

MINUTES  
REGULAR SESSION  
MAYOR AND COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, JANUARY 20, 2010  
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 Whatley, Baker, Roulette and German were present; Garrison was absent due to illness.

**Also Present:** Town Manager Michael Scannell, Town Marshal Dave Smith, Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Kovacovich.

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 – January 6, 2010
- 2) Special Session – January 6, 2010
- 3) Executive Session – January 6, 2010 (Recorded)
- 4) Work Session – January 6, 2010
- 5) Special Session – January 7, 2010
- 6) Executive Session – January 7, 2010 (Recorded)

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

- 1) January 27, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters
- 2) February 3, 2010 at 6:30 p.m. – Regular Session
- 3) February 17, 2010 at 6:30 p.m. – Regular Session
- 4) February 24, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters

c) **Discussion, consideration, and possible approval of the following:**

- 1) **Establishment of the Employee Benefits Fund**
- 2) **Transfer of undesignated fund balance from the General Fund to the Employee Benefits Fund in the amount of \$403,320**
- 3) **Designation of the Employee Benefits Fund balance amounts of \$11,803 as the Sick Leave Bank and \$391,517 as the Accrued Employee Benefits Reserve.**

**Note:** This action does not affect the expenditure limitation as set forth in the adoption of the final budget, but merely transfers fund balance amounts and designates those amounts for specific purposes. Staff Resource: Lisa Elliott

On a motion by Kovacovich, seconded by Baker, the Consent Agenda was unanimously approved as presented.

5. **Council Informational Reports.**

**Roulette** said he had attended the Sanitary District meeting, but there is nothing new to report.

**Baker** reported on attendance at the WAC meeting today; Clarkdale is anticipating their rain gauges to equal the '93 flood conditions over Thursday and Friday. Much of the discussion involved budget cuts, ADWR in particular as deep as 57%, which will affect much of the work done to date.

**Kovacovich** reported on the meeting with State Parks in Phoenix last Friday; the Fort received a reprieve until the end of March. Hopefully by then a long-range solution will be worked out to keep it open beyond that. The speech given by the Mayor was well received by the Board.

**Whatley** also commented on attendance at the State Parks meeting with several other Councilors; she believes a good showing was made. The Agenda had been amended to allow for Camp Verde in order to give the Town those few extra months.

Burnside said that the State Parks meeting was an experience that he enjoyed; he was impressed with the massive volunteerism shown. Burnside said he does not know how the Town can afford to keep the Fort open, but with everyone's help it will be possible. Burnside also reported on a meeting with ADOT regarding Hwy 260.

6. **Call to the Public for Items not on the Agenda**  
(Comments from the following individuals are summarized.)

**Nancy Floyd**, a Board member of the Camp Verde Historical Society, informed the Council of the volunteer efforts being devoted to the Fort Verde State Park to try to help offset the staffing costs in order to keep the Park open. Ms. Floyd asked anyone who would be willing to volunteer to work at the Fort to call her at 567-5060 to discuss schedules.

**Marshal Dave Smith** outlined the emergency management steps being taken in anticipation of the possible flooding that has been forecast, which now has been downgraded from the '93 levels to about the same as the 2005 floods. Volunteers have helped in the planning efforts, including alerting people residing in the low-lying areas to expect possible evacuations.

There was no further public input.

7. **Discussion, consideration, and possible appointments to the following Boards and Commissions:**

- 1) **Board of Adjustments – three (3) members for 3-year terms expiring January 2013.**
- 2) **Board of Adjustments – one (1) member for a term expiring January 2011.**
- 3) **Planning & Zoning Commission – two (2) members for 3-year terms expiring January 2013.**

On a motion by Roulette, seconded by German, the Council unanimously appointed **Joe Butner** and **Jim Hisrich** to the **Planning & Zoning Commission** for 3-year terms expiring January 2013; and appointed **Al Roddan**, **Jim Bullard** and **Wes Bonham** to the **Camp Verde Board of Adjustments** for the 3-year terms expiring January 2013.

Town Clerk Debbie Barber advised the Council that enough applications have been received to fill all of the subject appointments, except for the one Board of Adjustments position that was vacated with the loss of C.A. McDonald.

There was no input from the applicants.

8. **Presentation and discussion of quarterly reports from the following:**

- 1) **Board of Adjustments**
- 2) **Design Review Board**
- 3) **Planning & Zoning Commission**
- 4) **Camp Verde Chamber of Commerce**

**Asst. Planner Owens** reported that the Board of Adjustments did not meet for October through December 2009; the Design Review Board also did not meet during that time period. She invited Mr. Bonham to come to her office to visit with her and to complete the necessary paperwork as a new member of the Board of Adjustments.

**Joe Butner**, Chairman of the P&Z Commission, gave a detailed report on the hearings and actions of that Commission for the period of October through December 2009. He commented on the Council reversing the denial by the Commission of an application for an off-premises sign. Councilor Whatley explained that the main problems on which the Commission had based its denial had been corrected by the applicant when the matter was brought to Council.

**Traci Schimikowsky** reported that for the most part the Chamber of Commerce is on target for the Arizona Rural and Regional Marketing Grant, and reviewed in detail the public relation activities the Chamber and the Visitor Center have been involved in during the subject quarter, as well as the literature created and distributed throughout the State of Arizona.

9. **Discussion, consideration, and possible approval of Resolution 2010-799, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations and setting the 2010 Holiday Schedule amending Resolution 2010-795.** Staff Resource: Debbie Barber

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved Resolution 2010-799, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations and setting the 2010 Holiday Schedule amending Resolution 2010-795.

Barber explained that Resolution 2010-795 approved by Council at the last meeting had included an error in connection with the hours of operation of the Animal Shelter. That error has now been corrected, as indicated in the proposed Resolution 2010-799

that has been presented for approval.

10. **Discussion, consideration, and possible direction to staff relative to Council's previous direction to bring back an Ordinance that gives preference to local bidders OR possible approval of Ordinance 2010-A372, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Chapter 3, Article 3, by adding Section 3-3-5.D to the Town of Camp Verde Town Code relating to purchases in general (bids and proposals) to include a local preference option for goods and construction materials. Discussion to include Exhibit A and the determination of amounts to be included in said Exhibit.** Staff Resource: Debbie Barber  
On a motion by German, seconded by Baker, the Council voted unanimously **not to proceed** further with the Ordinance relating to purchases in general to include a local preference for goods and construction materials.

Barber said that at the last meeting an Ordinance had been presented to the Council for approval; the document included an exhibit with blanks in it. Council directed to staff complete the Ordinance and bring it back with a recommendation. With input from Scannell on the math in connection with determining low bidder, taking into consideration the sales tax computation, the Council was advised that a problem might arise from a perception of unfair selection of a bidder. Although the Arizona Constitution states that no law shall be enacted that gives preference to any particular citizen or corporation. The Town Attorney believes that offering the preference to taxable items is defensible. However, the possibility of a lawsuit exists if a non-qualified business owner or an outside bidder becomes disgruntled.

There was comment from the Council that this issue has been looked at in the past with much the same result; staff has pointed out once again why most municipalities cannot make such a decision without getting into a quagmire that can be easily avoided. Staff was thanked for making the effort, as requested, to try to help the business community.

Mayor Burnside requested item #11:

11. **Discussion, consideration, and possible direction to staff to waive the Town's fees associated with the Highland Games promotion. Deposit fees will not be waived and insurance will be required. Based on the application submitted in December, a preliminary estimate sets the minimum fees to be waived at approximately \$1,280.00. Additional fees will apply if the vendor plans to use staff time for set up or cleaning, preparing permits or use of additional facilities, equipment, or utilities. This is an unbudgeted item.**  
On a motion by Baker, seconded by Whatley, the Council voted unanimously to take no action relative to this agenda item, which has the practical effect of imposing all fees, \$1,280 minimum, on the sponsor.

Burnside said that he had included this item pursuant to a request from the Highland Games representative, just as he would in response to a request from any other person in the community. The obligation rests with the person requesting the agenda item; he has provided related documentation that has been included in the agenda packet, and has indicated that the event cannot be held unless the fees are waived.

During a brief discussion, it was determined that it would be highly unlikely that sales from the event could generate enough to offset the waived fees; it was also confirmed that the entity promoting the event is a for-profit group that is in the business to make money. It was agreed that a business has to spend money to make money, and the fees should be paid.

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

There was no public input.

13. **Advanced Approvals of Town Expenditures.**

a. **There are no advanced approvals.**

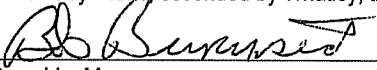
There were no advanced approvals.

14. **Manager/Staff Report**

Scannell said he had met with State Parks Monday morning to begin conversation about the lease, and with the Historical Society, a very productive meeting. The Community is thoroughly engaged in getting volunteers. Scannell will submit a report to Council on February 3<sup>rd</sup> explaining what their options are with respect to staffing the Park and what the Town's cost might be. Supervisor Davis of Yavapai County has indicated he is interested and is researching how he might be able to help. Scannell is also preparing an update for February 17<sup>th</sup> on the financial status for the current budget year. A credit has been received from the work being done by Mr. Zelechowski with respect to the misdirected taxes. Staff is working with Verizon to resolve a discrepancy with their tax remittances. Scannell also commented on the potential flooding and the steps that Marshal Smith and the staff have taken to prepare for the possible emergency.

15. **Adjournment**

On a motion by Baker, seconded by Whatley, the meeting was adjourned at 7:22 p.m.

  
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Bob Burnside, Mayor

  
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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 20<sup>th</sup> day of January 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 8 day of February, 2010.

  
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Debbie Barber, Town Clerk