

**MINUTES
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
AND SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 24, 2018 at 6:30 P.M.**

1. Call to Order

Mayor German called the meeting to order at 6:30 p.m.

- 2. Roll Call.** Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Brad Gordon, Councilor Robin Whatley, Vice Mayor Jessie Murdock, and Mayor Charles German were present. Councilor Dee Jenkins was absent.

Also Present: Town Manager Russ Martin, Marshal Corey Rowley, Town Clerk Judy Morgan, Finance Director Mike Showers, Community Development Director Carmen Howard, Community Development Planner Melinda Lee and Recording Secretary Marie Moore.

3. Pledge of Allegiance

Mayor German led the Pledge of Allegiance.

- 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 – October 10, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, November 7, 2018 at 6:30 p.m. – Regular Session
2) Wednesday, November 14, 2018 at 5:30 p.m. – Work Session -CANCELLED
3) Wednesday, November 21, 2018 at 6:30 p.m. – Regular Session – Meeting CANCELLED per Resolution 2018-994
4) Wednesday, November 28, 2018 at 6:30 p.m. – Council Hears P&Z Matters

- c) Council Review and Possible approval of Street Names.** [Staff Resource: Carmen Howard]

- d) Possible approval for the Finance Director to make the Budget Adjustments as attached for Fiscal Year 2018.** [Staff Resource: Mike Showers]

- e) Discussion, consideration and possible approval of a revised Memorandum of Understanding (MOU) with Camp Verde Promotions for the purpose of partnering on events.** [Staff Resource: Russ Martin]

Councilor Baker requested Finance Director Mike Showers provide clarification on Item 4(d)

for the Budget Adjustments and why it was not previously approved in the budget. Finance Director Mike Showers explained that adjustments are in regards to the two library employees and the Wastewater employee that was approved by Council previously to move from part-time positions to full-time positions within their departments, and the approval at this time is to make the necessary adjustments to the budget. Town Manager Russ Martin explained for clarification that this is an adjustment being made to the 2018 budget that was approved in May of 2017, not the budget that was recently approved. Councilor Baker indicated that things are behind in approval for this matter and Finance Director Showers explained that this procedure is a normal process that happens annually and explained it would have been on the October 17th Regular meeting but that meeting was cancelled.

On a motion by Councilor Gordon, seconded by Vice Mayor Murdock, the motion carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Baker, Buchanan, Gordon and Whatley approving.

5. Special Announcements and presentations.

5.1. November 1, 2018 - Extra Mile Day Proclamation.

Mayor German Proclaimed November 1, 2018 – Extra Mile Day.

5.2. Arizona Cities and Towns Week Proclamation (October 21-27).

Mayor German Proclaimed October 21-17 Arizona Cities and Towns Week.

5.3. National Friends of Libraries Week (October 21-27) Proclamation.

Mayor German Proclaimed October 21-27 National Friends of Libraries Week.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

None

7. Council Hears P&Z Matters - Business. Legal action can be taken.

7.1. Discussion and Possible approval of Resolution 2018-1013 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on a Use Permit 20180344, an application submitted by Carmen Howard, Property Owner, Parcels 403-23-001X and 403-23-001Y, located at 3380 W Cloverleaf Ranch Rd, which is approximately 15 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of developing a community for Tiny-Houses-On Wheels and vintage Recreational Vehicles, and Agricultural events. The property is approximately 15 acres and is located at 3380 W. Cloverleaf Ranch Road; [Staff Resource: Melinda Lee]

Community Development Planner Melinda Lee explained the property is owned by Carmen Howard, who is present as an applicant only for the matter. Ms. Lee gave an overview of the plan for the property and what would happen with the approval of the requested use permit. A Planning & Zoning hearing was held on October 4, 2018, and received recommendation for approval with stipulations that the use permit be granted in perpetuity with a maximum amount of 30 units. Council viewed a presentation that listed a history of use permits granted in perpetuity with explanation of the purpose and

benefits such. Lee spoke on those few use-permits that were not in perpetuity such as mining permits, wireless communications and off premise sign permits, which are included in the town code. The presentation included pictures of the property with proposed amenities as well as conditions of the roads. Lee indicated that one neighboring property voiced concern regarding offroad traffic such as ATV's, which was clarified that would not be allowed. No other neighbors voiced objection. The request for the use-permit is within the scope of the General Plan and use area for the property. Staff recommends Council approve the request with stipulations: in perpetuity and the maximum allotment of 30 RV unit spaces.

Councilor Gordon questioned if there was feedback from the Yavapai-Apache Nation. Lee indicated she received a phone call where the meeting dates were requested, but other than that there was no input.

Call to Public:

Joe Butner passed the Arizona Attorney General Chapter 8 Conflict of Interest handout to Council for review. Butner stated he appeared for the Planning & Zoning meeting that took place on October 4th as well. Butner expressed that although he is not in direct opposition, he wanted Council to be aware that a memorandum should be filed by Carmen Howard regarding the conflict due to her position with the Town. Butner indicated that he was the individual who requested a 30 unit space limit and is not in support of granting perpetuity. Butner stated that rather than a use-permit, a zoning map change should be made due to the difficulty to prove a nuisance with a use permit. Butner also indicated use-permits should be granted on a temporary basis.

Alex Goetting, business owner of Verde Brewery recommended Council thoroughly examine the matter to ensure a conflict of interest has not taken place and the situation has been handled properly. Goetting stated is lack of support for the granting of a permit in perpetuity and expressed that a business should prove itself before such a timeframe is granted. Goetting expressed his frustration with being cited for signage with his own business, but indicated his hope for success to the applicant.

Public Comment Closed.

Mayor German questioned Town Manager Russ Martin regarding any issues with conflict of interest due to the position held by the applicant.

Martin indicated that he did not find any violation in the process, proper precaution was taken that excluded the applicant from handling the matter in any way and if there is a concern, that is for the Attorney General's office to handle.

Councilor Baker questioned if there should be a form filed regarding the conflict of interest for Carmen Howard's sake, Russ Martin indicated he is not an attorney and therefore is unsure what a proper form would be, but assured Council she was not involved in the approval process in any way.

Applicant, Carmen Howard informed Council that the Town Attorney, Bill Sims was contacted on the proper way to proceed. Sims directed staff to notify Council that she has recused herself from the matter as an employee and is appearing strictly as an applicant, which Community Development Planner, Melinda Lee did at the start of the presentation.

Councilor Baker questioned Carmen Howard regarding the length of stay for the 30 space RV area. Howard indicated she is looking for no less than 30 day stays; people who are looking to be a part of a community. People who have purchased tiny homes but do not want to be in an RV Park. Howard explained that she is not looking for transient traffic. Councilor Baker questioned if the tiny home can remain for a longer length of time and if so, what the maximum rental stay time would be. Howard explained that it will be a month to month rental situation and as long as the 30-day stay period is paid for, they will remain. Councilor Baker inquired about the septic, well and electricity availability on the property. Howard informed Council that there are two septic systems on the property to service the facility, a private well and electricity would be provided.

Councilor Buchanan questioned what the projected build-out time for the project would be. Howard indicated her contractor indicated approximately 4 weeks for 10 unit spaces. Buchanan questioned if the applicant was willing to shorten the time frame of the use permit rather than receiving the permit in perpetuity. Howard expressed that the application process is not easy and suggested that if Council feels there needs to be oversight for the use permit, a one-year review be considered to address any complaints received rather than limiting the time of the use permit.

Mayor German clarified that due to this being a use permit the Council has the ability to pull the permit, therefore sees no problem with perpetuity.

Planning & Zoning Commissioner Bruce George, expressed the matter was handled properly and no conflict was seen at time of review. The use permit is a permission which can be revoked and as far as any specific issues, the applicant is under restrictions from several entities besides the town.

Councilor Whatley reiterated that the matter was reviewed by the Town Attorney, and no issues were brought to the Town's attention. Whatley expressed that the Town encourages it's employees to live within the town limits, and they shouldn't be restricted in developing their property, nor should there be a restriction placed on the time-limit as it could hinder the applicant in receiving funding. Whatley also indicated that she read the handout given by Joe Butner, which helped clarify that there is no conflict in the matter.

Councilor Baker thanked staff for the list of permits approved in the past. Indicated that she feels it is troubling for use permits to be approved in perpetuity and feels this matter does fall under a zoning change. Baker suggested Council review the process and rather than "in-perpetuity" have a ten-year timeframe as it is sufficient for receiving funding.

Councilor Gordon explained that one of the reasons why zoning is not changed but a use permit is used is if the property is sold, the zoning doesn't restrict the property at a later time. Joe Butner clarified that the use permit goes with the land and it will not revert and requested that the use permit remain with owner not with the property. Councilor Gordon confirmed that the use permit does go with the land, but the use can't be changed to something else, whereas with a zoning change it could be. Therefore, it restricts a grocery store or something else from being built on the property at a later date.

On a motion by Vice Mayor Murdock, seconded by Councilor Whatley, Council approved Resolution 2018-1013 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on a Use Permit 20180344, an application submitted by Carmen Howard, Property Owner, Parcels 403-23-001X and 403-23-001Y, located at 3380 W Cloverleaf Ranch Rd, which is approximately 15 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of developing a community for Tiny-Houses-On Wheels and vintage Recreational Vehicles, and Agricultural events. The property is approximately 15 acres and is located at 3380 W. Cloverleaf Ranch Road. The motion was approved by a 5-1 vote, Councilors Whatley, Buchanan, Gordon, Vice Mayor Murdock and Mayor German voting "aye"; Councilor Baker voting "nay", due to the lack of a time restriction.

8. Special Session - Business. Legal action can be taken.

Councilor Baker asked for Council to discuss Item 8.2 ahead of 8.1. No objections were heard by Council. **Item 8.2 came before 8.1 on the Agenda.**

8.1. Discussion and possible approval of Resolution 2018-1014 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, providing Yavapai County with the Town of Camp Verde's comments regarding their consideration of a new North-South Route to connect Cornville Road to State Route 260. [Resource: Councilor Jackie Baker]

Addressed after 8.2

Councilor Baker explained this is a resolution for the Town of Camp Verde to present to Yavapai County their comments regarding the consideration of the new Verde connection road.

Vice Mayor Murdock stated there needs to be more information given to the Town before this should take place and looks forward to Yavapai County officials bringing that information formally to Council for consideration.

Councilor Gordon expressed that once the study is complete, if it is inadequate, Council can direct the Town Manager to request additional studies be completed on a smaller scope.

Public Comment was taken:

Eric Eberhard expressed his concern with a connection road bypassing the Town and encouraged Council to stick with the General Plan.

John McRenyolds stated that no planning is bad planning and it is the Council's responsibility to promote the road in the way that is best for the Town.

Mayor German spoke of the desires by residents for bypassing Main Street and the struggles of economically recovering after the Main Street bypass was built.

Councilor Whatley explained that she grew up in Chino Valley and how the expansion of the highway gutted the town and ruined the character of it. Whatley indicated that Camp Verde's character was maintained and she is thankful that the expansion did not do what Chino Valley experienced. Whatley expressed her surprise at the resolution

being put on the agenda for consideration of approval and requested a work session with council input in order to get the Council's collective comments, to then report to Yavapai County. Whatley indicated that at this point, she can't support the resolution and its exhibit.

Council Baker moved to approve Resolution 2018-1014 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, providing Yavapai County with the Town of Camp Verde's comments regarding their consideration of a new North-South Route to connect Cornville Road to State Route 260. The motion failed due to lack of a second.

Mayor German thanked Councilor Baker for bringing the matter forward to Council for review.

- 8.2. Discussion and possible approval of Resolution 2018-1015 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona seeking from Yavapai County an extension of consideration of a North-South Route to connect Cornville Road to State Route 260, and specifically seeking an extension of the closure of the public comment period in said consideration. [Resource: Councilor Jackie Baker]**

Addressed before 8.1.

Councilor Baker expressed that there was confusion regarding the project due to her lack of recollection of it ever having been discussed prior with the Council. Baker indicated that she was aware of a letter written by Mayor German requesting grant monies for the project. Baker expressed concern for the request to receive grant funding for construction of the bridge over the Verde River and the potential impacts that will be seen in the Middle Verde area. Councilor Baker indicated that the Resolution would allow the Town more time to gather information regarding costs and traffic impacts before asking for any grants or loans.

Mayor German introduced two gentleman, Roger McCormick, Assistant Public Works Director for Yavapai County and Troy Sieglitz with Jacobs Engineering Group.

Roger McCormick explained there has been no approval (Yavapai County Board of Supervisors – YC BOS) for the construction of the project and the only approval (YC BOS) has been to hire Jacobs Engineering Group to conduct a study of the project and its alternatives. McCormick explained that during the October 2, 2018 public meeting, a presentation was given that outlined concerns when considering the construction. Currently they are looking for public opinion on the project and are using the comments to consider the placement of the road. The Verde Connect website has been up and available since June, which allows the public to comment on the project. At this time, two presentations have been given to the public and so far there have been approximately 500 comments received online, which will be utilized for planning. McCormick explained that Camp Verde Public Works Director Ron Long is a member of a technical advisory committee and will be giving input for the project as well. There is no guarantee that the road will be built and there is no funding available at this point. The study is in its early stages and it is not predicted to be finished until mid-year 2019.

Councilor Baker expressed that she is not requesting more time than the projected 2019

study end-date. She expressed her concern that the surveys being conducted are inaccurately impacted due to increased traffic on the road due to the Hwy 260 construction. Roger McCormick informed them there was a previous survey done prior to the 260 expansion in 2016.

Troy Sieglitz with Jacobs Engineering Group explained that multiple traffic analyses have been completed over several years with a projection of 20 years. There have been a number of traffic counts conducted in the region and with projection after the expansion of 260, it is determined that there will be heavy congestion on Cornville Road. It's an investigation process, using existing data asking for feedback from the public. The road potentially will be designed to fit the topography of the area, just as Beaver Head Flat Road was constructed. Sieglitz explained that they will be continuing to work with local agency stakeholders throughout the process and there will be the ability for people to comment online. Due to the early stages of the project, there is no need to extend the comment deadline at this point.

Councilor Gordon requested confirmation that when the public opinion is closed there won't be a definite decision made. Troy Sieglitz confirmed, there will be a screening conducted with the feedback received, and then the matter will go back to the public.

Councilor Baker indicated that the public comment is closing in March. Troy Sieglitz explained that there will be public comment through all phases. Councilor Baker requested an extension after the public comment phase has been completed.

Public Comment:

Eric Eberhard expressed that he doesn't believe that the comments and feedback are accurate; potential problems with bypassing areas; doesn't think a connection road should be built due to redirecting traffic out of town; bypass road will disrupt two areas of the General Plan. (3 minutes speaking time was up) Carol German gifted her 3-minute comment time to Eberhard. Eberhard expressed concerns regarding costs, flooding in the Middle Verde Road area and questioned what would happen to the ditches in the area. He requested Council consider adding amendments, the stability of the Town and how projects such as these have a tendency of running over budget.

John McReynolds stated he spoke with Supervisor Tom Thurman and attended the October 2nd meeting and felt there was good input given and hopes they will stay open to public input.

Bruce George spoke of friends that live on middle Verde road who are isolated in the area, who like it that way. Spoke of NIMBY (Not In My BackYard) and indicated that there has not been enough research conducted at this point to make any decisions, but cautioned Council to be careful in consideration due to the increase of traffic and home construction that will come to the area.

Councilor Gordon feels that the resolution is premature, traffic studies will not be conducted on 19 different alternatives and doesn't feel stopping progress of research is productive.

Councilor Buchanan feels this is extremely premature and feels there may be a need for a resolution at a later time but not now.

Councilor Whatley expressed that she agrees with the concerns spoken of, but there are currently 19 options being looked into, and further down the line a resolution can be stated for the Town Council's preference. Whatley encouraged the public to use the public comment process to express concerns.

Vice Mayor Murdock thanked Roger McCormick and Troy Sieglitz for the information they provided, but indicated that she wants a formal presentation from Yavapai County regarding the project once they have received proper information. She feels the resolutions are premature.

Mayor German expressed how Camp Verde is cut into 4 quadrants and concern for traffic and exits with no emergency exits and he is looking at the matter on a safety perspective and hopes those considerations are being made as well. Feedback from residents regarding the matter given to him thus far is that they would like to see as little impact as possible.

Councilor Baker clarified that the resolution is asking for more time to collect proper information on this project. Baker expressed that there has not been a formal meeting from the County and more time is needed to gather information on the impacts of the projected areas. The project is going to impact the Town in one way or another and expressed concern of bypassing of the Town.

Councilor Baker moved to approve Resolution 2018-1015 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona seeking from Yavapai County an extension of consideration of a North-South Route to connect Cornville Road to State Route 260, and specifically seeking an extension of the closure of the public comment period in said consideration. The motion failed due to lack of second.

8.3. Discussion and possible action whether to support Northern Arizona Council of Governments' (NACOG) endeavor to pursue funding through the Route 66 Coalition 2018-19 Brownfields Assessment Grant.

It was the consensus of Council to support Northern Arizona Council of Governments' (NACOG) endeavor to pursue funding through the Route 66 Coalition 2018-19 Brownfields Assessment Grant without giving funding from the Town of Camp Verde.

9. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

None

10. Council Informational Reports.

Councilor Gordon indicated he purchased tickets to the Blues Festival, which his kids attended and it was well-attended. He attended the Fire Board Meeting and helped set-up and breakdown for Fort Verde Days.

Vice Mayor Murdock thanked Camp Verde Promotions for putting on Ft. Verde Days.

Councilor Buchanan attended the 50th celebration of Yavapai College in which almost 800 people attended, with presentations, meals, games and an evening concert.

Councilor Whatley stated she was part of parade committee for Ft. Verde Days. Whatley

thanked Camp Verde Promotions, vendors, and the carnival for staying for an additional week. Whatley also stated that Mike Reeves played at the casino afterwards, and it was a great show.

Mayor German stated that Council is needed to help out with donations for candy and requested members come in costume to the Main Street Trunk or Treat event.

11. Manager/Staff Report

Town Manager Russ Martin thanked the folks who listened to him announce the Ft. Verde Days Parade. Martin clarified for Council that use permits, conditional use permits, and zoning changes are processed as Yavapai County handles their's and the topic will come back to Council for further discussion.

There will be an All-hands meeting on November 14th at the Library and requested Council members be present to serve breakfast to the employees at 7:00 am. The offices for the Town will be closed until 10:00 a.m. due to the event.

The annual Christmas Party will be held on the 14th or 15th of December and asked he for input from Council on which date would work best for their schedules.


Russ Martin introduced the newly appointed Marshal, Corey Rowley. Mr. Rowley expressed his appreciation to Council and the opportunity to serve the community. Rowley indicated that the Town has a well-run police department with minimal things that need to be fixed. Rowley will be conducting individual meetings and then an audit phase for the Department. Rowley spoke highly of Commander Armstrong and stated he looks forward to getting to know Council and that he always an open door.

12. Adjournment

The meeting adjourned at 8:34 p.m.



Mayor Charles German



Attest: Town Clerk Judy Morgan

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on October 24, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 5th day of December, 2018.


Judy Morgan, Town Clerk