

**MINUTES
SPECIAL SESSION
MAYOR and
COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, SEPTEMBER 28, 2005
3:00 P.M.**

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

1. Call to Order

Mayor Gioia called the meeting to order at 3:00 p.m.

2. Roll Call

Mayor Gioia, Vice Mayor Baker, Councilors Hauser, Kovacovich, Smith and Parrish were present. Councilor Teague arrived at 4:10 p.m.

Also Present: Town Manager, Bill Lee, Finance Director Dane Bullard, Town Attorney Bill Sims and recording secretary Virginia Jones.

Councilor Parrish led the Council in the Pledge of Allegiance.

Council agreed to hear items 5, 6, and 7 prior to going into Executive Session for items 3, 4, and 8.

3. Discussion or consultation with the Town Attorney in order to consider Council's position and instruct the attorney regarding Council's position regarding a development agreement with Thomas Griffith.

Council took no action on this item.

At 4:33 p.m. on a motion by Baker, seconded by Kovacovich, Council voted unanimously to go into Executive Session to discuss items 3, 4, and 8, pursuant to ARS §38-431.03 (A)(4). Lee requested a portion of item 8 to be held in Open Session. Mayor Gioia advised Manager Lee they would only be reviewing the peer reviews and Lee agreed Executive Session would be fine.

4. Discussion or consultation with the Town Attorney in order to consider Council's position and instruct the attorney regarding negotiations for the purchase, sale or lease of Camp Verde Water System.

Council took no action on this item.

5. Discussion, consideration, and possible approval of a Council Agenda Item Report form to be submitted with all future Council Agenda item requests.

Council agreed they would work with staff and utilize the Council Agenda Item Report Form.

Lee requested Council consider using the Council Agenda Item Report Form. Lee explained staff could help prepare the form for the individual Council members. With the use of the form other Council members and staff would have a clearer idea of what the agenda item was all about and it would help communications.

6. **Discussion, consideration and possible changes to the Performance Evaluation Procedures for Council-appointed employees.**

On a motion by Gioia, seconded by Baker Council agreed that all Performance Evaluations would be placed in the Council-appointed employees file. This will include individual Council reviews, and peer reviews. All peer reviews, if hand written will be re-typed by an Administrative Assistant.

7. **Manager's response to and possible discussion of Council questions concerning raffles, a jeep purchased to raffle, drainage issues, reporting and authority issues, inspection of the church building purchased for the new CVMO facility, and other questions posed by Council.**

Mayor Gioia requested Manager Lee respond to questions from the previous meeting. Lee stated as far as Council hearing about the rebar situation in the newspaper article, Lee advised Council he had included in his Manager's Weekly Report on September 2, 2005 and again on September 9, 2005 that a major problem concerning the rebar had been discovered. He pointed out that the newspaper article was not published until September 14th. Lee stated that he realizes Council is given a great deal of paper work to read and in the future he would call individual Council members. Regarding the asbestos, Lee advised that it was discovered when the Town applied to the State for a demolition permit. Due to the age of the building the Town was required to have the building checked for asbestos. The cost of the removal was \$25,000 and the church paid for half of the cost. Lee agreed with Councilors Smith and Teague, and doubted if an inspector would have been able to determine if rebar or asbestos existed. Lee reminded Council that there were six meetings related to purchasing the building. Lee also reminded Council we have purchased a number of other buildings in the past and did not hire an inspector. He stated, in the future he will make a recommendation to Council that the Town hire an inspection done and Council could make the decision. Lee went on to say the original asking price for the building was \$750,000 and Council directed staff to get a second appraisal. The purchase price agreed on \$600,000, \$150,000 less than the original asking price. Lee pointed out the Town acquired two buildings of 11,000 square feet plus two and one half acres.

Councilor Smith questioned if one of the Building Inspectors employed by the Town had been asked to look at the building. Lee stated he was not sure. Smith stated he had spoken to a previous Council member and stated his concerns regarding asbestos in the building; however that Council person dropped the ball. Smith agreed Council needs to be made aware of items, before they are published in the newspaper and Lee noted that phone calls may have been a better approach, he encouraged Council to read the weekly reports.

Gioia stated he was in the office at Town Hall when he received a phone call from a local reporter. Hauser reminded everyone about the purchase of the mattress shop. Once we had it inspected it was torn down. She stated she did not want to place blame she just wants to be informed. Hauser questioned if a certified building inspector would know what the standards were in the sixties. Lee stated he did not know if the inspector would know what was required in the sixties, and if the standards were the same for every state.

Councilor Smith stated the Town has a small budget and suggested that Council should not rush into items so quickly. He stated he felt if more questions would have been asked someone probably knew who laid the block.

Public Input:

Robert Johnson stated when he purchases any item he keeps a running total on all the expenses and upgrades he makes and suggested that the Town should do the same.

Jim Bullard stated in the sixties there was no commission, building inspectors so no one is to blame. Asbestos was used also for fire protection.

In response to questions regarding the jeep, Lee advised Council he has been working with the Town Attorney, exploring the various possibilities. He stated he has explored the possibility of having the Chamber of Commerce, or the Friends of Camp Verde take over the raffle. Lee apologized he was not able to get back with Council sooner; however, both groups had to go before their respective boards before a decision could be reached. Lee explained, in the end both groups declined and the only method would be to auction the jeep, with a set opening bid for the amount at which it was purchased. He stated he will be directing staff to return the money to all who purchased tickets, along with an explanation letter and notification of the auction date. Bill stated an opening bid of \$4,500 will be set. Bill apologized to Council for the confusion surrounding the Jeep and informed Council he has spoken with the staff regarding the purchasing policies and assured Council everyone understands the procedures.

Mayor Gioia stated that Council had directed Lee to explore options to dispose of the jeep and come back to Council. Lee stated his intention was to update Council in a memo after he explored the options that were available to them.

Councilor Kovacovich questioned what the Town would do if we did not get the minimum bid of \$4,500 and Lee responded he was positive the Town would get the minimum bid.

Attorney Sims stated he would like to discuss a legal issue with Council during Executive Session.

Lee responded to drainage issues by the post office. Lee stated he reported in weekly reports that he had contacted Arizona Engineering and was working with them on a scope of work. Lee stated he had attached a letter from homeowners next to Bank One about this issue in his last weekly report. Lee stated the Town's intentions are to use County Flood Control dollars to study the area. Lee stated that the Town put in the new portion of road on Finnie Flat and created a retention pond next to the lift station operated by the Sanitary District. At one time, the property owners were actually flooded before an agreement could be reached with Mr. Simbric. Lee stated the agreement was the Town would chip seal the subdivision in exchange for the needed land to place culverts to run the water from the South side of the road over to the Bank One Drainage ditch. Lee stated this is when County Flood control got involved and the best course of action was determined. Lee stated he met with Arizona Engineering two weeks ago to discuss this matter and it should be coming back to Council in October.

Lee responded to questions regarding the Oldsmobile. Lee stated he reported in his weekly report that administrative office had received the Oldsmobile from the Marshal's Office. This vehicle had approximately 80,000 miles on it and staff used it to go to Colorado for some training. The intent was to use the Oldsmobile as a second administrative care and save the \$10,000 that was budgeted. After the repairs were done on the vehicle, the Marshal learned he was unable to dispose of the car in this manner because the vehicle had been given to the town through RICO and could only be used by the Marshal's Office or returned to the County. The repairs that had taken place were charged to the Marshal's Office.

In regards to not yet purchasing a vehicle for administration, Lee reminded Council the Town is only in the third month of the budget, and his intentions were to use the Oldsmobile and save the tax payers money. He stated he intends to bring the item to Council and they will need to decide if the Town should purchase a used vehicle or purchase a new vehicle.

Public Comment:

Robert Johnson stated for around \$10,000 you could purchase a used 2002 vehicle in the Phoenix area.

Mayor Gioia questioned Lee regarding departments working four-ten hour shifts. Gioia stated he recalled four Council members who were opposed, indicating that Lee has moved forward allowing different departments to work four-tens.

Lee stated his recollection was different. Lee stated the subject was brought up at the retreat and it was proposed at that time to work four-tens and close the office one day a week. Currently Planning & Zoning, the Marshal's Office and the Street Department are working four-tens, with only the Street Department taking off Friday; the other departments are open five days a week. Baker stated, with the limited time at hand, she would not go into all of her objections. She stated when Council instructs staff there needs to be an understanding. Baker suggested the Town set a policy in black and white and staff will know what Council wants. Hauser stated she agreed with Baker. Hauser recalled a proposal during the retreat and Council was not in favor of changing the work hours. Smith stated he felt it was the decision of the manager; it is a good morale booster and the time off means more than money. Smith stated he felt Council was attempting to micro-manage.

Gioia stated he recalled distinctly that several Council members were against changing the work schedule. Parrish questioned if there was enough staff. Lee responded he has allowed Community Development to try the new schedule on a three month trial basis and is relying on the department to let him know if it is working, again reminding Council that the Court and the Marshal's Office are on the same schedule.

Attorney Sims stated this would be an item that would be discussed in Executive Session.

Mayor Gioia questioned the transfer from Verizon to Alltel, stating it cost the Town \$2,400 to get out of the contract with Verizon. Councilor Baker stated that she understood Council had requested a comparison and the figures were to be brought back to Council. The option of the second line on some phones was also questioned. Lee explained some of the employees carry a personal cell phone and the Town phone, with the option of the second line, the employee only has to carry the one phone and the second line is billed directly to that employee.

Hauser stated we provide phones for our employees; however the Mayor has to use his personal phone to do his job as Mayor. Parrish commented that all the Council uses their personal cell phones.

Mayor Gioia questioned the price and use of the Blackberry Phones. Lee explained the Blackberry has been a handy tool that allows him to receive e-mail and keep schedules on task. Gioia questioned the cost and stated he had seen the invoices and each Blackberry was \$128.00 per month for basic services with a two year minimum contract. He questioned if the manager had the authority under Town Code to spend \$6,200, and most contracts have been going to Council. Lee explained each department has a separate line item for telephones. Finance Director Dane Bullard questioned how the \$6,200 figure was arrived at and stated he would be glad to review the invoices in his office, when he had the documentation in front of him.

Public Input:

Bob Womack questioned if he had heard the statement correctly that Council had directed staff to do something during a work session, and instructed the Manager not to go to a four day work week. Womack stated Lee does not work for the Council, Lee works for him, the citizens, and the Council also works for the citizens. He felt direction to staff in a work session was a violation of the open meeting law.

Robert Johnson stated you could get a good used car in Phoenix for \$10,000.

Robert Foreman stated Lee does not work for Lee, except at Twinkle Lights and he paid Lee very well.

Scott Simonton stated that as far as the performance of the manager and interacting with people like himself the Town has an outstanding representative in Bill Lee. Simonton stated when he is looking for property to develop; he looks for stability and continuity. He stated somehow Bill Lee convinced him to make part of the land only available to members of the community. Simonton stated he admires Mr. Lee, as he has worked hard and is dedicated to the community.

Gioia thanked Womack and agreed Council does work for the public. He stated it is up to the Council to set the policy and for staff to follow, and noted that everything is not black and white.

8. **Discussion concerning the performance of the Town Manager and the Finance/Personnel Director.**

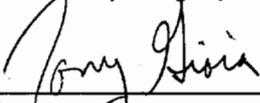
Council took no action on this item.

9. **Discussion, consideration, and possible assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of the Town Manager and/or Finance Director.**

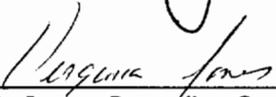
Council took no action on this item.

10. **Adjournment**

On a motion by Teague, seconded by Smith, Special Session was adjourned at 6:00 p.m.



Tony Gioia, Mayor

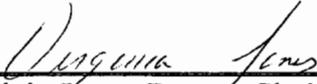


Virginia Jones, Recording Secretary

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 Special Session meeting of the Town Council of Camp Verde, Arizona, held on the 28th day of September, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 21 day of October, 2005
1st November



Virginia Jones, Deputy Clerk