

**(Corrected) MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MAY 21, 2008
6:30 P.M.**

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

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, Councilors Smith, Garrison, Kovacovich, German and Elmer were present.

Also Present: Town Manager Mike Scannell, Town Attorney Bill Sims (*by telephone conference*), Accountant Lisa Elliot, Parks & Recreation Director Lynda Moore, Town Clerk Debbie Barber and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Hauser.

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) May 7, 2008 – Regular Session
- 2) May 7, 2008 – Special Session
- 3) May 7, 2008 – Executive Session (taped)

b) Set Next Meeting, Date and Time:

- 1) Budget Work Session – May 22, 2008 at 4:00 p.m.
- 2) Budget Work Session – May 27, 2008 at 5:00 p.m.
- 3) Council Hears Planning & Zoning – May 28, 2008 at 6:30 p.m.
- 4) Budget Work Session – May 29, 2008 at 5:00 p.m.
- 5) Regular Session – June 4, 2008 at 6:30 p.m.
- 6) Regular Session – June 18, 2008 at 6:30 p.m.
- 7) Council Hears Planning & Zoning – June 25, 2008 at 6:30 p.m.

c) Possible approval of FY 2007-2008 Budget adjustments to reallocate funding appropriations to include transferring the budget amount and all related expenditures for Organizational Donations from the Capital Improvements Fund to the Non-Departmental accounts in the General Fund and transfer the 2007-2008 fiscal year budgeted amount and all the related expenditures for the Public Works Office Remodel from the Streets/HURF Fund to the Capital Improvements Fund.

d) Possible approval of FY 2007-2008 Park & Recreation Summer Program Funding Allocation in the amount of \$6,000 from monies received from the Yavapai-Apache Nation designated for the Parks & Recreation Youth Programs to be used to purchase supplies for the 2008 Summer Program.

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the corrections noted.

Garrison requested a correction to the time indicated for the meeting May 22nd, it will be at 3:00 p.m., and it will be a Special Session.

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

(Comments from the following individuals are summarized.)

Stan Bullard, Camp Verde Water System, reported that the application to ADWR for determination of adequate water supply for Camp Verde Water System has been approved; that means that future development will not have to go through a hydrological study, if water is to be supplied by Camp Verde Water System. Bullard submitted the letter of approval for filing with the Clerk's Office.

Latahna Short announced that the Relay for Life celebration will be held Friday, May 30th at 6:00 a.m. at the Camp Verde High School football field. The main event will be an opportunity to tape Mayor Gioia's body to a wall with duct tape, with proceeds from the sales of duct tape to benefit the American Cancer Society. Smith immediately tendered \$100, and additional cash and checks were donated by the other Councilors, for the purchase of duct tape. The speakers also outlined plans for cancer survivors, including a Lap of Victory, starting at 6:00 p.m.

Gerry Tobish expressed his opinion, based on his experience as a local business owner, that the Camp Verde Chamber of Commerce is totally worthless for the businesses in Town. Roy Gugliotta deliberately discriminated against him at the recent Channel 3 event; for the Executive Director of a Chamber of Commerce to do something like that is reprehensible and not acceptable. Tobish said he hopes the Council will keep that in mind during the budget process; the Executive Director needs to be let go. Many businesses have withdrawn their memberships in the last two years.

Dave Freeman displayed a flyer that was sponsored by the Chamber of Commerce that clearly indicated that the ad for the business owned by Mr. Tobish had been airbrushed out. The other ads are for those who are current members of the Chamber, which represent less than 25% of all the businesses in Camp Verde. The Town receives sales tax revenues from all the businesses; the Chamber receives funding from that public money to support the Town, the history, and the businesses. Mr. Freeman said that it is wrong, and possibly illegal, that public money generated by an entire town is being used for the exclusive benefit of a small number of people.

There was no further public input.

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

German said he attended the special strategy session with the Sanitary District; when he receives the information that was to be e-mailed back, he will share that with the Council. German feels that steps are being taken to perhaps shore some things up.

Hauser reported that she had been in water meetings today, and included in all the good information available were water use and drought figures affecting the Colorado River. Gioia added that the climatologist presented a data-driven prediction of a decrease of 20 to 50 percent of the runoff going to the Colorado River in two to three decades; Arizona survives on Colorado River water.

Smith said there is enough snow pack in Colorado that normal outflow will fill up Lake Powell this year; he also announced that the mayoral race in Sedona had been decided by only 2 votes. Smith expressed appreciation for the new budget format that makes it very readable and understandable.

Garrison congratulated Paul Clawson's family on his being admitted to the graduate law program; she also advised citizens to call the Sanitary District office directly with any complaints. There will be a Camp Verde Sanitary District special meeting tomorrow at 4:00 at the Chamber; Garrison detailed upcoming plans for a tourism bus event that will take place October 23rd in Camp Verde from 8:00. to 10:00, called A Step Back in Time.

Garrison apologized for not being able to attend the Sanitary District special meeting Monday; she will also not be able to make the meeting tomorrow, nor will her substitute be able to attend.

Kovacovich thanked the maintenance staff for a good job well done on the railings and sidewalks around the public restroom.

Gioia commented on the improvements in Rooms 206-207 done by staff; he also reminded everyone about the Relay for Life event scheduled for May 30 and 31. Gioia reported on the presentation at the water meeting from the Salt River Project with issues with their reservoirs. Gioia commented on the excellent new finance system.

Note: Item 8 was heard prior to Item 7.

7. **Clarification as to whether Council as a whole agreed at the May 7th Regular Session to simplify the Non-Profit Funding Program Policies and Procedures that were adopted by Council on February 6, 2008, followed by discussion, consideration, and direction to staff as to what changes Council would like to make to the Non-Profit Funding Program Policies & Procedures.** *Staff Resource: Debbie Barber*

Staff was directed to revise the application to be submitted by a non-profit group for funding, as follows: Eliminate Question No. 8; eliminate No. 10 by adding language to No. 9 as follows, in part: ".....and/or event; how will you evaluate your success?"; and to correct the numbering which reflects two No. 9's, in order to simplify the subject Policies and Procedures that were adopted by Council on February 6, 2008.

German said that he would abstain from any voting since he is on the Committee; however, it was agreed that should be no problem.

Town Clerk Barber said she had requested this item in order to clear up some confusion from reading the Minutes of the May 7th meeting, and wanted to confirm that Council did want to change the process that was just approved in February. Barber also explained the basis for imposing a limitation of \$500 and for budgeting other anticipated donations that would be allowed by law. The Policies & Procedures document was prepared through the Town Attorney's office and meets all the statutory requirements.

The members discussed how to simplify the application to be submitted by a non-profit group for funding; it was agreed to eliminate Question No. 8; eliminate No. 10 by adding to No. 9 as follows, in part: ".....and/or event; how will you evaluate your success?"; and to correct the two No. 9's.

There was no public input.

Mayor Gioia requested item #8

8. **Discussion, consideration, and possible appointment to the Committee for Non-Profit Funding. This Committee will consist of 3 to 5 people, consisting of at least one council member and one staff member, to evaluate the applications and to make a recommendation to the Town Council.**

On a motion by Gioia, seconded by Smith, the Council voted unanimously to accept those who have stepped forward to volunteer for the subject Committee; namely, three from the public: Howard Parrish, Robin Whatley and Mark Ware; Council member German and Staff member Barber.

Mayor Gioia said that Council has previously discussed this issue, and there are some applicants for appointment to the Committee will also volunteer. Town Manager Scannell stated that during the department head meeting, Deborah Barber volunteered to serve on Committee.

There was no public input.

9. **Discussion, consideration and possible direction to staff regarding a three-year agreement with Dr. Betty Chester and Dowling Campbell for Joint Use of Athletic Facilities and Recreational Easement of Sunnyside Park with the stipulations requested by Betty Chester.** *Staff Resource: Lynda Moore*

Staff was directed to offer some better policing of the park area, trimming of the trees as requested, a continued relationship for the present standard of maintenance and equipment, with the upgrade of the goals, for a three-year contract with the inclusion of some of the finalizing concerns Council discussed regarding a possible sale of the property, the lease terms, with these stipulations in the contract, and bring back to Council for review and possible approval.

Parks & Recreation Director Moore explained that the current agreement for the past year is now up for renewal at Sunnyside Park. Although Ms. Chester prefers going with a one-year agreement, Moore said that the Town would like to enter into a three-year agreement. The Town has \$25,000 invested in that park. Moore outlined stipulations requested by Ms. Chester and the associated estimated costs. In response to a question regarding how the Town would be protected if there was a change in use or change in ownership during the first year into the three-year agreement, Town Attorney Sims outlined amortizing the equipment paid for by the Town over the three years to determine a buy-out amount; Scannell discussed with Sims who agreed on the possibility of including a provision that makes the lease binding, if terminated, on the successor to the property in the event of a sale.

Moore outlined the stipulations requested by Ms. Chester as follows: Parks & Rec to maintain the baseball diamonds and they are to be brought up to higher standard; Parks & Rec will continue to mow; equipment to be maintained with Town to install sand underneath the 9 pieces of equipment that the park will be receiving from a grant, and that will take 75% of the staff 2 to 3 weeks to complete this installation. In lieu of the equipment, they would like to see swings added to the park, with fall material, and the school would pay one-half of the cost of the swing set; they request better patrol by the Marshals; and to trim the mulberry tree over the picnic table.

The Council discussed in full the use of the park, the funds already invested and the possibility of recouping those costs, protecting the interests of the Town, the need for hard figures on costs instead of estimates, and the need for more time to analyze the Town's position in order to make any decision to renew the lease and to consider the requested stipulations.

Gioia requested staff to make sure that the next time a similar proposal is presented to Council that staff has specific costs available in order to have a better basis for making a decision.

There was no public input.

A recess was called at 7:57; the meeting was called back to order at 8:04 p.m.

10. **Presentation by Parry Haddon, Trails & Pathways Commission Chairman, followed by discussion on the mandate of the Trails & Pathways Commission and the issues and ramification of motorized use of trails.**

The Trails & Pathways Commission was authorized to include motorized use of trails in the mandate to the Commission.

Perry Haddon explained that the Commission has been working on a plan for trails and pathways for some months and the issue of motorized use of trails has come up as evidenced during attendance at recent meetings. Haddon said that in the General Plan there is no exclusion of that, yet does not include a specific reference to motorized use in the mandate regarding stewardship. The request before the Council is for authorization to include discussion of motorized use of trails and pathways in the Commission's plans and policies.

The Council discussed the background of the formation of the Commission, the funds generated from the OHV traffic and used for educating public regarding use of trails, and the need for flexibility, countered with some objection to motorized use pointing out the current efforts of the Forest Service to combat destruction caused by the vehicles.

PUBLIC INPUT

(Comments by the following individual are summarized.)

Dave Freeman said he is a multi-use user of trails, and one of his concerns is getting proper information regarding which trails can be used for which use; the Trails Commission is working on maps identifying trails and their permitted uses, which would encourage tourism.

There was no further public input.

11. **Presentation and discussion of the April 2008 Financial Update Report.** *Staff Resource : Lisa Elliott*

There was no action taken.

Finance Department Accountant Lisa Elliott presented the April 2008 Financial update report, including the declines in sales tax revenues; because of a plan that was derived to remediate the downfall, a gap in estimated shortfall of revenues to the General Fund has been closed from the amount of \$438,000 to approximately \$118,000. Elliott commended the different departments for doing an excellent job of ratcheting expenses back and squeaking through; Council joined in with commendations.

There was no public input.

12. **Discussion, consideration and possible direction to staff to prepare a Request for Proposal (RFP) or Request for Qualifications (RFQ) to hire a consultant to prepare a Master Plan for the 118 acre Community Park Site located off McCracken Road.** *Staff Resource: Lynda Moore*

Staff was directed to go out for an RFP as soon as possible with inclusion of requests for qualification.

Director Moore said that in the past the Town has preferred to go out for a Request for Proposal; however, staff feels it might be preferable to first send out Requests for Qualifications to select the top three applicants and then submit the RFP's, a process that might take longer, but could still be within the grant timeframe.

The Council discussed with Town Attorney Sims the possibility of combining a request for qualifications with the request for proposals. Sims outlined the requirements imposed on municipalities based on the type of service or construction contemplated; he confirmed that the Town could decide on either an RFP or RFQ since professional services are being sought, and that an RFP would probably shorten the time.

There was no public input.

13. **Discussion, consideration and possible approval to discontinue use of alcohol for all facility rentals, allow alcohol sales at two Town sponsored events which would include the Pecan, Wine & Antique Festival and Fort Verde Days, and to require that all non-sponsored special events come before Council for alcohol sales on a case by case basis.** *Staff Resource: Lynda Moore*

A motion by Gioia, seconded by German, to approve the subject request was withdrawn following a request by Garrison to split the motion.

On a motion by Gioia, seconded by Garrison, the Council voted 5-2 to approve discontinuation of use of alcohol for all facility rentals; **with 'no' votes by Smith and Elmer.**

On a motion by Gioia, seconded by Kovacovich, the Council voted 6-1 to allow alcohol sales at two Town sponsored events which would include the Pecan, Wine & Antique Festival and Fort Verde Days, and to require that all non-sponsored special events come before Council for alcohol sales on a case by case basis; **with a 'no' vote by Garrison.**

Moore reported that pursuant to direction from Council she had taken the issue of alcohol being sold at special events back to the Parks & Recreation Commission. That Commission has recommended that all alcohol use be stopped for all facility rentals, that alcohol be allowed at the Pecan & Wine Festival and Fort Verde Days only, and that alcohol at outside non-sponsored special events be approved by Council on a case by case basis.

During the Council discussion of the Town's rental facilities, Moore explained that although rental fees would be lost, there is major concern over the extensive damage being caused to the gym because of alcohol use at private parties. In response to Moore's question, Attorney Sims expressed his opinion that based on the wording in the rental agreement document, the sale of alcohol is not required and can therefore be stopped immediately as a policy decision by Council. Garrison stated her objection to the sale of alcohol at any event as well as her intent to vote against any motion permitting that; her primary concern is the liability risk to which the Town possibly exposes itself by allowing the sale of alcohol. Garrison requested that the first proposed motion on the agenda item be divided into two separate motions. There was further discussion pointing out the benefit to non-profit groups with them managing the sale of alcohol, and that the events have brought business to Boler's Bar among others.

PUBLIC INPUT

(Comments from the following individual are summarized.)

Howard Parrish reminisced about the residents years ago sitting on the curb and drinking beer.

Dave Freeman had thought that the beer had been provided to the Town free, and the Town made money from the sale of the beer, which certainly was a source of income.

There was no further public input.

14. **Discussion, consideration, and possible direction to staff relative to the remaining balance of approximately \$11,000 in the LTAF II account that currently funds the Voucher Transit System. Discussion and/or direction may include alternate projects such as the Verde Valley Veteran's Van.** *This is a budgeted item. Staff Resource: Debbie Barber*
Staff was directed to negotiate and renew the contract with NACOG with the stipulations that \$2,500 be paid to the Veterans' Van for this year from the \$11,000 rollover of LTAF II funds on hand; an additional \$2,500 goes to the Veterans' Van for next year's budget, with the balance of the rollover in the amount of \$6,000 to be utilized to improve service to the Camp Verde Voucher Program, and bring back the contract for review and approval.

Town Clerk referred to the request from NACOG that the town roll over the remaining balance of \$11,000 in the LTAF II account. Barber reviewed the cost to operate the voucher program, and explained a recent change made in the voucher system that has apparently caused a drop in the usage. It was agreed that the \$11,000 be rolled over, that Council had also previously directed that \$2,500 of that amount go to the Veteran's Van, and after discussion it was agreed that an additional \$2,500 be included in next year's budget for the Van, with the remaining \$6,000 to be used for improving service to the Camp Verde Voucher Program. Barber added that since payments have not yet been received for April and May, the \$11,000 is just an approximate amount, and it was also pointed out that a new contract will be proposed with the changes to the rollover in the provisions.

There was no public input.

Councilor German requested Item #15:

15. **Discussion, consideration, and possible approval of Resolution 2008-745, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Commissions.** *Staff Resource: Councilor German and Debbie Barber*

On a motion by Gioia, seconded by Elmer, the Council voted unanimously to approve Resolution 2008-745, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Commissions, adding the following changes as directed by Council at the meeting of March 5, 2008.

Management of Meetings

- A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during a meeting or following a meeting.
- B. Meetings will conclude at 10:00 p.m. with planned recesses during the meetings.
- C. Council member discussion is limited to three (3) minutes per member. If an item is opened for public input, the public may address the item ONE time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as contract awards and approvals, proclamations, etc. shall be placed on the Consent Agenda.
- E. Previously approved items, such as budgeted items, do not require further Council approval and will not be placed on an agenda.
- F. Consent Agenda items, excluding all Ordinance and Resolution titles, will not be read aloud.
- G. All presentations will be limited to 10 minutes for the presentation and discussion period.

Councilor German reviewed with the members the revisions and additions that have been made to the Meeting Policies and Procedures for the Council and all Commissions; German also outlined in detail the steps to be followed in receiving and taking action to resolve citizens' complaints. German questioned the provision in Paragraph E regarding referring a complaint to the Town Manager; it was agreed that it should include the words, "or designee."

The Council further discussed the complaint procedure outlined, including the suggestion for a possible review of the nuisance regulations in the Town Code. Town Attorney Sims recommended that the wording in Paragraph 10 be changed to, "...shall be referred to the Town Manager..." to conform with Paragraph E. In connection with e-mails she sends, Garrison suggested that a statement be included on a Council member's e-mails to the public to let them know that their e-mail to the particular member is not private, it is public; Barber will come up with the appropriate language to be included.

There was no public input.

16. **Call to the Public for Items not on the Agenda.**
(Comments from the following individuals are summarized.)
Robin Whatley wanted to remind everyone of the Memorial Day ceremony at Clear Creek Cemetery on Monday at 11:00 a.m.

Howard Parrish reported that the Cavalry will be going to the old historical cemetery in Prescott on Monday; they will be going to the V.A. on Friday.

There was no further public input.

17. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.
There were no advanced approvals.

18. **Manager/Staff Report**
There was no Manager/Staff report.

19. **Adjournment**
On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 9:34 p.m.



Margaret Harper, 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 the 21st day of May 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 20 day of June, 2008.



Debbie Barber, Town Clerk