications and requests and invitation to the Forest Service for discussions; with 'no' votes by Smith, Kovacovich and Elmer.

Mayor Gioia pointed out that this is not a new subject; he has spoken before on the subject of preservation of open space in this area. Gioia said that the Forest Service acts as stewards of our public land, the citizens of the U.S. own the public land, and the citizens of Camp Verde enjoy the public land within our boundaries; a letter to the stewards requesting that we retain that quality of life seems appropriate.

The members expressed conflicting opinions on whether to send the proposed letter, suggesting that doing so would appear to be telling the Forest Service how to use their lands, countered with the argument that it is important to prevent the public land here in Camp Verde from ending up in development, and that it is well worth trying to enter into discussions with the Forest Service in order to try to retain the open space. During the discussion, there was the reminder

that when the Town incorporated and set up the Town limits it was aware that the Forest Service lands could be traded off; examples of recent trades were cited. There was also comment that the Town might have the option to purchase more Forest Service land in the future; the recent purchase of the administrative site instead of the originally proposed park site was discussed.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Howard Parrish commented on the understanding back in 1959 that it would take an Act of Congress to do anything with the lands, which may not have been true.

Jennifer Dutton expressed her support for sending the proposed letter; it is important that the public lands are kept available to everybody and protected from development.

Robin Whatley said the Mayor and Town Manager should be praised for their courage and vision, and agreed that the letter is only a request and might open up lines of communication with our Forest Service neighbors.

Jim Sweitzer believes that the Forest Service is not doing a good job of managing the lands and being a good neighbor, and described the damage from the public's use of motorized vehicles being allowed to continue; he sees no harm in sending the letter, but does not believe that the outcome will be worth the effort.

There was no further public input.

9. **Discussion and possible action by Town Council relative to taking a position opposing any ballot measure that may be placed on the Nov. 08 ballot which addresses the possible transfer of the administration and management of Camp Verde Sanitary District to the Town.** *Staff Resource: Mayor and Council*

On a motion by German, seconded by Elmer, the Council unanimously voted to officially oppose the election this coming November and vote accordingly.

In response to a public comment, German clarified the motion to explain that under the current IGA there is no question about going to ballot; the Council by going to a vote under the current IGA will be voting to oppose taking over the project. It is hoped that as a result of tonight's action the Town will be able to meet with the Sanitary District to rewrite that particular portion of the IGA.

Mayor Gioia explained that the current IGA provides for elections in November, one for the Sanitary District members and one for the Town members. If both of those elections are in the positive, then the Town would become responsible for the Sanitary District project, finances and operation. Gioia said he believes that the Council members have repeatedly made it known in meetings that they were not interested in that outcome, and their position should be made clear tonight by Council vote in an open meeting legally convened.

The members agreed that it is not in the best interests of the Town to go ahead with a vote this November to assume a project that has encountered many problems with the construction process and will not be completed by then; there was no opposition to a future vote, however. The IGA had been negotiated in good faith, but the problems could not have been foreseen and going to an election this November would be detrimental to the overall project. Furthermore, it was felt that the Town is not capable at this point of taking over the project. Town Clerk Barber had provided the timeline required for the election this November, a copy of which had been sent to the Sanitary District Chairman, Greg Freeman; he has also been advised that the Town is interested in working with them on the problems that both sides have encountered in connection with the IGA.

PUBLIC INPUT

Steve Ayres requested clarification of the position the Council is taking.

There was no further public input.

Town Manager Scannell explained that under the terms of the current IGA, the Town is compelled to have an election; the IGA is silent on the issue of opposing or supporting the measure. If the Sanitary District were to enter into good faith negotiations with the Town, that would include moving the November date out in time, there would be no election in November '08; the issue is only operative in the event that there is a ballot measure in place. Gioia added that the Chairman of the Sanitary District is eager for the subcommittee to work on the IGA; it does look positive for the movement of the new IGA.

A recess was taken at 8:21 p.m.; the meeting was called back to order at 8:30 p.m.

10. **Discussion, consideration, and possible adoption of a Council Mission Statement, Duties, and Performance Objectives for FY 2008/09.** *Staff Resource: Mayor and Council*
On a motion by German, seconded by Garrison, the Council unanimously adopted the Council Mission Statement, Duties and Performance Objectives for FY 2008/09.

The Council members discussed the subject draft Council Mission Statement which Gioia read aloud. Scannell suggested revising and shortening the first statement under "Our Duties," as follows: "Advocate and serve as representatives for citizens at all levels of government." Gioia requested a change in "Our Mission," fourth line, in part, as follows: "....harm; to reduce the pain and suffering of the less fortunate;....."

There was no public input.

11. **Discussion, consideration, and review of proposed fees for business licenses, liquor licenses, and residential and commercial rental units, followed by possible direction to staff to make appropriate modifications to the rates and/or Town Code so that the new rates and rules will become effective by July 1, 2008. Discussion may include, but not be limited to current rates; non-compliance; methods to ensure compliance with the Town Code as it relates to business licenses; additional requirements for business licenses; and establishing fees for liquor licenses and sales tax on liquor.**
Staff Resource: Debbie Barber

Staff was directed to move forward with the details for recommending enforcement as well as defining responsibility for enforcement, and recommending the entire structure of the proposed fees; give the public an opportunity to weigh in on the changes being discussed; bring back the information for the next business meeting following whatever time it takes to have the proposal well constructed.

Town Clerk Barber explained that research into possibly revising the Business License fees has uncovered significant non-compliance with payment of those fees resulting in a huge loss of revenue. In that connection, one of the Code amendments that will be proposed would be to clearly define enforcement responsibility that normally would be the Clerk's office and the Marshal's office working together. The members discussed in detail with Barber the list of proposed fees that she had prepared and the advisability of public outreach as well as legal research prior to implementing the suggested changes. Among the issues discussed were the liquor license fees as well as the fees imposed on rental units that would involve annual inspection of those units to determine livable conditions. During the discussion the question of enforcement was raised by referring to the continuing complaints from the public that the Town does not enforce its Code.

Town Manager Scannell acknowledged that non-enforcement has been a long-standing problem, and apparently has existed even after the Code was adopted; research has brought to light the

discrepancies for review by the Council. Scannell added that he will address the complaint by Mr. Gray regarding the treatment of Rocky Construction and if merited will follow up with a request for a formal apology to that company.

Barber pointed out that it will take changes in the code to fix the business license portion of it and wanted to know that the Council was receptive to the proposed fees. Gioia also commented on the liquor license tax and wanting to pursue a revenue source for a Quality of Life Tax.

PUBLIC INPUT

(Comments from the following individual are summarized.)

Idele LeGendre, who works as a legal advocate, described a problem faced by one renter in a Government-subsidized housing complex regarding deplorable living conditions not being corrected; she wondered if the inspections for rental fees would include those types of units. *Gioia requested that staff consider discussing that situation with the Housing Department in order to take a holistic approach.*

There was no further public input.

12. Call to the Public for Items not on the Agenda.

There was no public input.

13. Advanced Approvals of Town Expenditures

There are no advanced approvals.

There were no advance approvals.

14. Manager/Staff Report

Scannell requested confirmation of the planned allocation of the monies received from the Yavapai-Apache Nation; after discussion the members determined that the allocation recommended by the Nation when the funds were presented was duly authorized by Council acceptance at that time.


Scannell reported that the proposed amendment to Section 108D with respect to animal regulations will not be on the agenda for April 23rd but is advertised for hearing on May 28th; there was some concern expressed by the members regarding FFA representatives being available on that date; the subject and date will be discussed further.

Scannell clarified on the cash flow figures questioned by Gioia; he also assured the Council that the glitch in distributing the monthly financial report has been corrected and the members will be receiving the report on a monthly basis. Scannell apologized that he has been unable to follow up on the Rio Verde Plaza problem because of other demands; he is still working on it and will bring back a report on May 7.

Scannell said that the members will be receiving copies of the P&L Statement for the Pecan & Wine Festival; changes are being instituted for next year that will prevent the major loss experienced this year. Scannell also reported on the potential savings to be realized from eliminating the Crawdad Festival and the Gun & Knife Show.

15. Adjournment

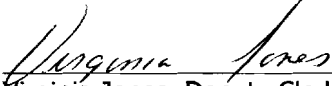
On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 9:41 p.m.


Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 16th day of April 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 9th day of May, 2008.



Virginia Jones, Deputy Clerk