

**MINUTES
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 26, 2011
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 Burnside, Vice Mayor Kovacovich, Councilors Buchanan, Whatley, Baker and German were present.;
Councilor George was absent.

Also Present: Town Manager Russ Martin, Community Development Director Mike Jenkins, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Buchanan.

Following the Pledge, Mayor Burnside announced that Item 3a is added to the agenda to allow public input for items not on the agenda, as required by the Town Code.

3a. **Call to the Public for items not on the agenda**

(Comments from the following individuals are summarized.)

Brenda Hauser commented that she had requested a past Council to appoint her as liaison to MatForce since she had been involved since its inception. Despite not receiving that appointment she continued to be personally involved, and on behalf of MatForce presented to the Town of Camp Verde a plaque commending the Town for its support of MatForce. She added that on Saturday there will be a Dump the Drugs Day at the Marshal's complex. *(Burnside suggested that she come to Council in the near future and again request to be appointed as liaison.)*

Steve Goetting reminded everyone of the upcoming Kingdom of the Spiders event and described the many fun activities and entertainment to enjoy during that event; he added that 1,000 glow-in-the-dark spiders had been donated to enhance the event.

There was no further public input.

4. **Discussion, consideration and possible approval of Ordinance 2011-A380, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona: A text amendment to the Town of Camp Verde Planning & Zoning Ordinance Part 4, Section 404.D, Temporary Sign in the Town Right-of-Way in designated Community Wide (Event & Show) Sign areas with the inclusion of additional requirements for these Temporary Signs. These Community Wide Event & Show Sign areas are to be specified by the Town Council through a resolution. Staff Resource: Mike Jenkins**

On a motion by Baker, seconded by German, the Council unanimously approved Ordinance 2011-A380, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona: A text amendment to the Town of Camp Verde Planning & Zoning Ordinance Part 4, Section 404.D, Temporary Sign; this Amendment will allow for a maximum of a 16 square-foot Temporary Sign in the Town Right of Way in designated Community-Wide (Event & Show) Sign Areas with the inclusion of additional requirements for these Temporary Signs; these Community-Wide Event & Show Sign areas are to be specified by the Town Council through a Resolution.

Community Development Director Jenkins reviewed the background leading to the need for this request for an ordinance amendment; the current ordinance specifies the size for a banner sign for a public event displayed in the Town right-of-way. The banner signs in the one location in the Town's right-of-way where they are allowed typically are larger than specified by the current ordinance. The Planning & Zoning Commission held a special session on

September 15, 2011, to address this issue, and has unanimously recommended approval of this ordinance text change, with the inclusion of additional requirements as indicated in the draft ordinance amendment provided as Exhibit A.

PUBLIC INPUT

There was no public input.

In response to questions from the Council, Jenkins and Town Manager Martin clarified the definition of "community-wide events," and allowance for signs on private properties, noting that the areas covered by this subject ordinance would only be those in Town rights-of-way. ADOT has full control over their rights-of-way. Staff was also requested to clarify the requirement for an "approved" community-wide event, questioning whether or not the word should be "permitted" instead. It was explained that in some instances it is required to notify the Clerk's office and request approval so that the proper departments could be advised, but not every event would require a formal permit application. The question regarding the issue of the definition of Local Events including "and others pertaining to the Town of Camp Verde," was addressed with staff suggesting that the phrase include the language, "and others with a completed event application pertaining to the Town of Camp Verde." The discussion also addressed the revision regarding temporary sign areas and signing up on the availability list in the Public Works Office.

5. **Discussion, consideration, and possible direction to staff specifying the location of Community Wide (Event & Show) Sign Areas, located in the Town's Right-of-Way to allow for temporary signs to be placed in these areas under the requirements of Part 4, Section 404.D of the Planning & Zoning Ordinance. Staff Resource: Mike Jenkins**

Staff was directed to proceed with the research on the Council recommended locations, as well as some staff locations, and bring back a draft Resolution for consideration or approval at the earliest opportunity, but no sooner than 30 days.

Jenkins noted that there is already one location, as discussed, where the poles are in place and has historically been used for the hanging of signs for events or shows. There is also the property over on Oasis that is not on the right of way and would not apply to this issue. The Town Engineer has indicated other locations that are currently being used for these signs; if desired, Council might suggest other possible locations, if they are considered important.

PUBLIC INPUT

There was no public input.

Commencing the discussion, staff was requested to research the dedicated Town right-of-way areas along the 260 corridor, over the overpass, as well as any private property in that area. After further consideration, and clarification that pursuant to the Ordinance just adopted a Resolution is required which would specify the areas that would be subject to the Ordinance, the following additional locations were agreed upon for research: Montezuma Castle Highway where it becomes the Nation off of I-17, and whether the Nation would cooperate with the Town on allowing signs for their events as well; Finnie Flat and 260; at I-17 and 260, even if there is a private property owner there; Main Street and Finnie Flat at Circle K; perhaps an area where people coming in from Payson would notice; an area at Steve Coury's facility.

Martin pointed out that all the areas in the Town right-of-way can be used, but now only through adopting a Resolution specifying those areas pursuant to the new Ordinance. A draft Resolution will be brought to Council, after the requested research, that will include the recommended locations.

6. **Discussion, consideration and possible direction to staff concerning two proposed options to the Town's Municipal Impact Fee Ordinance and program as impacted by State Senate Bill 1525.Options**

❖ A) To direct staff to continue to collect current Development Impact Fees until January 1, 2012 after

January 1, 2012 staff could begin collection of Development Impact Fees under the limits and Restrictions of SB 1525, in addition staff would compile any associated costs to prepare a new development Impact Fee Study through a consultant and update the Land Use Assumptions and all other required elements of the General Plan.

- ❖ **b)To direct staff to prepare documents to implement a moratorium to suspend collection of all Development Impact Fees effective January 1, 2012for Municipal Development Fees as listed in the Town Code under Chapter 7, Article 7-10.Staff Resource: Mike Jenkins**

On a motion by Buchanan, seconded by Baker, the Council unanimously directed staff to prepare the required documents to implement a moratorium to suspend collection of all Development Impact Fees effective January 1, 2012 for the Municipal Development Fees Ordinance as listed in the Town Code under Chapter 7, Article 7-10.

A motion by Whatley, seconded by Burnside, to amend the preceding Motion to continue the moratorium in effect for five (5) years, **failed by a 2-4 vote; with Kovacovich, Baker, Buchanan and German opposed.**

Jenkins reviewed the history of the legislation pertaining to Development Impact Fees, in particular Senate Bill **1525**, that resulted in inconsistencies and the troubling potential for unintended consequences. The agenda packets include copies of the Draft Ordinance prepared by the Arizona League of Cities and Towns for cities and towns to rely on that would create a broad consensus and unity among all those cities and towns. Jenkins referred to his Summary Report outlining in detail the impacts of the new law that becomes effective on January 1, 2012, and a comparison of the positive to negative financial and liability impacts to the Town. The intent of the Report is to assist the Council in deciding whether to consider complying with the mandates of SB 1525 with the commensurate financial burden, or to place a moratorium on the current Municipal Impact Fee Ordinance, which could also be viewed as another step toward economic development within the Town at this time. Jenkins reviewed the legal advice he received, and based upon that advice, two options for the Town to consider: the first one, to move forward and follow the State laws and time frames, or to place a moratorium on the existing Impact Fee Ordinance.

PUBLIC INPUT

(Comments from the following individual are summarized.)

George Young recalled that at the time the Impact Fee Ordinance was in the process of being drafted, there was a lot of conflict and upset feelings in the community. The Town may be faced with trying to put something together that may or may not work; the wiser approach may be to table the Impact Fee issue, and if the economy improves, take another look at it. It has had the effect on the community of stifling development in the past; any help would be appreciated.

There was no further public input.

Burnside questioned whether the Council would have the right to do away with something that the people have voted for. Martin said that his understanding in the State of Arizona, there is a certain amount of time during which the Town could not go against the will of the public; however, it is a very short period of time and the Town is probably long since past that time. Martin confirmed that if a moratorium is placed into effect, the activity involved simply no longer exists, until such time as the moratorium is lifted. Burnside suggested that the Town even consider just stopping the collection of impact fees instead of going with the moratorium. The members discussed the information that had been provided, as well as the two options presented, with the majority favoring an indefinite moratorium that would be lifted when the economy improves, subject to the new rules and regulations. Jenkins noted that the Town Attorney had advised that a moratorium become effective January 1, 2012, which is when the new law would take effect; an immediate moratorium would appear to discriminate against those developers who have already paid their fees. German requested confirmation that the Town has until 2020 to appropriate the funds from the current impact fees that were collected for specific purposes, under the law, currently as it stands. There was also some discussion regarding placing a definite period of time during which a moratorium would be in effect.

7. Discussion, consideration, and possible approval of Resolution 2011-852, a Resolution of the Mayor and

Common Council of the Town of Camp Verde, Yavapai County, Arizona, urging the Arizona Independent Redistricting Commission to keep rural Arizona together by considering and adopting the proposed district maps as provided. Staff Resource: Russ Martin


On a motion by German, seconded by Baker, the Council unanimously approved Resolution 2011-852, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, urging the Arizona Independent Redistricting Commission to keep Rural Arizona together by considering and adopting the proposed District Maps B and D, as provided.

Martin referred to the copies of the redistricting maps that had been included in the agenda packets. There was a brief discussion to confirm that Maps B and D were the ones proposed to keep Rural Arizona together.

Martin noted that the Independent Redistricting Commission will be meeting November 2, 2011 from 11:00 a.m. to 1:30 p.m., at the Recreation Center in Cottonwood; it will be a hearing and an opportunity for further input.

8. Adjournment

On a motion by German, seconded by Baker, the meeting was adjourned at 7:57 p.m.



Bob Burnside, Mayor 11-16-11



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 26th day of October 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 16 day of November, 2011.



Debbie Barber, Town Clerk