

**DRAFT**  
**MINUTES**  
**REGULAR SESSION**  
**MAYOR AND COUNCIL**  
**COUNCIL CHAMBERS**  
**WEDNESDAY, MARCH 21, 2012**  
**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 Mayor called the meeting to order at 6:30 p.m.

2. **Roll Call**

Mayor Burnside, Vice Mayor Kovacovich, and Councilors George, German, and Whatley were present. Councilor Baker was absent. Councilor Buchanan resigned effective March 15, 2012 in order to run for District 2 County Supervisor.

**Also Present**

Town Manager Russ Martin, Interim Library Director Gerry Laurito, Marshal Nancy Gardner, and Town Clerk Deborah Barber

3. **Pledge of Allegiance**

Councilor Whatley led the pledge.

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) Regular Session – March 7, 2012
- 2) Special Session – March 7, 2012
- 3) Executive Session – March 7, 2012 (recorded)
- 4) Work Session – March 5, 2012

**b) Set Next Meeting, Date and Time:**

- 1) March 28, 2012 at 6:30 p.m. – Council Hears Planning & Zoning Matters - **CANCELLED**
- 2) April 4, 2012 at 6:30 p.m. – Regular Session
- 3) April 18, 2012 at 6:30 p.m. – Regular Session
- 4) April 25, 2012 at 6:30 p.m. – Council Hears Planning & Zoning Matters
- 5) Monday, April 30, 2012 at 4:00 p.m. – Budget Work Session

**c) Possible approval of a Special Event Liquor License application for the Golden Cobra Center of Fitness, Inc. for a fundraiser to be held at 5980 E. Coury Drive on Saturday, April 28, 2012 from 11:00 a.m. to 12:00 a.m. Staff Resource: Debbie Barber**

On a motion by Kovacovich, seconded by German, the Council approved the Consent Agenda as presented. Whatley abstained from voting on approval of the minutes since she was not present at the meetings.

5. **Special Announcements & Presentations**

- **Possible approval of a Proclamation declaring April as *Fair Housing Month*, urging all residents to comply with and show support for the letter and spirit of the Fair Housing Act.**
- **Welcome to the new businesses:**
  - ❖ **Native Garden Design – Camp Verde**
  - ❖ **Verde River Adventure Center – 45 W. Hollamon St., Camp Verde**
  - ❖ **Mary Kay Gift Baskets – Camp Verde**
  - ❖ **A Cut Above – Camp Verde**
  - ❖ **A special thank you also goes out to the 31 vendors that participated in the Pecan &**

## Wine Festival

The Mayor read the proclamation and proclaimed April as Fair Housing Month. He welcomed the new businesses and expressed appreciation for those vendors that participated in the Pecan & Wine Festival.

### 6. Council Informational Reports

Whatley advised that she had missed meetings because she went to Ethiopia with a friend to pick up an adopted child.

Kovacovich advised that the annual Verde Valley Water User's Association would take place at the Multi-Use Facility tomorrow night.

Burnside expressed his concerns about the increase in the usage of electricity, noting that there are different rates for the meters. He advised Council that he had asked the Manager to check into it and let Council know what is happening. He recognized the arrival Marshal Gardner.

### 7. Call to the Public for items not on the agenda.

Richard Williams and Patricia Crespo of Golden Cobra thanked Council for their support, noting that the mud bog was a big event and brought visitors to the Town.

David A. Milborne said that in August 2011 he filed a complaint about equipment parked in the Town's right-of-way. He was told that there were no laws prohibiting this. He came to Council on 11-16-11 to ask for an ordinance prohibiting the equipment parking. Council is responsible for ensuring the safety of its citizens. He said he was thinking about writing to the Governor to see if she agrees that this is an acceptable policy. *German requested a future agenda item to discuss this with staff present to explain the issues.*

There was no other public input.

### 8. DISCUSSION, CONSIDERATION, AND POSSIBLE APPROVAL OF A LEASE AGREEMENT, SECURITY SERVICES PORTAL AGREEMENT, AND A COMMENCEMENT DATE MEMORANDUM WITH GOVNET TO PLACE A MICROWAVE OR SIMILAR ANTENNA ON LIBRARY PROPERTY AS PART OF A NEW STATEWIDE DATA NETWORK THAT WILL BRING A LARGER AND STURDIER INTERNET CONNECTION TO OUR AREA. ~~Possible approval of the lease agreement with GovNET to place a microwave antenna on the Library building roof as part of a new statewide data network that will bring a larger internet connection to our area.~~ Staff Resource: Gerry Laurito

George began a motion and then withdrew it after a suggestion from the Mayor. On a motion by George, seconded by Kovacovich, the Council voted unanimously to approve the lease agreement, security services portal agreement, and the commencement date memorandum with GovNet to place a microwave or similar antenna on Library property as part of a new statewide data network that will bring a larger and sturdier Internet connection to our area.

Laurito gave a short presentation, explaining that GovNet was a private organization that had received a federal grant to expand data networks in rural areas statewide. He explained that in exchange for the Town allowing GovNet to place an antenna on Library property, the Town as a whole would receive a larger and sturdier Internet and approximately \$700 per month in free services and encrypted network services. Martin noted that the lease agreement could change as technology changes.

Council discussed the opportunity, the height of the disk/antenna on the roof and other possible antennas and locations as addressed in the agreements, and the opportunity for expanded emergency communications.

**Public Input**

There was no public input.

9. **Discussion, consideration, and possible direction to staff relative to updates and requested action(s) concerning proposed legislation that affects the Town.** Staff Resource: Russ Martin  
Martin discussed proposed legislation that might have negative impacts for the Town. A summary of the proposed legislation is attached and becomes a permanent part of this record. Of particular concern is HB 2826, consolidated election dates beginning with elections in 2014 and are not candidate elections. The purpose of the bill was to affect school and taxing districts. SB 1364 would allow Yavapai and Coconino counties to regulate the sale of fireworks, noting we would readdress our fireworks ordinance. He advised that it looked as though HURF would be down 6% in the State budget and the Vehicle License Tax is projected to decline. State shared sales tax is expected to increase 10% and the income tax sharing will provide a \$100,000 increase in the Town's revenues.

In answer to questions, Martin encouraged Council members to contact representatives about the Heritage Fund, noting that the bill is in committee and likely will not go anywhere because of the budget. There is also a bill gaining momentum that would prevent the sweeping of State Parks funds.

10. **DISCUSSION, CONSIDERATION, AND POSSIBLE DIRECTION TO STAFF RELATIVE TO FILLING THE VACANT COUNCIL SEAT LEFT BY THE RESIGNATION OF COUNCIL MEMBER ALAN BUCHANAN. PURSUANT TO STATE STATUTE, THIS POSITION WILL SERVE UNTIL THE NEXT REGULARLY SCHEDULED ELECTION, AT WHICH TIME; THE VOTERS SHALL DETERMINE THE CANDIDATE TO FILL THE REMAINDER OF BUCHANAN'S TERM.** Staff Resource: Debbie Barber  
Council directed staff to advertise and accept letters of interest until 12:00 p.m. on Thursday, April 12, 2012.

Barber explained that with the resignation of Council member Buchanan, staff was seeking direction as to how Council wished to proceed with filling the vacant seat, noting that the Town Code requires that the vacancy be filled within 60 days. She advised that to her knowledge there was no written policy as to how to fill the vacancy. She said that in the past, Council had solicited letters of interest. She closed with advising Council that the appointee must be a qualified elector in the Town of Camp Verde. She also suggested that if Council decided to accept letters of interest, they should set a cut-off date for accepting the letters to ensure that they had ample time to interview and select a new member.

11. **Call to the Public for items not on the agenda.**  
Justin K. Wertz signed the roster and thanked Council for their efforts.

There was no other public input.

12. **Manager/Staff Report**  
Martin advised that he was going to extend the RFQ deadline. This information will be sent to local realtors. Martin thanked Council for time off and Marshal Gardner's assistance in his absence. He reminded everyone of the 4<sup>th</sup> Friday event this Friday, noting that the Archaeology Center will have a film at Boler's Red Barn, an armadillo and anaconda at the Chamber, hayrides, cooking demonstrations, etc.

13. **Adjournment**  
On a motion by German, seconded by Kovacovich, the meeting was adjourned at 7:36 p.m.

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Bob Burnside, Mayor

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Deborah Barber, Town Clerk

**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 21<sup>st</sup> day of March 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Deborah Barber, Town Clerk

Legislative Update Conference Call

League of Arizona Cities and Towns  
Monday, March 19, 2012, 10:00 a.m.

NOTES

I. Legislative overview

All legislative policy committees are now closed except for the Appropriations Committees in the House and Senate. (The Rules Committees continue to meet to take action on bills approved in other committees.) Budget negotiations are underway between the Governor and legislative leadership, but no details have been released.

II. HB 2826 (consolidated election dates; political subdivisions)

This bill has not yet been scheduled for action in the Senate Rules Committee. We have had great support from city and town officials, as well as editorials in newspapers across the state, opposing this bill.

III. HB 2815 (employment; incentives; regulatory tax credit)

This bill, which still contains the Regulatory Tax Credit provision, is scheduled for Senate Appropriations tomorrow. We will be watching for possible amendments.

IV. Department of Water Resources funding

A. SB 1288 (municipal water fees; repeal; appropriation)

After receiving unanimous support in the House Agriculture and Water Committee, this bill, which calls for full repeal of the municipal assessment to fund DWR, is now headed to House Appropriations. This issue will ultimately be resolved in the budget negotiations, but the fact that it is moving successfully through the legislature is a good sign.

B. HB 2493 (department of water resources; funding)

This alternate bill regarding municipal funding of DWR is being used as a vehicle for an unrelated strike-everything amendment, so it will not move forward in its original form.

V. SB 1364 (consumer fireworks; permitted regulation)

This bill was amended in the House MAPS Committee last week to delete the section allowing Yavapai and Coconino Counties to regulate the sale of fireworks. It is now headed to House Rules.

VI. HB 2586 (border warning; dissemination)

The sponsor of this bill, Rep. Peggy Judd (R-Willcox), has withdrawn her support after a stakeholder meeting involving a number of city officials from border communities. Thank you for your quick response on this issue.

VII. Other

As requested, the League's Top 10 Bad Bills list is attached.

Action Requested:

- As opportunities present themselves, remind legislators to end the municipal assessment for DWR and end sweeps of HURF funds in this year's budget.
- If HB2826, HB2815 or the other bills regarding regulatory changes begin to move, we will ask for your action.
- Thank you for all your good work in response to our action requests this year!



***Pending Legislation with Negative Impacts to Arizona Municipalities***

***March 19, 2012***

**1. HB 2826 (consolidated election dates; political subdivisions)**

**Purpose:** To require that local elections take place in the fall of even-numbered years.

**Status:** Passed the House by a vote of 31-24 on March 1. Passed the Senate Judiciary Committee on March 12.

**Impacts:** State interference in a matter of purely local concern. Unnecessarily delays local elections, including recalls and bond elections.

**2. HB 2815 (employment; incentives; regulatory tax credit)**

**Purpose:** To establish a tax credit for the costs of "excessive regulation."

**Status:** Passed the House by a vote of 39-18 on March 1. Scheduled for a hearing before the Senate Appropriations Committee on March 20.

**Impacts:** Promotes litigation. Onerous infringement of local control. Burdens state shared revenues.

**3. HB 2416 (NOW: water and wastewater; denial prohibited)**

**Purpose:** Requires municipal water providers to grant services outside of their corporate boundaries if certain conditions are met.

**Status:** Passed the House on reconsideration by a vote of 32-26 on March 7. Scheduled for consideration by the Senate Rules Committee on March 19.

**Impacts:** Infringes on local control by mandating that city services be provided to non-city residents. Fails to protect current customers and assured water supplies.

**4. HB 2151 (s/e: assessments; intergovernmental agreements)**

**Purpose:** Prohibits cost recovery through assessments on property owners pursuant to certain IGAs.

**Status:** Scheduled for consideration by the Senate Rules Committee on March 19.

**Impacts:** Introduced to address a single-city issue that no longer exists, the change would inhibit the ability of cities and towns to partner with other entities. Such partnerships reduce costs to the taxpayer and increase efficiency in planning and development.

**5. HB 2729 (state regulation of firearms)**

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**Purpose:** Among other things, requires that firearms be allowed in municipal buildings unless the city employs costly measures, such as installation of expensive security systems, gun lockers and armed guards.

**Status:** Passed the House by a vote of 37-21 on March 6. Passed the Senate Judiciary Committee on March 12.

**Impacts:** Diminution of local control; imposes expensive unfunded mandate on cities.

**6. SCR 1030 (s/e: photo enforcement; speeding; prohibition)**

**Purpose:** Presumably to ban the use of photo radar for speed enforcement purposes.

**Status:** Scheduled for consideration by the House Appropriations Committee on March 21.

**Impacts:** Infringement on local control. Negative impacts on public safety.

**7. SB 1239 (planned communities; zoning; requirements)**

**Purpose:** Prohibits the planning agency of a municipality from requiring a subdivider or developer to institute an homeowners' association (HOA).

**Status:** Passed the Senate 28-1 on February 9. Passed the House Government Committee on February 21.

**Impacts:** Infringes on local control. Reduces cost-savings opportunities associated with HOA property management.

**8. SB 1186 (law enforcement officers; omnibus)**

**Purpose:** Among other things, limits the rights of public employers to require fitness for duty examinations of officers.

**Status:** Passed the Senate by a vote of 30-0 on February 28 and the House Committee on Military and Public Safety on March 14.

**Impacts:** Unnecessarily impinges upon local control. Diminishes local flexibility and negatively impacts public safety.

**9. SB 1212 (law enforcement officers; just cause)**

**Purpose:** Extends the application of exhaustive just cause processes to officer demotions and suspensions.

**Status:** Passed the Senate by a vote of 29-0 on February 9 and the House Rules Committee on March 19.

**Impacts:** Unnecessarily impinges on local control. Diminishes local flexibility and negatively impacts public safety.

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**10. HB 2780 (animal cruelty; ranching dogs)**

**Purpose:** Preempts city authority to adopt animal cruelty ordinances as applied to ranch and farm dogs.

**Status:** Passed the House by a vote of 43-15 on March 7. Passed the Senate Judiciary Committee on March 12.

**Impacts:** Eliminates ability of municipalities to enact animal cruelty ordinances involving ranching dogs that are at least as stringent as state law. Reduces animal protection and impinges on local authority.