

MINUTES
REGULAR SESSION COMBINED WITH
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, DECEMBER 18, 2013 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 Baker, and Councilors Carol German, Bruce George, Brad Gordon, Jessie Jones, and Robin Whatley were present.

Also Present

Town Manager Russ Martin, Marshall Nancy Garner, Finance Director Mike Showers, Community Development Director Mike Jenkins, Public Works Director Ron Long, Assistant Public Works Director Troy Odell, Town Clerk Deborah Barber, and Recording Secretary Saepyo Warren.

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) Special Session – December 11, 2013
- 2) Executive Session – December 11, 2013 (Recorded)
- 3) Special Session – November 21, 2013
- 4) Executive Session – November 21, 2013 (Recorded)
- 5) Regular Session – November 20, 2013
- 6) Special Session – November 20, 2013
- 7) Executive Session – November 20, 2013 (Recorded)

b) Set Next Meeting, Date and Time:

- 1) December 25, 2013 at 6:30 p.m. – **CANCELLED**
- 2) January 1, 2014 at 6:30 p.m. – **CANCELLED**
- 3) January 8, 2014 at 5:30 p.m. – Work Session
- 4) January 15, 2014 at 6:30 p.m. – Regular Session
- 5) January 22, 2014 at 6:30 p.m. – Council Hears Planning & Zoning
- 6) Friday, January 24, 2014 at 9:00 a.m. – Council Retreat
- 7) January 29, 2014 at 5:30 p.m. – Work Session

c) Possible approval of Ordinance 2013-A389, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Town Code Section 11-1-6 – Parks, Alcohol Use. This amendment limits 'alcohol' to beer and wine only and requires Council approval of all events on Town property in which alcohol is sold and/or consumed. Staff Resource: Russ Martin

d) Possible approval of Ordinance 2013-A390, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Town Code, Section 3-1-1, Residency. This amendment sets forth residency requirements in sections 3-2-1, Town Manager and 3-2-4, Town Marshal. Staff Resource: Russ Martin

e) Possible approval of Ordinance 2013-A391, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Town Code Section 3-2-1.C Town Manager – Residency. This amendment requires the Manager (after January 2014) to establish residency within the Town limits or the 86322 zip code within 120 days of hire with no exceptions. Prior to January 2014, this section requires Council waiver to live outside the Town limits. Staff Resource: Russ Martin

- f) **Possible approval of Ordinance 2013-A392, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Town Code Section 3-2-4.A Town Marshal – Residency. This amendment requires the Marshal (beginning January 2014) to establish residency within the Town limits or the 86322 zip code within 120 days of hire with no exceptions. Prior to January 2014, this section requires Council waiver to live outside the Town limits. Staff Resource: Russ Martin**

On a motion by George, seconded by Baker, Council voted unanimously to approve the consent agenda with the removal of items 4d, 4 e, and 4f.

On a motion by Baker, seconded by Carol German, Council voted to approve consent agenda items 4d, 4e, and 4f, with Whatley, George, and Gordon voting "No."

5. **Special Announcements and presentations** – There are no Special Announcements or Presentations.
6. **Call to the Public for Items not on the Agenda.**
There was no public input.
7. **Discussion, consideration, and possible appointment of members to the Planning & Zoning Commission. There are two 3-year terms available beginning January 1, 2014 and ending December 31, 2016. Michael Hough and Howard Parrish submitted applications for the two positions. Staff Resource: Mike Jenkins. Mike Jenkins expressed his appreciation for the gentlemen.**
On a motion by Baker, seconded by George, Council voted unanimously to appoint James Binick and Murray Lichty to the Board of Adjustments and Appeals for 3-year terms beginning January 1, 2014 and ending December 31, 2016.

Howard Parrish joked that he submitted an application because he could not find anyone to take his place.

8. **Discussion, consideration, and possible appointment of members to the Board of Adjustment and Appeals. There are two 3-year terms available beginning January 1, 2014 and ending December 31, 2016. James Binick and Murray Lichty have submitted applications for the two positions. Staff Resource: Mike Jenkins.**
On a motion by Baker, seconded by George, Council voted unanimously to appoint James Binick and Murray Lichty to the Board of Adjustments and Appeals for 3-year terms beginning January 1, 2014 and ending December 31, 2016.

James Binick thanked the Council for the opportunity to serve again.

9. **Discussion, consideration, and possible authorization to utilize the remaining funds from the Water Infrastructure Finance Authority (WIFA) in an amount not to exceed \$980,815 in order to complete needed improvements at the wastewater treatment facility as required under the Aquifer Protection Permit (APP) issued by the Arizona Department of Environmental Quality (ADEQ). Staff Resource: Troy Odell and Jan Grogan**
On a motion by George, seconded by Carol German, Council voted to approve the use of \$655,000 of the WIFA funds for the UV Disinfection Unit, Tertiary Filtration Unit, Influent Grinder Pump and Rock Trap, and Headworks replacement, but did not authorize the request for the Sludge Drying Beds, 40'x60' metal shop, or Dissolved Oxygen Probe. Baker voted "No" due to wanting more information, and Whatley abstained.

Troy Odell and Jan Grogan explained the list of deficiencies, repairs, and replacements needed at the sanitation plant. The projects will minimize the need for future, more costly repairs and the majority of the requests are projects that the APP requires. They have already applied for an emergency repair permit for the Headworks replacement and want to prevent the need to apply for any more. Odell was not certain that the Headworks replacement would fall under the terms of the original loan.

Grogan reported that the plant was built without a few of the necessary components in order to save on cost, and

that they needed to complete the construction of the plant. The lack of necessary and functional equipment has exposed the plant and workers to hazards while using less-than-ideal, temporary, improvised solutions: such as excessive use of chlorine and having to manually clear debris, which has included hypodermic needles. They explained that the investments though costly, would save money by: a) preventing future catastrophic damages and sewage back-ups beyond the plant, b) by eliminating the need to rent expensive equipment, and c) by protecting current assets. Grogan reported that WIFA has been asking for the unused funds to be returned for years, but that she has been delaying collection. She has also been assuring the ADEQ that the high chlorine usage is a only temporary, to prevent the ADEQ from requiring the Sanitary District to install a costly chlorination system.

Grogan explained that there is an ongoing lawsuit that started around 2009 against Coe Van Loo Consultants, Inc., from which the Sanitary District expected to benefit; yet that arbitration meetings have been continually postponed with a complete lack of cooperation from the defendants. The next meeting is on January 8, 2014 and if that meeting is cancelled or unsuccessful, it would cost \$300,000 to take them to court, if that course of action is approved. It is not known when litigation will conclude, how much money would be awarded, whether the lawsuit will be successful, or whether the Town will authorize funds for further pursuit if arbitration fails. Due to these unknown factors, Grogan asked citizens and Council to consider the urgency of the work needed and the money that is already available for use. She said that everyone expected to received money from the lawsuit five years ago, and that the needs of the plant can no longer wait. Grogan, along with Council and Staff, emphasized that the original district voted to approve the WIFA loan and that using WIFA for these projects would not increase taxes.

Council expressed the difficulty of making decisions as new trustees due to the complexity of the issue and the need for more information. They acknowledged that it was unfair for citizens of the original district to bear the entire cost of the repairs and replacements, when many of them do not even benefit from the Sanitary District services. They asked which projects were the most critical and what could be completed within six months. Staff noted that CIP funds would not be sufficient to cover the cost of all the top priority needs of the Sanitary District.

Grogan and Odell replied that the UV Disinfection Unit, Tertiary Filtration Unit, Influent Grinder Pump and Rock Trap, and the Headworks replacement were absolutely necessary, and that they could all be completed within six months. They assured Council that they would be as resourceful as possible to keep costs as low as they could, and that they would comprehensively document all projects with photographs and written records.

Public Hearing:

Dick Rynearson, a Sanitary District board member of 5 years, spoke against tearing out the existing trough and said he did not agree with the use of funds for litigation, engineers, and services he does not use.

Nancy Floyd, a Salt Mine Road resident, also does not benefit from Sanitary District services, and expressed that many residents would likely never see a sewer in their lifetime. She asked for details of the loan and payments, requested a copy of the WIFA loan, and asked if there would be any other loans. Grogan replied there would be no additional loans, offered to create a financial spreadsheet of loan payments, and welcomed her to visit the plant to look over loan documents.

Most residents expressed that it was a stretch to categorize the projects as needs for "completing the plant," understanding them to be repairs, replacements, and "upgrades" for which the loan was not originally intended, and thus not the voters' intent. There was much consensus that the priority for the remaining WIFA funds should be to pay down the principle of the loan.

Susy Burnside, a former board member, suggested using CIP funds for the Sludge Drying Beds, asked about the details of the ADQ consent order, and expressed that the latter should have been publicized. She contested that the original plans for the plant authorized a metal shop building. Ms. Burnside urged Council to first review the details of the loan in order to make a later, more informed decision.

10. **Discussion, consideration, and possible approval of Resolution 2013-904, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona adopting the 2013 Town of Camp**

Verde Business Corridor Study. Staff Resource: Ron Long

On a motion by Baker, seconded by Carol German, Council voted to approve Resolution 2013-904 of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona adopting the 2013 Town of Camp Verde Business Corridor Study. Gordon abstained.

Ron Long explained that the resolution refers to the Finnie Flat corridor and tri-intersection proposals presented at the December 11, 2013 Special/Work Session.

11. **Discussion, consideration, and possible approval of an agreement with the Chamber of Commerce for professional service and funding in an amount of up to \$12,000.** Staff Resource: Russ Martin
The motion by George, seconded by Whatley, to approve the agreement with an amended pay schedule, failed with Mayor German, Baker, Jones, and Carol German voting "No."

Tom Pitts and Steve Goetting explained their plan for reviving the Camp Verde Chamber of Commerce, reported the success of the many economic development initiatives of Mr. Pitts, and the urgent need for Camp Verde to join the action taking place around the Valley. They requested seed money to fund consultation services, surveys, Chamber Master software, and the labor needed to increase memberships, which would lead to the Chamber becoming a fruitful, self-sustaining organization.

Council and Staff recognized that investing in the Chamber would be beneficial to the Town and to local business, but the majority opinion was that: a) this unbudgeted request needs to be reviewed in the context of all the other demands on the budget, b) volunteerism can revive the Chamber, c) the use of contingency funds for this purpose is not advisable, and d) the timing of the request is not ideal for Council approval.

Councilor Baker requested the following item:

12. **Update by Finance Director Mike Showers relative to the status of the FY13/14 Budget.**
Mike Showers reported that the Town's revenue is \$150,000 under budget, that the General fund would be \$130,000 in the negative after debt payments, and that the Department Heads are 2% under budget. He expects revenue to go up in the next four months, but explained that numbers fluctuate too much to forecast with consistent accuracy or to identify a trend. He said the Town was operating on as tight of a budget as possible. He said that the Town should expect to delay some projects, but that the overall, there was no reason to be nervous.

Council expressed appreciation for the update and requested a quarterly report that consisted of a succinct one-page overview of the Town's financial status.

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

14. **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.

George attended a transportation meeting and requested a work session to discuss the results from that meeting which would affect community development decisions.

Gordon attended a Fire District Board meeting and a General Plan meeting.

Baker attended a Water Advisory Council meeting, and recognized citizens Debbie Roulette and Carly Androus for their dedicated service to the Town.

15. **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.

Manager Russ Martin reported that he had a confidential memorandum for Council; that most communities have already approved the Hwy 260 plans; and that Camp Verde is working out issues with the Yavapai Apache Nation before approval. He announced that the Christmas party was a success with about 100 attendants, and that Town offices would be closed on Christmas Eve, Christmas Day, New Years Day.

16. **Adjournment**

On a motion by German, seconded by Jones, Council voted unanimously to adjourn the meeting at 9:25 p.m.



Charles German, Mayor



Saepyo Warren, 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 Combined with Council Hears Planning & Zoning Matters of the Town Council of Camp Verde, Arizona, held on December 18, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 20 day of January, 2013.



Debbie Barber, Town Clerk