

4.01

**MINUTES  
REGULAR SESSION  
MAYOR AND COUNCIL  
473 S MAIN STREET, SUITE 106  
WEDNESDAY, MARCH 19, 2014 at 6:30 P.M.**

**Minutes are a summary of the discussion. They are not verbatim.  
Public input is placed after Council discussion to facilitate future research.**

**1. Call to Order**

Mayor German called the meeting to order at 6:30 p.m.

**2. Roll Call**

Mayor Charles German, Vice Mayor Jackie Baker and Councilors Carol German, Bruce George, Jessie Jones, Brad Gordon, and Robin Whatley were present.

**Also Present**

Town Manager Russ Martin, Marshall Nancy Gardner, Town Clerk Deborah Barber and Recording Secretary Marie Moore.

**3. Pledge of Allegiance**

Mayor German 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) Joint Special/Work – March 5, 2014
- 2) Executive Session – March 5, 2014 (recorded)
- 3) Regular Session – March 5, 2014

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

- 1) FRIDAY, March 21, 2014 at 8:30 a.m. – Work Session - **CANCELLED**
- 2) March 26, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters **CANCELLED**
- 3) April 2, 2014 at 6:30 p.m. – Regular Session
- 4) April 9, 2014 at 5:00 p.m. – Work Session
- 5) April 16, 2014 at 6:30 p.m. – Regular Session
- 6) April 23, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters

**c) Discussion consideration, and possible approval of Wine Festival License for the Spring Heritage Pecan & Wine Festival from the following: Burning Tree Cellars LLC, Oak Creek Vineyards & Winery, Page Springs Cellars, Alcantara LLC., Pillsbury Wine Company North, LLC., Arizona Stronghold Vineyards, Freitas Vineyard, Cellar 433, Javelina Leap Estate Vineyards, Fire Mountain Wines, and Caduceus Cellars, LLC. Spring Heritage Pecan & Wine Festival will be held at 395 S Main Street on March 29 and 30<sup>th</sup>. Staff Resource: Debbie Barber**

On a motion by Vice Mayor Baker, seconded by George, Council voted unanimously to approve the Consent Agenda, cancelling the March 26<sup>th</sup> Council Hears P&Z meeting.

**5. Special Announcements and presentations:**

- Proclamation Declaring April 13-19, 2014 as National Library Week
- Proclamation Declaring April as Fair Housing Month
- Proclamation Declaring April at Go Blue for Casa Month

**6. Call to the Public for Items not on the Agenda.**

Nancy Floyd asked for volunteers for the Spring Heritage Wine & Pecan Festival on Saturday and Sunday, March 29-30, 2014. Kathy Hellman, Camp Verde Library Director, is the contact for anyone interested

7. **Presentation by Bob Oliphant and Ruth Wicks relative to the Yavapai College 10-Year Plan followed by possible discussion, questions and answers, and possible direction to staff relative to actions that can be taken to encourage the College to consider and develop their presence in the Verde Valley.**  
Council agreed that Economic Development Director Steve Ayers should represent Camp Verde on the committee for further review of Yavapai College presence in the Verde Valley.

Councilor German introduced Bob Oliphant and Ruth Wicks, as well as acknowledged the presence of Harold Herrington, representative for Camp Verde area with Yavapai College. Councilor German indicated that she is currently a member of this board, but does not represent the interests of the Town Council, unless they further instruct her too.

Bob Oliphant and Ruth Wicks presented a 10-Year plan, which is attached and becomes a permanent part of this record.

Russ Martin clarified that staff is currently looking for direction from Council regarding the placement of a representative from the Town of Camp Verde for the committee, and based on his current position, Community Development Director Steve Ayers is wise candidate and willing to participate.

Vice Mayor Baker stated that she has attended two committee meetings in addition to the Intergovernmental meeting and that she fully supports the idea of moving forward with a new facility in Camp Verde, as well as having Steve Ayers represent the Town for future sessions.

Councilor German voiced her approval while stating she has spoken with school administration and feels there is a need for a vibrant community college in the area, providing community members with the opportunity to further their education that might be restricted from at this time due to lack of finances or transportation.

Councilor Gordon indicated he felt at this time there did not seem to be a fair or equal distribution of funds coming from Yavapai College to support the district's needs.

Councilor George stated he supported the idea of moving forward and would like to see the needs of the community met with classes that were applicable to the area. George also asked to hear from Harold Herrington from Yavapai College on this topic.

Councilor Whatley described her personal experience and appreciation for her success in her education because of Yavapai College. Whatley indicated that at this time, students from Cottonwood schools are able to take dual credit hours to get a head start at their college education with Yavapai College Campus in Clarkdale and supports making the same opportunities available for Camp Verde residents.

Councilor Jones indicated that she also fully supports moving forward with the opportunity to allow the community to pursue a higher education and she felt that the Clarkdale campus lacks in opportunity and limits the community members because the classes and training offered in Prescott and Chino Valley are not available. This limited her when she was a college student.

Mayor German recognized how far the Town of Camp Verde has come, and as a retired educator, he believes that access to higher education is essential for the success of a community. German stated he would like to see the funds of Yavapai College distributed proportionately.

## **PUBLIC INPUT**

Harold Herrington, representative from Yavapai College addressed Council, first by clarifying that there is no competition in this matter as both parties are working toward the same cause. Herrington stated that the numbers presented to Council did not accurately reflect the amount of funds that are distributed to the Verde Valley Campus, as 2 years prior to the information presented, \$20 million was spent on the Clarkdale campus, which now is too large because enrollment has dropped. Herrington stated that it is the colleges purpose to put students in front of teachers and work to have that done on a constant basis. He noted that over 1/3 of student enrollment has turned to online classes in the past 3 years; the college has to consider enrollment levels. Sedona campus was given as an example, in which the college invested in a facility located in an area that the City of Sedona owned at the time. That property since has sold to a private individual and the college does not have legal access to parking or even entry to the facility at this current time. Herrington assured council that the college wanted to hear from the Town of Camp Verde regarding its needs and asked when Yavapai College ever denied a request to provide a continuing education to its community members.

Linda Buchanan, resident of Camp Verde and a 1999 graduate of Yavapai College, described her personal experiences and hardships endured while traveling from Camp Verde to the Clarkdale campus. Buchanan informed Council that she graduated and has since become an instructor with Yavapai College and had worked out of the Camp Verde facility when the College had a site at the abandoned school building. The building was not in the best condition but it served a purpose. She noted that the travel time to the Prescott Campus is 40 minutes and about the same as travelling to the Clarkdale Campus. She recognized Yavapai College and its agreements with other universities that allowed her to pursue her education and begin her career.

Council called for a 10 minute recess at 7:37 p.m. The meeting was reconvened at 7:45 p.m.

8. **Discussion of and possible direction to staff relative to the Town of Camp Verde Personnel Manual. Note: Council may make motions to accept, deny, or recommend changes to any or all of following Chapters and/or Chapter Sections in the Personnel Manual: Chapter 1 – General Employment Rights & Responsibilities; Chapter 2 – Employment Process; Chapter 3 – Compensation; Chapter 4 – Employment Benefits Chapter 5 – Work Rules; Chapter 6 – Employee Development; Chapter 7 – Safety and Health; and Chapter 8 – Termination of Employment. Staff Resource: Russ Martin**

In answer to Council questions, Martin explained that Council was receiving the same document without previous Council suggestions because he was not sure that he had a good understanding that there was a consensus on many of the items. He suggested that we needed to come up with a better process during work sessions so that everyone was on the same page, noting that the minutes indicated several areas in which there was no clear agreement. In answer to Council questions about the cost of some of the items that were supposed to come back to Council before a decision could be made, Martin advised that he could not remember the associated cost, but would get back to Council before they approved the Manual. Members discussed and appeared to agree to the need to see a final draft with all the changes outlined in red before they would consider approval. Councilor Gordon noted several grammatical and typographical errors throughout the document that should be corrected.

Mayor German advised that they would review the document chapter-by-chapter and that members should address their concerns in each section.

**Chapter 1 - Mayor German and Councilors, Jones, Whatley, George, and Gordon agreed to accept Chapter 1. Vice Mayor Baker and Councilor German opposed.**

There was a lengthy discussion regarding the proposed changes in Section 1-2-8.3, Use of Public/Town-owned Vehicles with the addition of "or is an emergency services employee with less than a 30-minute response time back to the city limits". Councilor German and Vice Mayor Baker were vehemently opposed to the addition, noting that citizens had come before Council on several occasions opposing this.

Marshal Gardner gave several examples of the need for allowing take-home vehicles for those that live outside

the Town limits. She explained that the Animal Control Officer (ACO) lives in Rimrock and takes calls after hours. She has been using her personal vehicle. She said that we would not want to place an injured animal in the CVMO vehicles or your personal vehicle. She said that staff does not make much money, but they care about the community and they care about providing service. She said that the agony was unnecessarily prolonged for the citizen and the animal. She noted that the ACO no longer answers her phone when off duty.

Gardner explained that recently, there was a fatal accident at I-17 and SR 260 and that an officer had to pass by the accident to get to the Marshal's Office to get his vehicle. She said that it was her goal to protect and serve the citizens and that without take-home vehicles, the public will suffer from the lack of a quick response to their needs. She also explained that she does vehicle inspections and that when an officer has 24-hour control of their vehicle, they can then be held accountable for the wrappers left inside and for the condition of the car. In answer to questions, she advised that they have 20 officers on staff right now and that typically 2 to 3 officers are on duty at one time. She also advised that they do not have sufficient storage room to house the vehicles. She advised that an officer is considered on duty when he or she leaves in their patrol car from home.

Sgt. Steven Butler advised that he is a 20-year veteran who gives 150%, lives in Cottonwood, and was the officer that had to pass by the fatal accident in his personal vehicle. He had an 18-minute drive to work and it took him 10 minutes to get his unmarked patrol unit ready before he could tend to the family members at the fatal accident. He also responded to a 'man down' scene near the casino in his personal vehicle. He was never told when he took the job that he would be required to live in Camp Verde. He said that he had read the Town policy before he came to work for the Town. He said that he had worked for the City of Cottonwood and the Yavapai-Apache Nation Police and that take-home vehicles never was an issue with two prior administrations and that it was never an issue. Council members corrected this statement, noting that it has always been an issue in Camp Verde and the take-home vehicle policy is clearly stated. Butler disagreed and thanked Council for their time.

Council questions as to whether a peace officer is on duty 24 hours and permitted by law to stop and render aid in their personal vehicles when necessary were unanswered.

Mayor German advised that this would come back to Council for a public hearing and that this is the way the political process works.

Councilor Jones said that we had several meetings and asked if this matter could be delayed because we had spent a lot of time on this one issue and everyone was upset. Jones suggested that they either say 'yes' or 'no' to the entire document instead of going through each chapter. Council members agreed that they were ready to move forward.

Mayor German said that they would be presented with a final document with all the changes and they could address matters at that time. Baker said that we had done this several times and Council should already have a final document in front of them at this meeting that had all the changes that were previously discussed. She said that this should be the final step in giving the Manager direction to come back with the final document. She asked Martin if this was the process.

Martin responded that ironically, this is what he was speaking to at the start, wherein, there was no clear direction from a majority of Council. He said that it made it difficult to manage with all these differing opinions. Baker responded that this is exactly what we are doing.

#### **Public Input**

Cheri Wischmeyer said that CVMO has never been allowed take-home vehicles if they lived outside the Town limits, noting a primary reason is the increased liability exposure to the Town. She said that the officers who live in Prescott and Prescott Valley would use a lot of gas, increase maintenance, and put many unnecessary miles on the new vehicles resulting in the need for vehicle replacement at a much quicker rate. She was very upset that this matter was being discussed in the Personnel Manual after the public had made it very clear that this was

unacceptable. She said had it been clear on the agenda that this was being considered again, that more people would have been at the meeting. Councilor Jones noted that people have access to the agendas at the Library and on the Town website. Wischmeyer said that this was a very big deal to the public and that Council should not approve it.

There was no other public input.

Mayor German and Councilors, Jones, Whatley, George, and Gordon agreed to accept the change. Vice Mayor Baker and Councilor German opposed.

**Chapter 2** – was approved by all Council members with no objections.

Councilor German reminded Council that they had agreed that the changes to Section 2-3-1.A would apply to non-department head positions only. The change was “After all internal recruitment options had been exhausted through the job posting program,” added to the first paragraph. All Council agreed to add ‘non-department head positions only’.

**Chapter 3** – was approved by all Council members with no objections.

Councilor German noted that Section 3-1-2.B.2.d had Town Marshal/HR Director. All Council members agreed that the Human Resource Director should have its own line.

Mayor German noted that the Manager was supposed to bring back the associated costs with the changes to Section 3-7-1.B Holiday Pay. Martin said that he would provide this information before the Manual is approved.

#### **Public Input**

Debbie Hughes suggested that Section 3-6-1 include that the holiday hours were to be included in the overtime calculations. Martin explained that this was addressed in Section H.

Marie Moore explained that because an employee only earns 3.39 hours per pay period for holiday pay, there are many times that vacation has to be used instead of holiday pay or not receive a full paycheck. She asked if Council could consider starting the year with the 88 holiday hours as opposed to the way it is done now. Martin recommended leaving it as is.

There was no other public input.

After discussion, Council members agreed to leave vacation hours as an accrual process.

Councilor German noted that Council members had previously agreed that Section 3-7-3 should not be deleted. All Council members agreed.

**Chapter 4** – *no consensus was taken*. However, Councilor George was opposed to Section 4-10-3.E and Baker, German, and Jones were opposed to Section 4-12-4.D.

Council discussed Section 4-10-3.E, the addition of “Upon hire an employee may be given years of service credit only for the purpose of accruing the proper level of leave commensurate with experience” at length. Members agreed that it should be for Exempt positions only; that it was at the discretion of the Manager; and that experience brought could not exceed 12 years. Councilor George opposed, as he felt it should be applicable to all employees.

#### **Public Input**

Debbie Hughes advised Council that some people come in with 10 years of experience, but that it could be one or

two different places. She suggested that Council consider continuous experience.

There was no other public input.

Council also discussed at length Section 4-12-4.D, the addition of "Employees that are retired through the Public Safety Retirement System and therefore ineligible to participate in the ASRS of PSRS, the Town will match up to 3% for alternate plans." Discussion included the perception of 'double dipping' since the Town was required to pay 17% into PSRS even though the employee received no additional benefit. Vice Mayor Baker and Council members, Jones and German opposed this addition.

#### **Public Input**

Commander Gimt said that Council should take into consideration that he came back to work because of his divorce since his former wife gets half of his retirement. He said that he is committed to Camp Verde and he wants to be assured that Camp Verde is committed to him. He said that he puts his own funds away and he wants to leave here with something that Camp Verde contributes. He said that he bought into the process and he wants the Town to buy into the process as well.

Cheri Wischmeyer said that there were alternatives that employees could contribute pre-tax and that would not require an additional contribution from the Town.

There was no other public input.

Martin said that the issue is the Town contribution, which is an additional 3% cost in order to attract qualified employees.

**Chapter 5** – was approved by Council members with Baker and Councilor German opposing.

Council discussed Section 5-1-1 Normal Work Week Hours at length. Martin explained that it should be up to the department heads to determine the schedule for their staff, noting that many departments already have differing schedules. Baker and German felt that it was too broad and that it should be up to Council to set the work hours as a matter of policy. They were disturbed that some departments are not adequately staffed during normal work hours. Martin did not understand the problem and explained that many departments, such as the Sewer, CVMO, Maintenance, and Street Departments required differing schedules due to many different factors. German and Baker agreed, but felt that other departments should work the same schedules to serve the public.

#### **Public Input**

Debbie Hughes felt that Section 5-6-7 dealing with the Hearing Officer process should not be struck. *All Council members agreed that this Section should remain in the Personnel Manual.*

There was no other public input.

**Chapter 6** – was approved by all Council members with no discussion or objections.

**Chapter 7** – was approved by Council members with no change to Section 7-3, Smoking, with Whatley, George, and Councilor German opposed.

Gordon was opposed to changing Section 7-3 from Smoking to a Tobacco Free Work Place. Mayor German, Vice Mayor Baker, and Councilors Jones and Gordon in agreement to leaving this section as it is.

**Chapter 8** – was approved by all Council members with no discussion or objections.

9. **Call to the Public for items not on the agenda.**  
There was no public input.

10. **Discussion, consideration, and possible direction to staff relative to proposed legislation by the 51<sup>st</sup> State Legislature during its 2<sup>nd</sup> Regular Session that convened on January 13, 2014.** Staff Resource: Russ Martin Council acknowledged the importance of contacting Senator Crandall regarding HURF funds and the impact it will have directly on the Town of Camp Verde.

Russ Martin informed Council that there is still time to contact Senator Crandall regarding HURF funds, as the proposed legislation change could have a \$40,000.00 impact on the Town of Camp Verde.

11. **Council Informational Reports.**

Jones informed Council there would be a Yavapai County Farm Bureau Meet and Greet on March 31, 2014.

George attended the Forum for the Verde River Basin Partnership.

Gordon informed Council that the Verde Valley Land Preservation Unit is gearing up for fundraising and will be contacting local merchants soon.

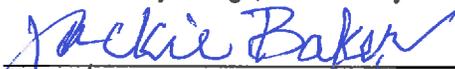
Baker attended the Sedona St. Patricks' Day Parade and indicated there was no representation from Camp Verde in the parade.

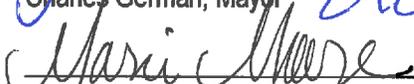
12. **Manager/Staff Report**

There was no Manager/Staff report.

13. **Adjournment**

On a motion by George, seconded by Whatley, the meeting was adjourned at 9:52 p.m.

  
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Charles German, Mayor *vice Mayor*

  
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Marie Moore, 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 March 19, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 3 day of April, 2014.

  
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Deborah Barber, Town Clerk