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**AGENDA
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 15, 2014 at 6:30 P.M.**

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
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 – October 1, 2014
 - 2) Regular Session – September 17, 2014
 - b) **Set Next Meeting, Date and Time:**
 - 1) October 22, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
 - 2) October 22, 2014 at 5:30 p.m. – Work Session – CIP
 - 3) November 5, 2014 at 6:30 p.m. – Regular Session
 - 4) November 12, 2014 at 5:30 p.m. – Work Session
 - 5) November 19, 2014 at 6:30 p.m. – **Combined Regular/Council Hears P&Z Matters**
 - 6) November 26, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters - **CANCELLED**
5. **Special Announcements and presentations:**
 - Possible approval of a proclamation declaring Camp Verde Clean and designating the following weeks as clean-up events: 3rd week in March for Spring Festival, 2nd week in July for Cornfest, 1st week in October for Fort Verde Days, and the 1st week in December for the Christmas Bazaar and Light Parade. Staff Resource: Mayor and Council
6. **Call to the Public for Items not on the Agenda.**
7. **Presentation of the Community Survey Results by Yavapai College Representatives Dr. Clint Ewell and Vice President for Finance and Administrative Services Harold Harrington, District Governing Board Spokesperson, to include possible discussion by Council. Staff Resource: Mayor and Council**

8. **Presentation and possible discussion of Quarterly Reports as presented by:**
 - Planning & Zoning Commission
 - Board of Adjustments & Appeals
 9. **Update and possible discussion of the CVMO Department of Homeland Security grant award of \$40,623 to continue the upgrade of the interoperability radio communication process with radio receivers and antennas and microwave towers. Staff Resource: Marshal Gardner**
 10. **Update and possible discussion of the CVMO Governor's Office of Highway Safety grant award of \$17,462 for overtime details involving DUI enforcement, traffic violation enforcement, and the purchase of equipment. Staff Resource: Marshal Gardner**
 11. **Discussion, consideration, and possible approval of Resolution 2014-931, a resolution of the Common Council of the Town of Camp Verde, Arizona, Yavapai County, Arizona declaring as a public record a certain document filed with the Town Clerk and entitled, "Section 11-1-5 Noise" of the Town Code. Staff Resource: Bruce Girt and Mike Jenkins**
 12. **Discussion, consideration, and possible approval of Ordinance 2014-A399, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting by reference "Section 11-1-5 Noise" Text Amendment and proscribing penalties for violations thereof. Staff Resource: Bruce Girt and Mike Jenkins**
- Councilor German item 13:
13. **Discussion and possible direction to staff relative to the Building Code referendum petitions that were rejected by the Town Clerk.**
 14. **Call to the Public for items not on the agenda.**
 15. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
 16. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
 17. **Adjournment**

Posted by:

O Jones

Date/Time:

10-8-2014

9:30 a.m

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

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**DRAFT MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS - 473 S. MAIN STREET, ROOM #106
WEDNESDAY, OCTOBER 1, 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 German, Vice Mayor Jackie Baker, and Councilors Bruce George, Carol German, Brad Gordon, Robin Whatley, and Jessie Jones are present.

Also Present

Town Manager Russ Martin, Assistant Town Clerk Barbie Bridge, and Recording Secretary Lynn Riordan.

3. **Pledge of Allegiance**

Mayor German led the pledge.

4. **Consent Agenda** - All those items listed below may be enacted upon 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) Special Session – September 24, 2014
- 2) Executive Session – September 24, 2014 (Recorded)
- 3) Regular Session – September 17, 2014
- 4) Work Session – September 10, 2014

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

- 1) October 8, 2014 at 5:30 p.m. – Work Session - **CANCELLED**
- 2) Friday, October 10, 2014 at 9:00 to 11:00 a.m. – Work Session
- 3) October 15, 2014 at 6:30 p.m. – Regular Session
- 4) October 22, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters

c) **Possible approval of Resolution, 2014-928, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving an Intergovernmental Agreement with the Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing (OMH) for enforcement of installation standards of manufactured homes and factory-built buildings. Staff Resource: Mike Jenkins**

On a motion by Vice Mayor Baker, seconded by Councilor George, the council unanimously voted to approve the Consent Agenda with the following amendments: Regular Session Minutes – September 17, 2014 are not approved pending amendments/corrections and will be considered at the next Regular Session; there are no minutes for Work Session – September 10, 2014 as it was cancelled; and both the October 8, 2014 Work Session and the October 10, 2014 Work Session are cancelled.

Councilor Gordon stated he did not approve of the Office of Manufactured Housing (OMH) in general, as it was just another unnecessary bureaucracy, created additional fees/costs to home owners and builders, and the Town building inspectors can and do provide the inspection services.

5. **Special Announcements and presentations:**

Possible approval of a proclamation designating November 1, 2014 as “Extra Mile” Day.

Mayor German proclaimed November 1, 2014 as “Extra Mile” Day.

Mayor German advised the purpose of proclaiming “Extra Mile” Day was to recognize the volunteers in the community that have gone the “Extra Mile” in providing services or donating time or materials to the community. Mayor German, and the council, recognized the “Old Guys” that recently completed the outdoor kitchen and other

work at the Ramada, stating that the labor and materials for this project was all done with used materials, donated materials and volunteer labor, and that the "Old Guys" had done an excellent job.

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

Deb McCasland addressed the Mayor and Council stating she was running for a position on the Yavapai Community College Board and requested support and votes from the Council and general public.

Robb Witt addressed the Mayor and Council stating he had a Petition requesting the residents of the Town of Camp Verde be allowed to vote on building code changes, and requests this matter be placed on the Agenda for Council discussion.

Steve Goetting addressed the Mayor and Council stating he was hosting an event at Boler's Bar on Saturday night during Verde River Days, and was hosting an event for the Camp Verde High School 20th year reunion, and advised there was also a business event, which would include discussions regarding Verde Rio, on November 13, 2014 at Yavapai College.

In response to Mr. Witt's request, Carol German requested that the Town Clerk add the Petition and consideration of the requests in the Petition presented by Mr. Witt to the regular Council Agenda within the next month.

7. **Discussion, consideration, and possible direction to staff relative to the Manager Review procedures as adopted by Council in 2004 and amended in 2009.** Staff Resource: Russ Martin

Town Manager Russ Martin requested clarification and directives regarding the Town Manager Review and timeline for that review before beginning the process. After substantial discussion between the Mayor, Council and Town Manager, Councilor Gordon made a **Motion** to conduct the Review using the process adopted by the Mayor and Council in 2004 with the forms used in 2013, with typographical errors corrected. Motion seconded by Mayor German. Motion passed by unanimous vote.

It was the consensus of the council that most productive and comprehensive review of the Manager shall be that the review will be in one consolidated form showing the average scores, with each council member being allowed a narrative to specify or elaborate on the Manager's weaknesses or strengths, thereafter allowing the Manager to comment or address each score and/or narrative/concerns.

8. **Discussion, consideration, and possible direction to staff relative to the timeline of the Manager's annual review.** Staff Resource: Mayor and Council

On a Motion by Mayor German, and seconded by Vice Mayor Baker, the Council unanimously voted to delay the Manager's annual review until receipt of the written results of the current investigation.

Town Manager Russ Martin stated his anniversary date was August 8, 2014. Councilor Gordon stated his review should have been started and completed within 30 days prior to or after his anniversary date, however, due to the current circumstances and the current investigation in progress, delay of the Manager's annual review would be appropriate.

Councilor George and Jones requested item 9:

9. **Discussion, consideration, and possible direction to staff regarding four (4) Town-wide clean-ups sponsored by the Council and staff for Highway 260 at mile marker 224-225. Council may also set the cleanup dates at this time.**

On a **Motion** by Councilor George, seconded by Councilor Jones, the Council unanimously voted to have the Town of Camp Verde adopt MM 224-225 on Hwy 260 with the ADOT Adopt a Highway for clean up.

Councilor George read a draft of the proclamation designating four Town-wide clean up days. Councilor Jones advised that, in addition to the four Town-wide clean up days, Mike Brown with ADOT provided information that mile parkers 224-225 on SR 260 was available for "adoption", and she would like to see the Town of Camp Verde adopt this stretch of highway for clean-up. ADOT provides garbage bags and safety training prior to highway cleanup. After discussion it was the consensus of the Mayor and Town Council that a **proclamation** should be drawn to designate four days per year for Town-wide clean up, with the dates being on the weekend prior to Town Events, and having the Town of Camp Verde adopt a highway, MM 224-225 on SR 260. The Mayor and Council encourage that the Town Council and staff lead by example and encourage support and engage support services from schools, churches, and businesses. Town Manager Russ Martin stated that after clean-up, the Town staff tries to pick up the trash immediately, however, leaving the bagged and collected trash for residents and visitors to see is educational, therefore, he requested direction from the Council on whether or not to have the trash picked up immediately by Town staff. After discussion, it was the consensus of the Council that all Town-sponsored clean up should be picked up immediately, except for any co-op with ADOT Adopt a Highway specifically MM 224-225. The Council unanimously agreed that the ADOT Adopt a Highway sign should show "Town of Camp Verde".

10. **Call to the Public for items not on the agenda.**
None.

10. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

Councilor Whatley suggested that council members, staff and public should visit the Ramada and see what a wonderful job the "Old Guys" did in completing the Ramada and kitchen area.

Councilor George stated that the last Monday of every month is "Coffee with a Cop", open to the public, and encourages anyone that wants to meet with a deputy is welcome to attend. Councilor George also stated that the Verde Valley Transit met on September 24, 2014. Ron Long has completed 50% of the design stage of the roundabout, and approximately 90% of the Finnie Flat sidewalk project design. The new bus stop shelters can now be purchased through the correctional industries, which reduces the cost for each bus stop shelter from approximately \$15,000 to \$5,000.00.

Councilor Gordon stated he attended a meeting regarding the "string of pearls" of the Verde trails which include trails from Sedona to Fossil Creek. Councilor Gordon also stated that he attended the Fire District Meeting wherein discussion included review of the Fire Chief and the possibility of combining Camp Verde and Rimrock Fire Department administration to reduce costs.

Vice Mayor Baker stated the "Old Guys" did an excellent job in completing the project at the Ramada, advising that the majority of materials used were donated or used.

Councilor German stated she attended a panel discussion in Sedona that centered on how Yavapai College can enhance education in the Verde Valley.

11. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

Town Manager Russ Martin reminded everyone that there were no meeting scheduled for the following week due to Fort Verde Days.

Mr. Martin also advised that due to the bus stop shelters being less expensive there is now enough money in the

budget to purchase one more, which will be placed across from Walgreens.

Mr. Martin also stated that he expects to have final plans from the architect for the library project by early next week.

12. **Adjournment.** On a **motion** by Mayor German, seconded by Councilor Gordon, the council unanimously voted to adjourn the meeting at 7:36 p.m.

Charles German, Mayor

Lynn Riordan, 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 October 1, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2014.

Debbie Barber, Town Clerk

4a.2

**DRAFT MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, SEPTEMBER 17, 2014 at 6:30 P.M.**

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**

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

2. **Roll Call**

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

Also Present: Town Manager Russ Martin, Marshall Nancy Gardner, Library Director Kathy Hellman, Finance Director Mike Showers, Deputy Town Clerk Virginia Jones, 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) Regular Session – September 3, 2014
- 2) Special/Work Session – August 27, 2014
- 3) Executive Session – August 18, 2014 (Recorded)

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

- 1) September 24, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
- 2) October 1, 2014 at 6:30 p.m. – Regular Session
- 3) October 8, 2014 at 5:30 p.m. – Work Session
- 4) October 15, 2014 at 6:30 p.m. – Regular Session
- 5) October 22, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters

c) **Possible approval of an agreement with the Verde Valley Humane Society to accept stray animals that are unclaimed after five (5) days and unable to be given to a rescue for a fee of \$70.00 per animal. Staff Resource: Marshal Gardner**

d) **Possible authorization to move \$14,865 from the FY13-14 Contingency Budget line item into the Community Development department budget lines as shown on the attached re-appropriation forms for the purpose of abatement costs associated with nuisance and dangerous buildings. Staff Resource: Mike Showers**

e) **Possible approval of Yavapai County Flood Control Intergovernmental Agreement Change Order #2, carrying forward \$110,353.88 FY 13/14 unspent funds for Phase 2 of the Finnie Flat/Cliffs Drainage Project, A and Yavapai County Flood Control 2014/15 Gaddis Wash improvements in the amount of \$75,000. Staff Resource: Ron Long.**

f) **Possible approval of and authorization for the Mayor to sign on behalf of the Town to accept two (2) Permanent Access and Drainage Easements for the acquisition of permanent drainage easements on parcels 404-12-051A, and 404-16-213. Staff Resource: Ron Long**

g) **Possible authorization for the Mayor to sign on behalf of the Town for future Permanent Access and Drainage Easements obtained by staff in the 14/15 Budget Year. Staff Resource: Ron Long**

h) **Possible authorization to begin opening the library for Teens Only on Saturdays from 5:30 p.m. to 10:00 p.m. Staff Resource: Kathy Hellman**

On a Motion by George, seconded by Gordon, Council approved the consent agenda with a 6-1 vote, including a change of the work session to be held on the 10th. Baker opposed.

Mayor German requested to pull item 4.B (3).noting that he and the Town Manager are unavailable for that work session and proposed moving the work session to October 10th at 9:00 a.m.

Vice Mayor Baker requested to pull item 4G.Vice Mayor Baker quested the vagueness of item G. Town Manager, Russ Martin, explained that this was added to simply help alleviate time consumption and streamline the process. Council discussed the pros and cons and agreed that it would streamline the process.

5. **Special Announcements and presentations:**

- **Yavapai County Supervisor Tom Thurman and County Administrator Phil Bourdon will update and discuss with the Council on activities in Yavapai County, to include the Jail District proposal.**

Yavapai County Supervisor, Tom Thurman, updated and provided a pamphlet regarding the proposed Jail District sales tax, up to a maximum of ½ cent per dollar of sales, within the County for a period of 20 years that will be on the November Ballot. Mr. Thurman explained the Board of Supervisors had considered three different choices and the most logical was to build a new facility near Prescott Lakes Parkway, with construction to be completed in 2019. Thurman stated the County currently absorbs the cost of transporting inmates between Camp Verde and Prescott at a cost of close to one million dollars per year, and the current busses must now be replaced. Supervisor Thurman the Jail District Tax Levy

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

Rob Witt addressed Council regarding his recently filed referendum against Ordinance 2014-A401, adoption of the 2012 International Code Council Codes. Mr. Witt stated that he had collected 325 signatures, individuals who wanted the Council to place something on the ballot. Mr. Witt admitted the rejected petitions were his fault but requested Council acknowledge that there were 325 people who wanted to see the decision changed and requested the item be put on the ballot for vote.

Mark Pentacost requested that Council review item 4H of the consent agenda and referenced a document stating that the library could not be open or closed for exclusive use, but when open, must be open to the public.

Murray Lichty requested that the Agenda's be written in plain English and that all information listed have full titles rather than abbreviations. Mr. Lichty stated that the Town Resolutions are not available on the web for the public to review. Mr. Lichty finished by warning Council not to spend money they do not have.

Cheri Wischmeyer addressed Council in regards to what she refers to as a long-term problem at the Marshal's Office. Ms. Wischmeyer stated she felt she is now a target because she followed through with public information requests after current and past employees voiced concerns to her. Wischmeyer submitted a report to Council and requested a full investigation be followed through with, concerning past and current issues.

Tom Pitts advised Council he had attended recent meetings including the Sedona Verde Valley Tourism Council meeting and stated that they are in the process of conducting a broad based tourism survey. Mr. Pitts also attended the Verde Valley Regional Broadband Coalition meeting and they are in the process of an aggregate use study, which is a tool to get broadband internet to Camp Verde. Mr. Pitts stated that he also attended a press meeting regarding a grant for Alcatara Vineyards, and was happy to report that they

have received a grant from USDA in the amount of for marketing and product development.

Steve Goetting informed Council that Spur Ventures is collaborating with the Camp Verde Library to bring the 'Y Commentator' online classes to the community, which is sponsored by Stanford University.

7. **Public Hearing, discussion, consideration & possible recommendation of approval of a Class 12 Micro-Brewery and Restaurant Liquor License application for Verde Brewing Co., LLC located at 325 S. Main St., Camp Verde. Staff Resource: Debbie Barber**

On a motion by George, seconded by Baker, Council unanimously approved the Class 12 Restaurant Liquor License application for Verde Brewing Co., LLC located at 325 S. Main St., Camp Verde.

The applicant, Alex Goetting, stated the Verde Brewing has been open for 8 months and has started distributing to Blazing M Ranch. Mr. Goetting informed Council of his intentions to research the current location, Bolers Bar, and is looking into the historic value and restoration of the building.

Deputy Clerk, Virginia Jones, informed Council of a typographical error and stated that item 7 should only state Restaurant Liquor License and item 8 should only state Micro-Brewery Liquor License.

8. **Public Hearing, discussion, consideration & possible recommendation of approval of a Class 3 Micro-Brewery and Restaurant Liquor License application for Verde Brewing Co., LLC located at 325 S. Main St., Camp Verde. Staff Resource: Debbie Barber**

On a motion by Whatley, seconded by George, Council unanimously approved the Class 3 Micro-Brewery Liquor License application for Verde Brewing Co., LLC located at 325 S. Main St., Camp Verde.

The applicant, Alex Goetting thanked Council for their consideration in the application.

9. **Discussion, consideration and possible approval of one of the following Ordinances:**
- a) **Ordinance 2014-A398, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, relating to the Transaction Privilege License Tax: amending the Tax Code of the Town of Camp Verde, Arizona by removing exemption (Q) sales of food for home consumption, under Section 8-465 retail Sales: Exemptions.**
 - b) **Ordinance 2014-A398 an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, relating to the Transaction Privilege License Tax; Amending the Tax Code of the Town of Camp Verde, Arizona by changing Exemption (Q) sales of food for Home consumption, under Section 8-465 Retail Sales; Exemptions to read, sales of food for home consumption at 1 percentage point less than the current retail sales tax rate. Staff Resource: Russ Martin and Michael Showers**

On a Motion by George, seconded by Whatley, Council approved in a 4-3 vote Ordinance 2014-A398, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, relating to the Transaction Privilege License Tax: amending the Tax Code of the Town of Camp Verde, Arizona by removing exemption (Q) sales of food for home consumption, under Section 8-465 retail Sales: Exemptions. The Ordinance shall include a sunset clause of 3 years. Baker, German and Gordon opposed.

Town Manager, Russ Martin explained to Council the options that were on the agenda, explaining that if

option A is chosen, the exemption would be removed completely and a 3% tax would be imposed on food. If option B were to be selected, the exemption would be modified to a 2% tax increase of food for home consumption. Martin explained that the Town has a balanced budget; however, there are not enough funds for the Capital Improvement Projects that need to be completed. Martin explained that currently the Town does not have a food tax or a property tax that some of our surrounding communities currently have, with Sedona being an exception. Martin expressed that a food tax was the most stable option when deciding on which tax amount to increase.

Mayor German questioned the effective date if Council approved the tax increase. Martin stated the effective date would be December 1, 2014.

Public Input:

Jim Meredith, an 8-year resident stated that the residents of Camp Verde live in an economically depressed area and to place a tax on food that is a necessity is morally wrong. Meredith indicated that the State Legislature has turned down a food tax every time it has been discussed. Mr. Meredith stated he favors a property tax over a food tax.

BJ Davis indicated that he is not generally in favor of taxes; however, he does see the need for a new economy. Mr. Davis stated that he feels this is good for the Town and more revenue is necessary to move forward. Mr. Davis suggested the Town implement a sunset clause to see how well the tax increase works and is in favor of either a food or property tax in Camp Verde.

Greg Blue stated he felt the Council was putting the cart before the horse and spoke of the imbalance in the Town due to lack of commerce. Blue indicated he would rather see the Council focus on new development and commerce in the community before imposing a tax. Mr. Blue indicated that taxing an essential item to live on is extortion and suggested the Council put the matter on the ballot to see how the community truly feels about the increase.

Steve Goetting suggested that if a tax is necessary, the tax should be placed on something other than food, and recommended an increase in sales tax.

Bill Feldmeyer questioned if there was already a list of CIP projects the Town intended to fund with the food tax because it was not included in the agenda packet and it is difficult to support the matter without having better knowledge of what the needs being funded are. Mr. Feldmeyer suggested the Town mirror the process the County is using regarding the Jail Tax increase so that community members are confident and vetted in the tax increase.

Irene Peoble indicated that the Camp Verde school system has, or has had, one of the largest numbers of free and reduced lunch programs, which is due to the poverty level in Camp Verde. Mrs. Peoble referenced the large amount of the Camp Verde population that are using food stamps and voiced her lack of support for a food tax.

Tom Bast recommended the Council raise the sales tax .7% because it is more reasonable and it would be funded by more than local residents.

John Bassous outlined the many taxes that all residents are currently subject to paying and stated that most Americans currently pay 25-30% of their income to taxes. Mr. Bassous warned Council that historically when a community reaches almost 40% taxation, it fails. Mr. Bassous stated that the solution is more taxpayers, not more taxes.

Tom Pitts voiced his concern with the food tax and stated he felt this was the wrong way to try to fund

projects. Mr. Pitts indicated he favored an increase in sales tax and stated that it can be accomplished quickly, where a property tax would require a vote.

Rob Witt stated he felt that this idea would be taking away from what is already existing without adding any production. Mr. Witt agreed that the Town needs more revenue but does not agree that a food tax is the solution and indicated that the community in general is very opposed. Mr. Witt warned Council that if they pass a food tax they would be sending a message that the Council does not care about the residents.

Town Manager, Russ Martin addressed the concerns voiced by the public and stated that the information regarding how the revenue increase would be used has been discussed on several occasions, including the prior week's meeting and recommended the public attend the October 10th work session where it will be discussed. Martin stated that a detailed description of the projects are available to the public on line and indicated that a 3% increase in tax would generate \$400,000.00 annually for the Town.

Councilor Gordon stated that he was comfortable with working on the Town budget but not comfortable with taking more of the resident's money and felt that it was Council's responsibility for making the case for the need of increased revenue. Councilor Gordon explained that if the residents of the Town wanted to have better facilities and things available then the funding would have to come from somewhere eventually.

Councilor German voiced her disapproval of a food tax and doesn't feel a property tax is an option either. German requested the finance director bring back to Council information regarding revenue increases with a .25% increase in sales tax, and suggested that this also include a sunset clause. Councilor German indicated that this option would not affect low-income residents. Councilor German also suggested that the tax increase be designated for the CIP. Councilor German indicated that previous Councils had promised the food tax would remain exempt and feels the current Council should uphold that.

Manager Martin indicated to Council that a .25% increase would be equivalent to \$200,000.00 and a .50% increase would be equivalent to approximately \$400,000.00. Martin reiterated that the half cent increase would be the same as a 3% raise in food tax.

Councilor George stated that out of 90 cities in Arizona, 65 have a food tax, and indicated that if there is to be any progress in the town there must be a revenue increase. Councilor George stated he would be in favor of a property tax but the process would take 8 to 9 months along with voter approval.

Councilor Whatley stated she preferred to spend a few more cents at Bashas' than have a large increase in property tax, indicated that people already struggle with making mortgage payments. Councilor Whatley reminded Council, and the public, that the improvements are not free and stated the people who advocate for improvements are the same people who do not support investing in the Town.

Councilor Jones informed Council that if a person were to spend \$150 a week in groceries at Bashas', they would see an increase in their bill of \$4.50 from the added tax, which comes to a total of \$216.00 a year. Councilor Jones explained that she supports this tax, a property tax or any tax increase to help make the Town a better place.

Mayor German stated the importance of investing in ourselves and indicated the importance of a balanced process. Mayor stated he favors the raise of .7 cents in sales tax as well as a property tax and repeated the importance of investing in "ourselves".

Vice Mayor Baker indicated there was no way she could support any type of tax increase at this time and stated that it is not as if the Town is unable to make any improvements at all, and suggested the Town make the improvements that are priority with the money previously budgeted.

Mayor German called a recess at 8:41 pm. Mayor German called the meeting back to order at 8:51 p.m.

10. **Discussion, consideration, and possible approval of Resolution 2014-912, a resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona approving the form and authorizing the execution and delivery of a second purchase agreement, a second trust agreement and other necessary agreements, instruments and documents; approving the sale and execution and delivery of a not to exceed \$5,000,000 aggregate principal amount pledged revenue and revenue refunding obligation, series 2014, evidencing the interest of the owner thereof in the purchase agreement; delegating authority to the Mayor, Manager and Finance Director of the Town to determine certain matters and terms with respect to the foregoing; adopting post-issuance tax compliance procedures in connection with issuance of obligations of the town; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution and declaring an emergency.** Staff Resource: Russ Martin

On a Motion by George, seconded by Baker, Council approved Resolution 2014-912, a resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona approving the form and authorizing the execution and delivery of a second purchase agreement, a second trust agreement and other necessary agreements, instruments and documents; approving the sale and execution and delivery of a not to exceed \$5,000,000 aggregate principal amount pledged revenue and revenue refunding obligation, series 2014, evidencing the interest of the owner thereof in the purchase agreement; delegating authority to the Mayor, Manager and Finance Director of the Town to determine certain matters and terms with respect to the foregoing; adopting post-issuance tax compliance procedures in connection with issuance of obligations of the town; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution and declaring an emergency.

Finance Director Mike Showers explained that approval of the Resolution allows the Town to execute all necessary documents for the Town to have money-in-hand when bids for the Library are received and the contracts are signed. Mr. Showers presented a power-point presentation, which is attached and becomes a permanent part of the record.

In response to Councilor Baker's question, Manager Martin explained that closing costs have been factored in.

Public Input:

Tom Pitts informed Council that a rate such as this on a project is historically impossible and supports involving the payoff of the Marshal's office.

11. **Discussion, consideration, and possible direction to staff regarding the appointment of a new Magistrate.** Staff Resource: Russ Martin

On a Motion by Gordon, seconded by George, Council directed staff to schedule interviews on Wednesday, September 24, 2014 with the two new candidates for consideration of appointment as Magistrate.

Manager Martin stated that the newly appointed magistrate had notified the Town that he would not be accepting the position of Magistrate, therefore staff is seeking direction from Council.

Council discussed the previous two candidates that had been interviewed. Martin indicated that the current Magistrate, Harry Cipriano, has requested another applicant be considered who was not available at the previous interviews. Councilor Gordon stated he favored interviewing new applicants. Vice Mayor Baker

stated that Council had previously made a decision on who they considered first, second and third choice candidates and strongly felt the second choice candidate should be contacted and offered the position. Councilor Whatley indicated that the order of candidates was not unanimous and requested other applicants be interviewed.

12. **Discussion, consideration, and possible selection of an independent attorney to review employee complaints and Council conduct as it relates to Town Council Policies, Rules, and Procedures.** Staff Resource: Russ Martin/Bill Sims

On a Motion by Gordon, seconded by George, Council voted 5-2 to select Amy Lieberman as an independent attorney to review employee complaints and Council conduct as it relates to Town Council Policies, Rules, and Procedures. Baker opposed, German abstained.

Council discussed the various choices with Vice Mayor Baker requesting Council reconsider the idea of an independent source to handle the matter and felt that the issues could be resolved by simply listening to a video or utilizing the Human Resource Department through the League. Mayor German indicated that the matter is beyond the point to resolve without an independent review and there was a majority vote from Council to follow through with utilizing an independent source.

Councilor Carol German requested Item #13

13. **Discussion, consideration, and possible direction to staff to research the costs associated with replacing the sound system in Council Chambers and to bring this information back to Council for consideration at the next regular meeting.**

On a motion by German, seconded by Baker, Council directed staff to research the costs associated with replacing or enhancing the sound system in Council Chambers and bring this information back to Council for consideration at the next regular meeting.

Councilor German stated she had asked for this item because of several complaints she had received from citizens regarding the audio on the web and the sound system. Councilor. Deputy Clerk Jones informed Council that the current sound system was installed in 1997. Council discussed options and costs related to fixing, upgrading or replaced the system.

14. **Call to the Public for items not on the agenda.**

No input.

15. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

Councilman George attended the Verde River Basin meeting and participated in the discussion regarding wild fires. Councilor George passed out a brochure to Council members regarding water preservation.

Manager/Staff Report Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

There was no report from the Manager.

16. **Adjournment**

Meeting adjourned at 9:43 pm.

Charles German, Mayor

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 September 17, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2014.

Debbie Barber, Town Clerk



**Proclamation
Declaring
Camp Verde Clean**

WHEREAS, Camp Verde is a quiet, safe place to raise our children with a small town atmosphere, a friendly relaxed no-pressure way of life where practically everyone knows each other, and

WHEREAS, Camp Verde has wide-open spaces, the Verde River, a mild four-season Climate and panoramic views from the vistas above our valley, and

WHEREAS, Camp Verde is proud of our Community and our Residents and in an effort to make our Town even more attractive for residents and visitors alike proclaim that we will sponsor and join in four clean up events each year, and

WHEREAS, these events will be held one week before each of our four major festivals that we have during the year, and

WHEREAS, we will endeavor through our Parks and Recreation staff to encourage and support and businesses, civic groups, churches, and schools in this community effort, and

WHEREAS, we will have information available about the "Bag Ready" Fund raiser opportunities for groups that are looking to raise money.

WHEREAS, Camp Verde has 4 major events each year to celebrate the community and our heritage.

WHEREAS, In an effort to lead by example, the Town Council will sponsor and adopt a section of Highway 260 from mile marker 224 to 225, and challenge and hope future Councils will continue with this worthwhile cause.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the Town of Camp Verde, Camp Verde, Arizona, do hereby proclaim that the Town of Camp Verde, in an effort to make our Town more attractive for residents and visitors alike, do Proclaim that the Town will sponsor and join in, four Clean-up events each year. The Clean-up events will be as follows:

- The 3rd week in March for Spring Festival
- The 2nd week in July for Cornfest
- The 1st week in October for Fort Verde Days
- The 1st week of December for the Christmas Bazaar and Light Parade.

Issued this 15th day of October 2014.

Charles German, Mayor

Attest:

Deborah Barber, Town Clerk

Community Survey Results

Prepared for Community Feedback Sessions

Survey Timeline

- December 2013: Survey Requested by DGB
- Spring 2014: Survey Designed
- May 2014: Survey Draft Approved by DGB
- June/ July 2014: Implementation
- August 2014: Analysis & Preliminary Results
- September 2014: Final Report



Yavapai County Supervisor Districts
© 2014 Yavapai County

Survey Communication

Coconino Sun

JOURNAL

REVIEW

Daily Courier

journalaz.com

Prescott Valley Tribune

Prescott Valley News

Verde Independent

What's your opinion, Yavapai County?



Complete list of participating media outlets, advertising and additional information can be found at www.yavapai.gov under the Survey/Press Information tab.

90K direct mail pieces

online ads

print ads

radio PSAs

Chambers of Commerce emails

Social Media postings

> Over 1600 Responses
 > 95% Confidence that results are +/- 2.5%

Planned Actions

- 1. Improve marketing and outreach to all regions of Yavapai County.
- 2. Explore expanded access to CTE programs in the East County.
- 3. Expand community event opportunities in the East County.
- 4. Review and improve course scheduling to increase availability and reduce cancellations.

Planned Actions

- 5. Now that the Sedona Center land situation has been resolved, develop appropriate programming for the center.
- 6. Continue to be price-conscious for tuition & fees, as well as all other services provided.
- 7. Continue to demonstrate and improve quality of academic offerings.

Questions and Discussion

What Can YC do to improve?

East County Themes

- Programming (151)
- Scheduling Issues (52)
- Not Enough East County Taxes Spent in East County (41)
- Improve Marketing/Outreach (30)

West County Themes

- Lower Pricing (32)
- Keep/More Art (28)
- Academic Quality (20)
- Improve Marketing/Outreach (19)

8

QUARTERLY REPORT Planning and Zoning Commission July - September 2014

REGULARLY SCHEDULED MEETINGS: 2

WORK SESSIONS: 3

JOINT WORK SESSIONS: 0

SPECIAL SESSIONS: 1

WEDNESDAY AUGUST 13, 2014 – JOINT WORK SESSION WITH COUNCIL

Chairman Davis, Commissioners Blue, Parish, Hisrich and Burnside were present.
Absent: Vice Chairman Norton and Commissioner Freeman.

THURSDAY AUGUST 28, 2014 – GENERAL PLAN WORK SESSION

Chairperson Davis, Commissioners Blue, Parish and Burnside.
Absent: Vice Chairman Norton, Commissioners Hisrich and Freeman

THURSDAY SEPTEMBER 11, 2014 – GENERAL PLAN WORK SESSION

Chairman Davis, Commissioners Blue, Parrish, and Hough were present; Vice Chairman Norton and
Absent: Commissioner Freeman, Hisrich and Norton.

THURSDAY SEPTEMBER 25, 2014 – GENERAL PLAN WORK SESSION

Chairman Davis, Vice Chairman Norton, Commissioners Blue, Freeman, Hisrich and Parrish.

ABSENT:

Commissioner Burnside

THE FOLLOWING WAS A JOINT WORK SESSION WITH COUNCIL:

Presentation, discussion and update on the General Plan Update.

THE FOLLOWING WORK SESSION ITEMS WERE DISCUSSED:

August 28, 2014

Review and Discussion regarding the joint Work Session with Council which was held on August 12, 2014.

- a. Direction to proceed with the Character Areas.
- b. Direction to set aside the current Land Use Map.
- c. Discussion and possible consensus on the proposed meeting schedule for ratification of the General Plan by the public in November 2016.

Character Area Recommendation as submitted by Consultant ReSeed Advisors for informational purposes only to be discussed at a future date.

Jenkins prefaced the Commission and explained the document is a tool for the Commission to utilize as a guideline. The public is entitled to copies if they so choose but its primary use is a recommendation to the Commission. Davis agreed that it should be available to the public by request, but doesn't feel it should be available on the internet as sometimes too much information can be confusing.

Overview of Chapter 3 Land Use Element draft language including discussion of Goals and Implementation Strategies.

The Commission reviewed the existing pages in the current General Plan and made suggestions to changes they would like to see to update the document.

September 11, 2014

Discussion, Public Input & Commission Consensus on Proposed Goals and Implementation Strategies for the 260 Corridor Character Area.

Burnside questioned who the sub-committee consists of, if there are minutes taken of their meetings and why there are not minutes for the commission to review.

Chairman Davis listed a few members that have consistently attended and explained that it was his choice to not record actual minutes at the sub-committee meeting. Davis did indicate that Permit Technician Kendall Welch appears at the meetings and takes notes and reports back to the commission. The consensus of the sub-committee is reported back to the Commission.

Jenkins read the visions/goals document for the 260 corridor character area detail.

September 25, 2014

Discussion, Public Input and Commission Consensus on proposed Goals and Implementation Strategies for the Finnie Flat Character Area.

The public is encouraged to give input. Staff: Michael Jenkins

Commission discussed the addition to the physical description for Finnie Flat Character Area and the suggestions made by Tony Gioia.

Chairman Davis requested that the description chart be combined into one page.

Jenkins read the Vision/Goals for the Finnie Flat Character Area Detail page.

THE FOLLOWING RECOMMENDATIONS WERE MADE TO COUNCIL:

No recommendations were made to Council.

THE FOLLOWING PRESENTATIONS WERE HEARD BY THE COMMISSION:

There were no items discussed by the Commission

THE FOLLOWING ITEMS WERE TABLED, POSTPONED OR CONTINUED BY THE COMMISSION:

There were no items table, postponed or continued by the Commission.

THE FOLLOWING ITEMS WERE DISCUSSED BY THE COMMISSION:

There were no items discussed by the Commission

TRAINING: None

COMMENTS:

There were no comments.



B.J. Davis
Chairman of the Planning and Zoning Commission

8

**QUARTERLY REPORT
Board of Adjustments & Appeals
July - September 2014**

REGULARLY SCHEDULED MEETINGS: 3

July 08, 2014 – Regular Session
CANCELLED, NO BUSINESS BEFORE BOARD

August 12, 2014 - Regular Session
CANCELLED, NO BUSINESS BEFORE BOARD

September 09, 2014 - Regular Session
CANCELLED, NO BUSINESS BEFORE BOARD

SPECIAL SESSION MEETINGS: 0

WORK SESSIONS: 0

THE FOLLOWING APPLICATIONS WERE APPROVED:

No Applications were approved.

THE FOLLOWING APPLICATIONS WERE DENIED:

There were no applications denied.

THE FOLLOWING APPEALS WERE DENIED:

There were no appeals denied.

THE FOLLOWING ITEMS WERE DISCUSSED BY BOARD:

THE FOLLOWING ITEMS WERE DISCUSSED IN WORK SESSIONS:

There were no items discussed in work sessions.

THE FOLLOWING PRESENTATIONS WERE HEARD BY THE BOARD:


Chairman Doug Stevens



Agenda Item Submission Form – Section I

Meeting Date: October 15, 2014

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Marshal's Office

Staff Resource/Contact Person: Marshal Nancy Gardner

Agenda Title (be exact): The Department of Homeland Security (DOHS) has awarded the Marshal's Office with \$40,623.00 in Grant funding to continue the upgrade of the interoperability radio communication process with radio receivers and antennas and microwave towers. This is a no match Grant.

List Attached Documents: Resolution 2014-913, DOHS Award Letter

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

- Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact:

Budget Code: _____ **Amount Remaining:** _____

Comments:

Background Information: The awarded Grant funding will be used to further the project for interoperability radio communications that was started during the 2012/2013 fiscal year when \$120,311.00 was awarded by DOHS. This project will fix poor or nonexistent radio communication between Clarkdale, Jerome, Yavapai Apache Nation PD and Camp Verde. In addition, the need for interagency communication during emergency response incidents is critical for communication with other responding entities. The approved Grant amount will allow the Marshal's Office to continue to work towards the completion of the project by purchasing equipment consisting of Viter antennas, VHF Receivers, cables and dishes as identified by Motorola. This is a continuation of the 2012/2013 phase towards a foundation that is capable of digital / simulcast communication for the future when the Analog system is no longer functional

Recommended Action (Motion):

Instructions to the Clerk:



State of Arizona



Governor Janice K. Brewer

Department of Homeland Security

Director Gilbert M. Orrantia

September 12, 2014

Marshal Nancy Gardner
Camp Verde Marshal's Office
646 S 1st Street
Camp Verde, AZ 86322

Subject: FFY 2014 Homeland Security Grant Program Award
Subgrantee Agreement Number: 140502-01
Project Title: Interoperability continued

Dear Marshal Nancy Gardner:

The application that your agency submitted to the Arizona Department of Homeland Security (AZDOHS) for consideration under the Homeland Security Grant Program has been partially awarded. The project titled "Interoperability continued" has been partially funded under the STATE HOMELAND SECURITY GRANT PROGRAM for \$40,623. The grant performance period is October 1, 2014 through September 30, 2015. Enclosed are modified Budget Narrative pages that identify approved funding elements. This grant program is part of the U.S. Department of Homeland Security Grant Program and specifically is awarded under CFDA #97.067 (Catalog of Federal Domestic Assistance). Your application will be kept on file for additional funding consideration if fallout funding becomes available.

To initiate the award process, the following action items must be completed, signed and returned to AZDOHS:

1. Two Subgrantee Agreements - go to www.azdohs.gov under Grants and download two original Subgrantee Agreements.
2. Project Administration Page (enclosed).
3. NIMS Compliance Certification - go to www.azdohs.gov under Grants and download one original certification.
4. Environmental and Historic Preservation (EHP) required documentation (if applicable, see attached EHP Designation Letter).

Hard copies of the Subgrantee Agreement and NIMS Compliance Certification will **not** be mailed to you. These items must be completed and on file at AZDOHS in order for your agency to be eligible for reimbursement. **If all documentation listed in numbers 1, 2, 3 and 4 (if applicable) above is not signed and received by AZDOHS on or before January 31, 2015 this award is rescinded and the funds will be reallocated.**

Additional grant requirements:

- Quarterly programmatic reports must be submitted on the most recent form/template.
- If your project requires an Environmental and Historic Preservation (EHP) review, this must be completed, submitted and approved by FEMA/AZDOHS prior to any expenditure of funds.
- Subgrantees must adhere to the Title VI of the Civil Rights Act of 1964 requirements.
- Subgrantees are either required to submit an electronic copy of their annual A133 Audit or a statement stating that they were not required to complete an audit to AZDOHS each year. The AZDOHS reserves the right to manage this agreement in any way it deems necessary, including withholding of reimbursement payments, or future subgrantee agreements, until the A133 Audit or statement has been received and, if applicable, an approved action plan for compliance has been completed.
- Reimbursements are limited to approved quantities and funding thresholds.
- All radio equipment purchased with Homeland Security funds should be P25 capable, comply with SAFECOM

Guidance, comply to the Land Mobile Radio Minimum Equipment Standards as approved by the Statewide Interoperability Executive Committee (SIEC), and be programmed in accordance with the Arizona State Interoperable Priority Programming Guide also as approved by the SIEC.

- All projects that support training initiatives including FEMA approved/state sponsored training must be in compliance with grant guidance, the subgrantee agreement, and approved through the ADEM/AZDOHS training request process prior to execution of training.
- Consultants/Trainers/Training Providers costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS.
- All projects that support exercises must be:
 - In compliance with grant guidance and the subgrantee agreement.
 - Must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit.
 - All exercises, documentation and After Action Reports/Improvement Plans (AAR/IP) must be posted via the HSEEP Toolkit within 60 days after completion of an exercise.
 - Within 60-days of completion of an exercise, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.
- Terrorism Liaison Officer (TLO) Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) Response Vehicles purchased with Department of Homeland Security Grant Program funding must be assigned to and used by certified TLOs working with the Arizona Counter Terrorism Information Center (ACTIC).
 - Persons receiving TLO vehicles shall be available to respond to incidents and events on a "call out" basis and shall be available for regional and statewide deployment for TLO operations and training.
 - TLO equipment and/or services purchased or maintained with Department of Homeland Security Grant Program funding will be assigned to and used by certified TLOs working with the ACTIC TLO Program. This equipment may include: radios, computers, cell phones, cellular and satellite service fees, open source data services, cameras, GPS devices and any other equipment needed to complete the TLO mission.
- Subgrantees are subject to the AZDOHS Site Monitoring Program
- All reimbursements for personnel costs must be in compliance with AZDOHS Time and Effort Reporting requirements.
- AZDOHS reserves the right to request additional documentation at any time.

If you should have any questions, please do not hesitate to contact your Strategic Planner.

Congratulations on your Homeland Security Grant Program award.

Sincerely,



Gilbert M. Orrantia
Director

Cc: Communications Supervisor Mary Newton

Attachments: Project Administration Page, EHP Designation Letter, Application Summary Page, Budget Narrative page(s)



RESOLUTION 2013-887

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
PERTAINING TO THE SUBMISSION BY THE MARSHAL'S OFFICE
A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY (DOHS)
IN ARIZONA'S 2013 FISCAL YEAR**

WHEREAS, The Department of Homeland Security is seeking proposals from state and local agencies to support and enhance jurisdictional capabilities relating to all Interoperable communications capabilities

WHEREAS, the Town of Camp Verde, through the Camp Verde Marshal's Office, is interested in submitting projects to be considered for funding in the form of reimbursable grants from the Department of Homeland Security;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Town of Camp Verde, Arizona as follows:

1. THAT approval of the submission of projects for consideration in Arizona's 2013/2014 fiscal year Department of Homeland Security is granted.
2. THAT Town Marshal Nancy Gardner is appointed agent for the Town of Camp Verde, to conduct all negotiations and to execute and submit all documents and any other necessary or desirable Instruments in connection with such grant.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on the 20th day of March 2013.



Bob Burnside, Mayor

Date: 3-20-13

Attest:



Deborah Barber, Town Clerk

Approved as to form:



Town Attorney



Agenda Item Submission Form – Section I

Meeting Date: October 15, 2014

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Marshal's Office

Staff Resource/Contact Person: Marshal Nancy Gardner

Agenda Title (be exact):

The Marshal's Office has been awarded \$17,462.00 of the requested \$24,562.00 in Grant funding, by the Governor's Office of Highway Safety for the 2015 fiscal year. This no match Grant, and will used for overtime details involving DUI enforcement, traffic violation enforcement and to purchase equipment. The equipment that will be purchased will be used for processing accidents involving serious injury or death of possible impaired drivers. The equipment will be kept in a "mobile crash/scene trailer" already owned by CVMO. The equipment will also be used for school presentations, traffic monitoring and enforcement details. Some of the items includes cameras, a mobile police radio for the DUI command van and a LED message board for public service announcements.

List Attached Documents: Grant contract numbers 2015-PT-006 and 2015-AL-028

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

- Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact:

Budget Code: _____ **Amount Remaining:** _____

Comments:

Background Information:

The Marshal's Office submitted a grant application to the Governor's Office of Highway Safety in the amount of \$24,562.00 for the "2015" fiscal year and was awarded \$17,462.00 of the request. The funding will allow the Marshal's Office to continue to combine efforts with surrounding agencies and GOHS to conduct traffic enforcement details which will ultimately reduce accidents, save lives and remove impaired drivers from the road. The equipment will provide adequate tools for the Marshal's Office to thoroughly complete their investigations and to work towards educating the community.

Recommended Action (Motion): Instructions to the Clerk: None



RESOLUTION 2014-914

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
FOR CONSIDERATION THE SUBMISSION BY THE
MARSHAL'S OFFICE FOR A GOHS GRANT
IN ARIZONA'S 2014 FISCAL YEAR HIGHWAY SAFETY PLAN:**

WHEREAS, The Governor's Office of Highway Safety (GOHS) is seeking proposals from state and local agencies for projects relating to all aspects of highway safety; and

WHEREAS, the Town of Camp Verde, through the Camp Verde Marshal's Office, is interested in submitting projects to be considered for funding in the form of reimbursable grants from the National Highway Traffic Safety Administration;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Town of Camp Verde, Arizona as follows:

1. THAT approval of the submission of projects for consideration in Arizona's 2014 fiscal year Highway Safety Plan is granted.
2. THAT Town Marshal Nancy Gardner is appointed agent for the Town of Camp Verde, to conduct all negotiations and to execute and submit all documents and any other necessary or desirable instruments in connection with such grant.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on the 5th day of March 2013.


Charles German, Mayor

Date: 3-17-14

Attest:


Deborah Barber, Town Clerk

Approved as to form:


Town Attorney



JANICE K. BREWER
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

COPY

Marshal Nancy Gardner
Camp Verde Marshal's Office
646 S. First Street
Camp Verde, Arizona 86322

PROJECT REFERENCE:
Contract Number: 2015-PT-006
Purpose of Project: STEP/Selective Traffic
Enforcement

Dear Marshal Gardner:

Enclosed are two (2) copies of the referenced Highway Safety Contract for your review and signature. This is *not* an authorization to proceed with the project.

Please complete the following steps:

1. Please review the entire contract as there have been significant changes throughout the contract;
2. Have your fiscal staff complete the Reimbursement Instructions (page 21) of both copies;
3. As Project Director, sign and date the signature page of both copies;
4. Obtain the signature of Russ Martin, Town Manager of the Town of Camp Verde, as the Authorized Official of Governmental Unit, on the signature page of both copies;
5. Return all signed copies of the contract to Governor's Office of Highway Safety, 3030 North Central Avenue, Suite 1550, Phoenix, Arizona, 85012.

Please *do not* incur any costs at this time as it would nullify the contract. Once the signed copies are received, I will approve and sign the contract as the GOHS Director/Governor's Highway Safety Representative and an original executed contract with a letter of authorization to proceed will be forwarded to you.

Sincerely,

Alberto Gutier, Director
Governor's Highway Safety Representative

Date

8-13-14

Enclosures
AG: kmk

HIGHWAY SAFETY CONTRACT

This page, the Project Directors Manual and attached hereto and incorporated herein by reference, constitute the entire contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

1903

CFDA: 29.600

1. APPLICANT AGENCY Camp Verde Marshal's Office	GOHS CONTRACT NUMBER: 2015-PT-006
ADDRESS 646 South First Street Camp Verde, AZ 86322	PROGRAM AREA: 402-PT
2. GOVERNMENTAL UNIT Town of Camp Verde	AGENCY CONTACT: Nancy Gardner
ADDRESS 473 South Main Street Camp Verde, AZ 86322	3. PROJECT TITLE: Selective Traffic Enforcement (STEP)
4. GUIDELINES: 402 - Police Traffic Services (PT)	

5. BRIEFLY STATE PURPOSE OF PROJECT:
Federal 402 funds will support Personnel Services (Overtime) and Employee Related Expenses to enhance Speed Enforcement throughout the Town of Camp Verde.

6. BUDGET COST CATEGORY	Project Period FFY 2015
I. Personnel Services	\$2,143.00
II. Employee Related Expenses	\$857.00
III. Professional and Outside Services	\$0.00
IV. Travel In-State	\$0.00
V. Travel Out-of-State	\$0.00
VI. Materials and Supplies	\$0.00
VII. Capital Outlay	\$0.00
TOTAL ESTIMATED COSTS	\$3,000.00

PROJECT PERIOD FROM: Effective Date (Date of GOHS Director Signature) TO: 09-30-2015

CURRENT GRANT PERIOD FROM: 10-01-2014 TO: 09-30-2015

TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$3,000.00

A political subdivision or state agency that is mandated to provide a certified resolution or ordinance authorizing entry into this contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded contract.



JANICE K. BREWER
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

COPY

Marshal Nancy Gardner
Camp Verde Marshal's Office
646 S. First Street
Camp Verde, Arizona 86322

PROJECT REFERENCE:
Contract Number: 2015-AL-028
Purpose of Project: Impaired Driver/DUI Alcohol
Enforcement and Equipment

Dear Marshal Gardner:

Enclosed are two (2) copies of the referenced Highway Safety Contract for your review and signature. This is not an authorization to proceed with the project.

Please complete the following steps:

1. Please review the entire contract as there have been significant changes throughout the contract;
2. Have your fiscal staff complete the Reimbursement Instructions (page 23) of both copies;
3. As Project Director, sign and date the signature page of both copies;
4. Obtain the signature of Russ Martin, Town Manager of the Town of Camp Verde, as the Authorized Official of Governmental Unit, on the signature page of both copies;
5. Return all signed copies of the contract to Governor's Office of Highway Safety, 3030 North Central Avenue, Suite 1550, Phoenix, Arizona, 85012.

Please do not incur any costs at this time as it would nullify the contract. Once the signed copies are received, I will approve and sign the contract as the GOHS Director/Governor's Highway Safety Representative and an original executed contract with a letter of authorization to proceed will be forwarded to you.

Sincerely,

Alberto Gutierrez, Director
Governor's Highway Safety Representative

8-13-14

Date

Enclosures
AG: kmk

HIGHWAY SAFETY CONTRACT

This page, the Project Directors Manual and attached hereto and incorporated herein by reference, constitute the entire contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

COPY

CFDA: 20.600

1. APPLICANT AGENCY Camp Verde Marshal's Office	GOHS CONTRACT NUMBER: 2015-AL-028
ADDRESS 646 South First Street Camp Verde, AZ 86322	PROGRAM AREA: 402-AL
2. GOVERNMENTAL UNIT Town of Camp Verde	AGENCY CONTACT: Nancy Gardner
ADDRESS 473 South Main Street Camp Verde, AZ 86322	3. PROJECT TITLE: DUI Enforcement and Equipment
4. GUIDELINES: 402-Alcohol (AL)	

5. BRIEFLY STATE PURPOSE OF PROJECT:
Federal 402 funds will support Personnel Services (Overtime), Employee Related Expenses, Capital Outlay: radio, message board, generator, cabinets, work table, lights, and cameras to refurbish DUI Trailer to enhance DUI Enforcement throughout the Town of Camp Verde.

6. BUDGET COST CATEGORY	Project Period FFY 2015
I. Personnel Services	\$5,000.00
II. Employee Related Expenses	\$2,000.00
III. Professional and Outside Services	\$0.00
IV. Travel In-State	\$0.00
V. Travel Out-of-State	\$0.00
VI. Materials and Supplies	\$0.00
VII. Capital Outlay	\$7,462.00
TOTAL ESTIMATED COSTS	\$14,462.00

PROJECT PERIOD	FROM: Effective Date (<i>Date of GOHS Director Signature</i>)	TO: 09-30-2015
CURRENT GRANT PERIOD	FROM: 10-01-2014	TO: 09-30-2015
TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$14,462.00		

A political subdivision or state agency that is mandated to provide a certified resolution or ordinance authorizing entry into this contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded contract.



Agenda Item Submission Form – Section I

Meeting Date: October 15, 2014 **Town Council Meeting**

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Marshal’s Office and the Community Development Department

Staff Resource/Contact Person: Bruce Girt (Commander) and Michael Jenkins (Community Development Director)

Agenda Title (be exact): Discussion and possible approval or denial of a Text Amendment to the Town of Camp Verde Town Code under Section 11-1-5 (Noise). This Amendment, under Resolution 2014-931, will add language under the Noise Ordinance that will outline detailed language, procedures and measurable criteria that will render the ordinance as objective and enforceable.

List Attached Documents: A tract change document showing the current version of Section 11-1-5 (Noise) of the Town Code as struck and the inclusion of the revised text amendment changes.

Estimated Presentation Time: 20 minutes

Estimated Discussion Time: 30 minutes

Reviews Completed by:

Department Head:

Town Attorney Comments:

The addition of the following language was recommended by the Town Attorney under Section L.2 "and to seize relevant property related to such violations of this Section 11-1-5".

Resolution comments: Under paragraph 1, change "THAT" to "WHEREAS, that", same paragraph, add language "pursuant to this resolution and have been"

Paragraph 4, add language "that the document entitled" remove "the adoption of" add is hereby declared a public record for the purpose of adoption by reference pursuant to", remove "of the Town Cod to be enacted by".

Background Information: The current Section 11-1-5 (Noise) Ordinance of the Town Code fails to address current noise issues related to definition, acceptable levels of noise, measurement criteria and enforcement action. This is demonstrated in a recent prosecution request / prosecution declined based on insufficient evidence for a conviction of the current noise ordinance due to the lack of noise level and measurement criteria to substantiate a violation.

Recommended Action (Motion): A motion to approve or deny Resolution 2014-931, A text Amendment to the Town of Camp Verde Town Code under Section 11-1-5 (Noise). This Text Amendment will add language under the Noise Ordinance that will outline detailed language, procedures and measurable criteria that will render the ordinance as objective and enforceable.

Instructions to the Clerk: NA



RESOLUTION 2014- 931 DRAFT

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, YAVAPAI COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD A CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "SECTION 11-1-5 NOISE" OF THE TOWN CODE.

WHEREAS, that certain document entitled "SECTION 11-1-5 NOISE", three copies of which shall be file in the office of the Town Clerk pursuant to this Resolution and have been ordered to remain on file with the Town Clerk

WHEREAS, ARS§ 9-802 permits the enactment and publication by reference of a code or public record, including statute, rule or regulation of the municipality, in the interest of economy, and

WHEREAS, the document entitled "Town Code" Section 11-1-5 is a lengthy ordinance to be adopted by Ordinance 2014 A399, and which would qualify for enactment by reference.

NOW THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE THAT THE DOCUMENT ENTITLED "SECTION 11-1-5 NOISE" IS HEREBY DELCARED A PUBLIC RECORD FOR THE PURPOSE OF ADOPTION BY REFERENCE PURSUANT TO ORDINANCE 2014 A399, AND ORDER THAT THREE (3) COPIES OF THE ORDINANCE BE PERMANENTLY FILED IN THE OFFICE OF TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON OCTOBER 15, 2014.

Charles German, Mayor

Date: _____

Approved as to form: _____

Wallas

Town Attorney

Attest: _____

Deborah Barber, Town Clerk

SECTION 11-1-5 NOISE

- ~~A. It is hereby declared to be public nuisance, and it is unlawful for any person, to play or permit to be played any music or musical instruments whether played by individuals, orchestra, radio-phonograph, music box or other mechanical device or means, any shop operations or other activity in such a loud or unusual manner as to be offensive to the senses, or so as to disturb the slumber, peace and quiet, or otherwise interfere with the comfortable enjoyment of life or property of any person and is no less a nuisance because the extent of the annoyance inflicted is unequal.~~
- ~~B. It is unlawful to play, operate or use any device known as a sound truck, loud speaker or sound-amplifier, radio or any instrument of any kind or character which emits loud and raucous noises and is attached to and upon any vehicle unless such person in charge of such vehicle shall have first applied to and received permission from the Town Marshal to operate any vehicle so equipped.~~

It is hereby declared to be a public nuisance to allow unnecessary, excessive and annoying noises from all sources subject to its police power. At certain levels noises are detrimental to the health and welfare of the citizenry and in the public interests shall be systematically enforced per the following criteria:

A. Definitions.

The following words, terms and phrases, when used in this Section 11-1-5, shall have the meanings ascribed to them in this Section 11-1-5, except where the context clearly indicates a different meaning:

"A" band level means the total sound level of all noise as measured with a sound level meter using A-weighting network. The unit is the dB(A).

Ambient noise means the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far. For the purpose of this Section 11-1-5, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen (15) minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made. Averaging may be done by instrumental analysis in accordance with American National Standard S. 13-1971, or may be done manually as follows:

- (1) Observe a sound level meter for five (5) seconds and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications.**
- (2) Repeat the observations as many times as necessary to ensure that observations are made at the beginning and the end of the fifteen (15) minute averaging period and that there are at least as many additional observations as there are decibels between the highest high indication and the lowest low indication.**

(3) Calculate the arithmetical average of the observed central tendency indications.

Decibel means a sound pressure that is twenty (20) times the logarithm to the base 10 of the ratio of the pressure of sound to the reference pressure, 2×10^{-5} Newton/meter².

Emergency work means work made necessary to restore property to a safe condition following a public calamity or work required to protect the health, safety or welfare of persons or property or work by private or public utilities when restoring utility service.

Frequency. "Frequency" of a function periodic in time shall mean the reciprocal of the primitive period. The unit is the hertz and shall be specified.

Impulse noise means a noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

Microbar means a unit of pressure commonly used in acoustics and is equal to one dyne per square centimeter.

Motor vehicles means any self-propelled vehicle operated within the city, including but not limited to licensed or unlicensed vehicles, automobiles, mini bikes, go-carts and motorcycles.

Period. "Period" of a periodic quantity shall mean the smallest increment of time for which the function repeats itself.

Periodic quantity means oscillating quantity, the values of which recur for equal increments of time.

Pure tone noise means any noise which is distinctly audible as a single pitch (frequency) or set of pitches as determined by the enforcement officer.

Sound level. "Sound level" (noise level), in decibels (dB) is the sound measured with the A weighting and slow response by a sound level meter.

Sound level meter means an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American Standard Specifications for Sound Level Meters S1.4-1971 or the most recent revision thereof.

B. Violations and Penalties.

Violation of this Section 11-1-5 is declared to be a Class 1 misdemeanor, punishable by fines up to \$2,500 and 6 months in jail or to the limits as may be amended by State law.

C. Exemptions.

The following uses and activities shall be exempt from noise level regulations:

- (1) Air-conditioning equipment when it is functioning in accord with manufacturer's specifications and is in proper operating condition provided that no unit may cause the noise level measured inside any sleeping or living room inside any dwelling unit to exceed forty-five (45) dB(A) between the hours of 10:00 p.m. and 7:00 a.m., nor fifty-five (55) dB(A) between the hours of 7:00 a.m. and 10:00 p.m.;
- (2) Lawn maintenance equipment when it is functioning in accord with manufacturer's specifications and with all mufflers and noise-reducing equipment in use and in proper operating condition;
- (3) Non-amplified noises resulting from the activities such as those planned by school, governmental or community groups;
- (4) Noises of safety signals, warning devices and emergency pressure relief valves;
- (5) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency;
- (6) Noises resulting from emergency work as defined in this Section 11-1-5.
- (7) All noises coming from the normal operations of railroad
trains; (8) Noises of church chimes; and
- (9) Power plant equipment during normal operation provided that no plant equipment may cause the noise level measured inside any sleeping or living room inside any residential dwelling unit to exceed forty-five (45) dB(A) between the hours of 10:00 p.m. and 7:00 a.m., nor fifty-five (55) dB(A) between the hours of 7:00 a.m. and 10:00 p.m.

D. Measurement criteria.

For the purpose of enforcement of the provisions of this Section 11-1-5, noise level shall be measured on the A-weighted scale with a sound level meter satisfying at least the applicable requirement for Type 1 sound-level meters as defined in American National Standard S 1.4-1971 or the most recent revisions thereof. The meter shall be set for slow response speed, except that for impulse noises or rapidly varying sound levels, fast response speed may be used. Prior to measurement, the meter shall be verified, and adjusted to ± 0.3 decibel by means of an acoustical calibrator.

E. Allowable noise levels.

(a) It is unlawful for any person to create any noise which would cause the noise level measured at either the property line or the area of the property affected by the noise emission to exceed the following community noise standards:

<u>Zone</u>	<u>Time</u>	<u>Noise Standard dB(A)</u>
<u>Residential</u>	<u>10:00 p.m. — 7:00 a.m.</u>	<u>45</u>
	<u>7:00 a.m. — 10:00 p.m.</u>	<u>55</u>
<u>Commercial</u>	<u>10:00 p.m. — 7:00 a.m.</u>	<u>55</u>
	<u>7:00 a.m. — 10:00 p.m.</u>	<u>65</u>
<u>Industrial</u>	<u>10:00 p.m. — 7:00 a.m.</u>	<u>60</u>
	<u>7:00 a.m. — 10:00 p.m.</u>	<u>70</u>

(b) If the measurement location is on a boundary between two (2) zoning districts, the lower noise standard shall apply. Zoning districts will be identified using the Town of Camp Verde's Official Zoning as provided on the Yavapai County G.I.S. web site which specifies the current zoning for all private properties within the Town Boundary of Camp Verde. (See attachment "A" Zoning district chart for property zoning types). Web Site Address is (gis.yavapai.us).

(c) If the ambient noise level in a residential zoned location is measured and found to be forty (40) dB(A) or less between the hours of 10:00 p.m. and 7:00 a.m., then the actual ambient noise level will be the community noise standard.

(d) If the ambient noise level in any zoning district is measured and found at any time to be in excess of the community noise standards described in subsection (a) of this subsection (E) , then the actual ambient noise level will be the community noise standard.

(e) A noise level which exceeds the community noise standard by five (5) dB(A) or more, when measured at the affected area, the nearest property line, or, in the case of multiple-family residential buildings, when measured anywhere in one dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, shall be deemed a prima facie violation of this Section 11-1-5.

F. Special noise sources.

(1) Residential zones.

(a) It shall be unlawful for any person, other than law enforcement personnel or government agencies acting within the scope of their employment, to install, use or operate within any residential zone of the city, a loudspeaker or sound- amplifying device or equipment in a fixed or movable position, on public property including any public right-of-way, without first entering into a special events agreement with the Town of Camp Verde.

(2) The special events agreement process and requirements for the use of a loudspeaker or sound-amplifying device on public property are as follows:

- a. Each agreement to use or operate a loudspeaker or sound amplifying device or equipment shall submit a complete special events application to the Town, under the currently adopted version of the Special Events Handbook at least ten (10) days prior to the date upon which such loudspeaker or sound amplifying device or equipment is to be used or operated. Such application shall state the specific location, date and hours for the proposed use and the volume of sound proposed to be used, measured by decibels.**
- b. The issuance of the special event agreement shall not be denied to any applicant who complies with the provisions of this Section 11-1-5, except for the reasons specified in this Section 11-1-5 or for failure to remit payment of fees.**

(3) Based on the Town's Staff findings for a special event, an agreement shall not be entered into for a loudspeaker or sound- amplifying device or equipment as follows:

- a. In any location within fifty (50) feet of a school, courthouse, place of worship, hospital or similar institution;**
- b. In any location where Town Staff determines that the conditions of vehicular, pedestrian travel or both, would constitute a threat to health, safety or welfare; or, would interfere with pedestrian or motor vehicle travel;**
- c. In any location in which overcrowding, street repair or other physical conditions exist that would deprive the public of safe, comfortable, convenient or peaceful enjoyment of any public property;**
- d. In any vehicle while in transit; or**
- e. Between the hours of 10:00 p.m. and 7:00 a.m.**

(4) The following activities shall be exempted from the provisions of this Section 11-1-5:

- a. Warning devices for the protection of public safety, as used for that purpose;**
- b. Activities conducted on public or private school grounds;**
- c. Public health and safety activities conducted by public utilities, transportation, flood control, construction or maintenance operations that are serving the public interest, as otherwise authorized by the city;**
- d. Any mechanical device, apparatus or equipment used for or in relation to emergency machinery or vehicle work that is otherwise authorized by the city;**

- e. Testing of emergency signaling devices or systems, conducted during the hours of 8:00 a.m. and 8:00 p.m.;
- f. Any activity to the extent that such activity is preempted and regulated by state or federal law; and,
- g. Any outdoor public gathering or celebration involving the use of Town of Camp Verde owned properties that involve but are not limited to any of the following: entertainment, dancing, music, dramatic productions, athletic tournaments, amusements, festivals or carnivals, sale of merchandise, food or alcohol, including sidewalk sales, parades, walks, bicycle rides or runs, any temporary extension of premises of an existing use, or any other activity requiring a special events agreement as defined in item F.a.1-4 of this section 11-1-5.

(5) Non-residential zones. It shall be unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning or church while the same is in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital; provided that conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, church or hospital; or that is detrimental to the health, safety and welfare of the public in a manner including but not limited to, a use or operation that diverts the attention of pedestrians or vehicle operators in public streets, parks and places.

G. Construction of buildings and projects.

(1) General provisions. It shall be unlawful for any person to operate equipment or perform any outside construction or repair work on buildings, structures or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist or any other construction- type device, except within the time periods specified herein, or if the noise level created thereby is in excess of the applicable community noise standard by five (5) dB(A) at either the nearest property line or the affected area of the property unless written authorization has been obtained beforehand from the town's Building Official or his duly authorized representative.

(2) Start/Stop Times:

(a) Concrete. From April 15 to October 15 inclusive, concrete may be poured, and concrete mixing trucks may be idled, each day between the hours of 5:00 a.m. and 8:00 p.m. or at such other times pursuant to written authorization. From October 16 to April 14 inclusive, concrete may be poured, and concrete mixing trucks may be idled, each day between the hours of 5:00 a.m. to 8:00 p.m. or at such times pursuant to written authorization.

(b) All other construction/residential zones in or within five hundred (500) feet.

From April 15 to October 15 inclusive, all other construction or repair work shall not begin prior to 5:00 a.m. and must stop by 8:00 p.m. each day in or within five hundred (500) feet of a residential zone or at such other times pursuant to written authorization. From October 16 to April 14 inclusive, all other construction or repair work shall not begin prior to 5:00 a.m. and must stop by 8:00 p.m. each day in or within five hundred (500) feet of a residential zone or at such other times pursuant to written authorization.

(c) Commercial and industrial zones. Construction and repair work in commercial and industrial zones not within five hundred (500) feet of a residential zone shall not begin prior to 5:00 a.m. and must stop by 7:00 p.m. or it may be conducted at such other times pursuant to written authorization.

(3) Weekends and holidays excluded. Notwithstanding the foregoing, construction or repair work shall not begin prior to 5:00 a.m. and must stop by 8:00 p.m. and concrete pouring should not begin prior to 5:00 a.m. and must stop by 8:00 p.m. on any Saturday, Sunday or holiday, unless such other times are allowed by written authorization.

(4) Written authorization. Construction and repair work may be conducted at different times and at higher noise levels than otherwise permitted herein if written authorization is obtained beforehand from the Building Official or his authorized representative. In granting such authorization, the Building Official or his authorized representative shall consider if construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of different population levels or different neighboring activities; if obstruction and interference with traffic, particularly on streets of major importance, would be less objectionable at night than during the daytime; if the kind of work to be performed emits noises at such a low level as to not cause significant disturbance in the vicinity of the work site; if the neighborhood of the proposed work site is primarily residential in character wherein sleep could be disturbed; if great economic hardship would occur if the work was spread over a longer time; if the work will abate or prevent hazard to life or property; if the proposed early morning or night work is in the general public interest, and he shall prescribe such conditions, working times, types of construction equipment to be used and permissible noise emissions as he deems to be required in the public interest. No written authorization shall be required to perform emergency work as defined in this Section 11-1-5.

(5) Revocation of written authorization; appeal. The Building Official or his authorized representative may revoke any written authorization granted hereunder upon complaints based upon substantial evidence that the construction activity causes significant disturbance in the vicinity of the work site. Any person aggrieved by the granting of written authorization or the refusal to grant written authorization by the Building Official or his authorized representative may appeal the decision to the town council who shall hear such appeal at the next regularly scheduled meeting of the Town Council.

(6) Stop orders. Whenever any work on a construction project is in violation of the provisions of this Section 11-1-5, the Community Development Director, Building Official or any law enforcement officer of the Town or, in the case of public works projects, the public works director or his authorized representative, may order the construction project stopped by notice in writing served on any persons responsible for the project, and any such persons shall forthwith stop work on the project until authorized by the Community Development Director, Building Official or the Public Works director to proceed with such work.

H. Vehicles.

(1) It shall be unlawful for any person within any residential area of the town to repair, rebuild or test any motor vehicle (between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.

(2) No person shall operate either a motor vehicle or combination of vehicles at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following noise limit of the category of motor vehicle based on a distance of fifty (50) feet from the center of the lane or travel within the speed limits specified in this subsection (H):

<i>Speed limit of 35 mph or less</i>	<i>Speed limit of more than 35 mph</i>
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<u>(a) Any motor vehicle with a manufacturer's gross vehicle weight rating of 6,000 pounds or more, any combination of vehicles towed by such motor vehicle, and any motor-cycle other than a motor-driven cycle.</u>	<u>88 dB(A)</u>	<u>92-dB(A)</u>
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<i>Speed limit of 35 mph or less</i>	<i>Speed limit of more than 35 mph</i>
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<u>(b) Any other motor vehicle and any combination of vehicles towed by such motor vehicles.</u>	<u>82 dB(A)</u>	<u>86 dB(A)</u>
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I. Aircraft.

(1) It will be unlawful for any person to operate or cause to be operated any type of aircraft which produces a noise level exceeding 86 dB(A) within the town.

(2) Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction used pursuant to and within the duly adopted federal air regulations shall be exempt from the provisions of subsection (a) of this subsection (I) as well as the other regulations of this Section 11-1-5. Any aircraft operating under technical difficulties, in any kind of distress, under emergency orders of air traffic control or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations shall also be exempt from the provisions of subsection (a) of this subsection (I) as well as the other regulations of this Section 11-1-5.

J. Unnecessary noise.

(1) Notwithstanding any other provision of this Section 11-1-5, and in addition thereto, it shall be unlawful for any person without justification to make or continue, or cause or permit to be made or continued, any unnecessary, excessive or offensive noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

(2) The factors which will be considered in determining whether a violation of the provisions of this Section 11-1-5 exists will include, but not be limited to, the following:

(a) The volume of noise;

(b) The intensity of the noise;

(c) Whether the nature of the noise is usual or unusual;

(d) Whether the origin of the noise is natural or unnatural;

(e) The volume and intensity of the background noise, if any;

(f) The proximity of the noise to residential sleeping facilities;

(g) The nature and zoning of the area within which the noise emanates;

(h) The density of the inhabitation of the area within which the noise emanates;

(i) The time of the day or night the noise occurs; (10) The duration of the noise;

(i) Whether the noise is recurrent, intermittent or constant;

(k) Whether the noise is produced by a commercial or noncommercial activity;

(l) Whether it is a pure tone noise; or

(m) Whether it is an impulse noise.

K. Commencement of action, citation, contents.

- (1) An action under this Section 11-1-5 shall be commenced by delivering a citation to the occupant of the property where the violation has occurred, the owner of record, or any person responsible for the violation.

L. Each day separate violations.

- (1) Each day that a violation of this Section 11-1-5 is permitted to continue or occur by the defendant shall constitute a separate offense subject to separate citation pursuant to the provisions of this Section 11-1-5.

M. Nuisance abatement; additional remedy.

- (1) In addition to filing a civil citation or criminal complaint, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision of this Section 11-1-5, which operation or maintenance causes a substantial discomfort or annoyance to reasonable persons of normal sensitivity or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed and is declared to be a nuisance and shall be subject to abatement. The Town may immediately take the minimum action necessary to relieve the substantial nuisance. Prior to entering the property, a Town law enforcement officer shall obtain:
 - (a) The consent of a person who owns, leases, rents, occupies, controls, or has the right to control the property; or
 - (b) A search warrant from the Town Magistrate court authorizing the Town to enter the Property and to seize relevant property related to such violations of this section 11-1-5.
- (2) The court shall issue such an order only upon a showing that probable cause exists to believe that a violation of this code, which poses a substantial threat to the comfort, repose, health or peace of residents in the area.

Attachment "A"

R1L DISTRICT (Residential: single-family limited)

R1 DISTRICT(Residential: single-family)

R2 DISTRICT (Residential: multiple dwelling units)

R-R DISTRICT (Residential-Rural), (Formerly RCU)

RS DISTRICT (Residential and Services)

C1 DISTRICT (Commercial: neighborhood sales and services)

C2 DISTRICT (Commercial: general sales and services)

C3 DISTRICT (Commercial: heavy commercial)

PM DISTRICT (Performance Industrial)

MI DISTRICT (Industrial: general)

M2 DISTRICT (Industrial: heavy)

PUD DISTRICT (Planned Unit Development)



Agenda Item Submission Form – Section I

Meeting Date: October 15, 2014 Town Council Meeting

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Marshal's Office and the Community Development Department

Staff Resource/Contact Person: Bruce Girnt (Commander) and Michael Jenkins (Community Development Director)

Agenda Title (be exact): Discussion and possible approval or denial of a Text Amendment to the Town of Camp Verde Town Code under Section 11-1-5 (Noise). This Amendment, under Ordinance 2014 – A399, will add language under the Noise Ordinance that will outline detailed language, procedures and measurable criteria that will render the ordinance as objective and enforceable.

List Attached Documents:

Estimated Presentation Time: 20 minutes

Estimated Discussion Time: 30 minutes

Reviews Completed by:

Department Head:

Town Attorney Comments:

The addition of the following language was recommended by the Town Attorney under Section L.2 "and to seize relevant property related to such violations of this Section 11-1-5".

Ordinance corrections: Section 1, add language "that is declared a public record pursuant to Resolution 2014-931 and attached hereto." Section 5, add language "punishable by fines up to \$2,500 and 6 months in jail."

Background Information: The current Section 11-1-5 (Noise) Ordinance of the Town Code fails to address current noise issues related to definition, acceptable levels of noise, measurement criteria and enforcement action. This is demonstrated in a recent prosecution request / prosecution declined based on insufficient evidence for a conviction of the current noise ordinance due to the lack of noise level and measurement criteria to substantiate a violation.

Recommended Action (Motion): A motion to approve or deny Ordinance 2014 – A399, A text Amendment to the Town of Camp Verde Town Code under Section 11-1-5 (Noise). This Text Amendment will add language under the Noise Ordinance that will outline detailed language, procedures and measurable criteria that will render the ordinance as objective and enforceable.

Instructions to the Clerk: NA



ORDINANCE 2014 A399

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE "SECTION 11-1-5 NOISE" TEXT AMENDMENT AND PROSCRIBING PENALTIES FOR VIOLATIONS THEREOF.

Section 1. Adoption by Reference. Pursuant to A.R.S. §9-802 (as amended) the Town hereby adopts a text amendment to "Section 11-1-5 NOISE" dated October 15, 2014 that is declared a public record pursuant to Resolution 2014-931 and attached hereto.

Section 2. Effective Date: This Ordinance is to be effective when publication and posting pursuant to A.R.S. §9-813 is accomplished.

Section 3. Copies of this text amendment. At least three (3) copies of "Section 11-1-5 NOISE" dated 10-15-2014 and any future amendment or revisions, shall be kept on file in the office of the Town Clerk and on the Town website for public access. Additional copies may be purchased by the public. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 5. Penalty: Where applicable, any person found guilty of violating any provision of this ordinance shall be guilty of a Class 1 misdemeanor punishable by fines up to \$2,500 and 6 months in jail. Each day that a violation of this section 11-1-5 is permitted to continue or occur by the defendant shall constitute a separate offence subject to separate citation pursuant to the provisions of this section 11-1-5.

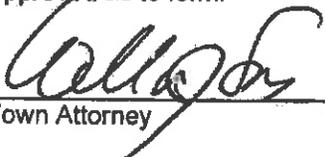
Section 6. Severability. All ordinances, or parts of ordinances, adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the Town Code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 15^d day of October 2014, to be effective when publication and posting, pursuant to A.R.S. §9-813, is completed.

Approved: _____
Charles German - Mayor

Date: _____

Approved as to form:



Town Attorney

Attest: _____
Deborah Barber, Town Clerk