MINUTES
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, JULY 22, 2015 at 6:30 P.M.

1. **Call to Order**
Mayor German called the meeting to order at 6:30 pm.

2. **Roll Call**
Mayor German, Vice Mayor George, Councilors Baker, Gordon, German, Jones present. Councilor Whatley absent.

Also Present: Community Development Director Mike Jenkins, Assistant Planner Jenna Owens, Town Clerk Virginia Jones, Town Attorney William Sims joined the meeting telephonically at 7:00 p.m., Administrative Assistant Julie Scott and Recording Secretary Marie Moore.

3. **Pledge of Allegiance**
Vice Mayor George 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) No Minutes for approval
   b) **Set Next Meeting, Date and Time:**
      1) Wednesday, July 29, 2015 at 5:30 p.m. Executive Session Manager Evaluation
      2) Wednesday, August 5, 2015 at 6:30 p.m. Regular Session
      3) Friday, August 7, 2015 at 9:00 a.m. Manager Evaluation and Goal Setting
      4) Wednesday, August 12, 2015 at 5:30 p.m. Work Session
      5) Wednesday, August 19, 2015 at 6:30 p.m. Council Hears Planning & Zoning Matters-Cancelled

   Item B (3) is changed to August 14th, 2015 at 9:00 am.

On a motion by George, seconded by Baker, Council unanimously passed the Consent Agenda.

5. **Special Announcements and presentations:**
   - **There are no Special Announcements or Presentations**

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

Bob Johnson thanked the Town, Mayor and Town Manager for the funding money toward flooding issues in Verde Lakes. Johnson also spoke of his disappointment toward the recall for Vice Mayor George and spoke in high regards of his character and what he has done for the town thus far.

7. **Public Hearing, discussion and possible approval of Ordinance 2015-A410, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, an Ordinance for Zoning Map change 20150170 per an application submitted by Chester-Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005C, which is 12.35 acres. The property owner is requesting to go from a zoning of R1L-35 & R1L-175 (Residential: Single Family Limited) to PUD (Planned Unit Development). The property is located at 30 E State Route 260.** Staff Resource: Michael Jenkins

On a motion by George, seconded by Councilor German, Council approved of Ordinance 2015-A410, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, an Ordinance for Zoning Map change 20150170 per an application submitted by Chester-Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005C, which is 12.35 acres. The property owner is

requesting to go from a zoning of R1L-35 & R1L-175 (Residential: Single Family Limited) to PUD (Planned Unit Development). The property is located at 30 E State Route 260 and the applicant shall comply with the recommendations of the Fire Marshal.

Community Development Director Mike Jenkins gave a brief history and overview of the property in question of zoning change. Jenkins used two parcel drawings designated as "Exhibit A" for the Council's review for a better understanding of the current zoning and property boundary. Jenkins indicated the application meets the needs of the General Plan and Open Space requirements. The Building Official indicated the buildings on the property will need to be modified to meet the R-3 residential codes and there will need to be surfacing requirements on the road to meet the Fire Marshal's requirements. Jenkins indicated it is the recommendation of the Planning & Zoning Commission to approve the application with stipulations regarding a parking area south of the sanitary pump, bollards around the existing transformer and comply with the Fire Marshal requirements. Jenkins indicated that after further review of the property and provided pictures for Council review, the first two recommended stipulations are not necessary.

Vice Mayor George questioned the distance of the propane tanks, Jenkins explained that the Building Official will review that and take appropriate action if necessary.

Councilor Baker questioned the resurfacing necessary for the Fire Department. Jenkins indicated the area by using Exhibit A. Baker requested where the Yavapai Apache Nation property was located; Jenkins explained the easement is located on the Chester Newton Property.

Councilor German questioned the size of the water line and the availability for a hydrant. Jenkins explained that this is a zoning issue and that the Fire Department would deal with it.

Applicant Keven Chester explained that the reason for the request to rezone is so that he and his nephew may live on the property legally and to be able to rent out the other buildings on the property. The applicant indicated he felt it was impossible to hit the transformer due to the location.

Mayor German indicated he agreed with staff that the bollards are not necessary and any additional fire hydrants were the decision of the Fire Marshal; therefore, he feels it is not necessary to include the stipulations recommended by the Planning & Zoning Commission.

8. **Discussion with the Town Attorney regarding the proposed Camp Verde Water Franchise Agreement to include, but not limited to Possible approval of the agreement, possible approval of a Call of Election or direction to staff or to the Town Attorney** Staff Resource: Bill Sims

At 7:00 pm Town Attorney Bill Sims was called and attended the meeting telephonically. Sims explained he has been in contact with the Water Franchise Attorney and is awaiting response. Sims indicated that this matter is premature at this point because the comments have yet to be received back at this point. Sims explained that this should be readdressed on the meeting on July 29, 2015 after the Town has received the draft from the Water Company's attorney; noting that if the item is going to be placed on the November 3, 2015 ballot, the Call of Election must be done no later than August 5, 2015. .

Councilor Gordon requested clarification on Page two, paragraph 3. Sims indicated that the wording could be changed to "Shall". Gordon felt that the town should be notified automatically if the Water Franchise was to be working in the right of way of Town property, rather than the town having to require that information. Gordon also questioned Page 6, paragraph 1 and felt that there was not a termination agreement. Sims explained that through operation by law it would condemn the agreement. Gordon questioned the ability to keep certain water lines and Sims explained that is not possible unless you are a water company.

Stan Bullard, owner of the Camp Verde Water Franchise indicated he felt that Mr. Sims was correct in the need to rework the wording of the agreement to be able to move forward with simple understanding for everyone.

Councilor Baker questioned the time frame indicated, Stan Bullard indicated the statute that covers the franchise indicates that it can go up to 25 years and due to the fact that it must go to election the cost is raised for customers. Baker questioned the fact that the Water Company is required to get a permit for construction. Bullard indicated that is correct, a permit is required, but the Franchise is also under State Regulations that must be followed and the State Laws are defaulted back to because the Town cannot override the Arizona Corporation Commission.

Mayor German called a recess at 7:27 p.m.
The meeting reconvened at 7:43 p.m.

9. **Discussion or consultation with the Town Attorney regarding the Special Election.** Note Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and ARS §38-431.03(A)(4) discussion or consultation with the Town Attorney to consider Council's position and instruct the Attorney(s) regarding Council's position in contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. Staff Resource: Bill Sims

On a motion by Councilor Gordon, seconded by Vice Mayor George, Council voted to adjourn to Executive Session for discussion or consultation with the attorney for legal advice regarding the Special Election.

Regular Session reconvened at 8:31

The Mayor stated that Council has given the attorney direction, and there is nothing further to report at this time.

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

11. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Fire District, 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 Brad Gordon stated that he and the Mayor attended the Arizona Forward meeting in Sedona, featuring Geo-Tourism, he also volunteered at the Cornfest and attended American Heritage Academy Ribbon Cutting and Open House.

Vice Mayor Bruce George stated he was out of Town and had nothing to report.

Mayor Charlie German acknowledged that he and Councilor Gordon attended the Arizona Forward-Geo Tourism event in Sedona and he attended the American Heritage Academy Ribbon Cutting and Open House.

Councilor Jackie Baker stated she volunteered at the Cornfest, attended the groundbreaking ceremonies in Cottonwood for the Military Park at Garrison Park and was delighted with Mayor Joens speech. Baker stated that attending were two World War II Veterans.

Councilor Jessie Jones indicated that she volunteered at the Cornfest, attended the Ribbon Cutting and Grand Opening for the Yavapai Apache Market place, and the American Heritage Academy Ribbon Cutting and Open House. Councilor Jones stated that in light of the events in Chattanooga, she wanted to thank everyone that has served our Country to keep us all safe, whether on United States soil or abroad. Thank you to everyone.

Councilor Carol German stated she volunteered at the Cornfest on Saturday along with attending the Ribbon cutting and Grand Opening of the Yavapai Apache Market Place. Councilor German said that because of the rain at the

Cornfest, Camp Verde Promotions had over 60 dozen ears of corn that they donated to the Senior Center, Meals on Wheels and Bread of Life. Councilor German stated she also attended the American Heritage Academy Ribbon Cutting and Open House. Councilor German stated that on July 29 a representative from the Yavapai College Governing Board would be at the Parks & Recreation Conference room, in Camp Verde to visit with the public. She will be sending our more information prior to that date.

12. **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.

13. **Adjournment**

The meeting adjourned at 8:41 p.m.

Charles German, Mayor

Virginia Jones for Marie Moore
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 July 22, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7th day of August, 2015.

Virginia Jones
Virginia Jones, Town Clerk