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**(corrected) MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL**

473 S. MAIN STREET, SUITE 106

WEDNESDAY, FEBRUARY 15, 2023 at 6:30 P.M.

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/81225868008?pwd=aUl5aUgzaXhVdTJJYlU3MElrbjBJQT09>

One Tap Mobile: 1-253-215-8782 or 1-346-248-7799

Meeting ID: 812 2586 8008

Passcode: 854703

Note: Council member(s) may attend Council Sessions either in person, by telephone, or internet/video conferencing.

1. **Call to Order** Mayor Dee Jenkins called the meeting to order at 6:30 p.m.
2. **Roll Call.** Council Members: Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins.

Also Present. Interim Town Manager Gayle Mabery, Town Attorney Trish Stuhan, Town Clerk Cindy Pemberton

3. **Pledge of Allegiance** Councilor McPhail 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) Work Session – January 25, 2023
- 2) Regular Session – February 1, 2023

b) Set Next Meeting, Date and Time:

- 1) Work Session – Wednesday, February 22, 2023 at 5:30 p.m.
- 2) Regular Session – Wednesday, March 1, 2023 at 6:30 p.m.
- 3) Work Session – Wednesday, March 8, 2023 at 5:30 p.m.

Councilor Baker had a correction for the minutes on February 1st, item 10. It shows that she voted "aye", however, she voted "nay".

Councilor Murdock had a correction regarding the same minutes. She voted "aye", and it's recorded that she voted "nay".

Councilor Murdock asked the Clerk's Office how Council is notified when the corrections have been made to the minutes.

Town Clerk, Cindy Pemberton explained the corrections that are made will get reviewed by Mayor Jenkins and approve afterward.
Mayor Jenkins agreed.

Before making a motion, Councilor Escoffier wanted to compliment the Clerk's Office on the January 25th, 2023 Work Session minutes. She thought they were done very nicely and concise.

Councilor Escoffier made a **motion** to approve the Consent Agenda item 4a and 4b.
Second by Councilor Baker

Roll Call Vote:

Councilor Baker: Aye
Councilor Escoffier: Aye
Councilor McPhail: Aye
Councilor Murdock: Aye
Councilor Godwin: Aye
Vice Mayor Moore: Aye
Mayor Jenkins: Aye

Motion Passed 7-0.

5. **Call to the Public or items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

Cheri Wischmeyer spoke regarding what she feels is the eroding of neighborhoods through the weakening of town zoning ordinances and the allowing of property usages that are not conducive to quiet, residential neighborhoods. She said the biggest examples are allowing a motor cross track and a rodeo arena in residential areas. She said she is not speaking of Arena Del Loma. Administrative decisions have the potential to result in long ranging effects to our community. She said members of the public are being told that the noise ordinance cannot be enforced. She feels Council has made it clear that they feel strongly about protecting the character of the residential areas. However, there is a concern that it is not filtering to the departments and decisions are being made that are creating neighbor hostilities. Fees must be paid up to \$600.00 to be heard by the Board of Adjustments. Policies are not being implemented to reconcile these issues. She requested a special session and discuss the matter with members of the public.

Sheri Hauser spoke to give an update on the Camp Verde Chamber of Commerce. She said Dr. Watson has retired from their board, and David Christy has resigned.

Gina Hall has joined. They also have Sheri Flowers and Chef John T. She told them about the Camp Verde United Community Services Symposium on March 21st. The Chamber of Commerce will be helping with the Pecan and Wine Festival. She told Mayor Jenkins she hopes someone will come to their ribbon cutting on April 13th. Additionally, she let Council know that they'll be receiving two letters from the Board.

Rita Fambrough spoke regarding the noise ordinance. She said most of her concerns were already spoken by Ms. Wischmeyer. She said the one thing that she wants to mention about the noise ordinance, is that the police are not responsible for enforcing these, but rather the code enforcer. She is concerned about this because she wants to know what a community member is supposed to do if they have a noise complaint in the evening time when the code enforcer is no longer in office. Is there a way to make the police more accessible in this and give them more authority to respond?

6. Special Announcements and Presentations:

- None

7. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai-Apache Nation, Intergovernmental Association, NACOG Regional Council, Verde Valley Regional Economic Organization (VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement Board, Phillip England Center for the Performing Arts Foundation. 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 Godwin attended an event at the Philip England Center for the Performing Arts on February 5th. It was a presentation on the role of Indian Scouts. On March 5th at 3:00 p.m., the head of the observatory in Flagstaff will be coming down to give a presentation on telescopes.

Councilor McPhail said she continues to attend Teen Game Night and the Yavapai Apache Tribal Council Meetings. She, too, went to the presentation on the Indian Scouts. She also attended the Earth Day meeting and Touch a Truck. She commended the Public Works Dept. for putting on Touch a Truck. She thought it was a fantastic event.

Vice Mayor Moore had nothing to present.

Councilor Baker attended the Vietnam Wall Memorial Meeting. She said the pinning ceremony and speakers will be on March 29th, 2023. She said volunteers for this event to contact Parks and Recreation. It would be greatly appreciated.

Councilor Escoffier attended the Dark Sky Community Board Meeting. She said they are continuing to review the Town's lighting ordinance. She also attended the Copper Canyon Fire District Meeting. Additionally, she and Councilor Baker attended the MATForce meeting.

Councilor Murdock had nothing to present.

Mayor Jenkins tuned into the League's Legislative update on Zoom. She felt it was very informative and important to pay attention to what they're doing in Phoenix. Additionally, she attended her regular Mayoral meetings.

8. **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.

Town Manager, Gayle Mabery reminded everyone that Town administration offices will be closed Monday, February 20th for President's Day.

Additionally, she updated Council, on the Town Manager recruitment. They've been working with recruiter Debra Stapleton. They have one on one meetings scheduled for each Council member and Ms. Stapleton.

She gave an update from the Library that they are starting a new pilot project. They are working with 3rd graders from Camp Verde Elementary School to increase reading fluency. She feels it's a great way to expand their collaboration with the elementary school.

She brought to the Council's attention that last year Council approved the Town's participation in a national opioid settlement. It will show up as an agenda item on March 1st.

They got the data back from the Touch a Truck event and it's projected that they had 3,000 people total at this event.

Finally, at a recent Council meeting, they talked about the donated scoreboards at the Sports Complex. two scoreboards were donated by Tierra Verde, one was donated by Mulcaire and Sons, and one was donated by Durnez Concrete Construction.

Bruce Connolly introduced himself as the new Town Engineer.

9. **Discussion, Consideration and Possible Appointment of the (7) seven members to the Parks and Recreation Commission.** Staff Resource: Gail Mabery

Ms. Mabery gave Council a little bit of background on this item. The Mrs. Mabery appointed a Board and Commission interview committee. On the committee was Councilor Baker, Councilor McPhail, Councilor Escoffier, Town Clerk Cindy Pemberton, and Parks and Recreation Manager Mike Marshall.

They interviewed 10-11 applicants for the Commission.

The recommendation after receiving all applicants was to appoint Glenda Duncan, Candra Faulkner, Dave Grondin, Mary Hughes, Jerry Morris, Jeffrey Noonan, and Karen Wade.

Councilor McPhail said the caliber of applicants was outstanding. She felt it was a wonderful process. Councilor Escoffier agreed with Councilor McPhail. She felt it was a great process and thanked Ms. Mabery and Ms. Pemberton for recommending the process. Councilor Baker said it was a refreshing and pleasant process. She feels the steps they took in appointing these applicants is a process they can continue using moving forward.

Councilor Escoffier made a **motion** to move to appoint Glenda Duncan, Candra Faulkner, Dave Grondin, Mary Hughes, Jerry Morris, Jeffrey Noonan, and Karen Wade to the Parks and Recreation Commission.

Second by Councilor McPhail

Roll Call Vote:

Councilor Baker: Aye

Councilor Escoffier: Aye

Councilor McPhail: Aye

Councilor Murdock: Aye

Councilor Godwin: Aye

Vice Mayor Moore: Aye

Mayor Jenkins: Aye

Motion Passed 7-0.

Mayor Jenkins asked for any of the newly appointed Parks and Recreation Commission members to stand and be recognized.

10. **DISCUSSION, CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 2023-1103, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING USE PERMIT 20220782 FOR THE PUROSE OF DEVELOPING A POWER UTILITY SUBSTATION, LOCATED ON PARCEL 403-23-006y COMPRISING APPROXIMATELY 5.98 ACRES, SITUATED IN A C-3 (COMMERCIAL: HEAVY COMMERCIAL) DISTRICT, ON N. COMMONWEALTH DRIVE, CAMP VERDE, YAVAPAI COUNTY, ARIZONA.** Staff Resource: John Knight

Community Development Director John Knight turned it over to Cory Mulcaire, Town Planner. He also told Council he was happy to see APS come in and solve some of their power needs, as it's been an ongoing issue for the past year.

Ms. Mulcaire told Council APS has applied for a use permit for the purpose of developing a power utility substation. It is required for C3 zoning for all utilities and all public service to have a use permit. She said they definitely need this substation because at this point APS is limiting all of their commercial developers to 400 amps of service because they cannot supply anymore.

She told Council they have a representative, Paul Murphy, from the Applicant's Corporation for APS to answer any questions.

Councilor Baker didn't have any questions, but she thanked Ms. Mulcaire for all the information that she provided them in the agenda. She said it was very refreshing and appreciated to get that much information on an item like this. She also thanked APS.

Vice Mayor Moore asked how long it will take for the substation to get done once they receive the permit.

Ms. Mulcaire said she can't answer that, and she's not sure Mr. Murphy can either, but what she can tell them is they completed the developments standards review process today, which means the next steps are now the grading and building permits. As far as the town is concerned, they can move forward immediately with the next permitting processes.

Vice Mayor Moore asked when they're predicting when this will be up and running and servicing the community.

Mr. Murphy said he doesn't know the exact service date, but he believes it is sometime in late 2023 or the first quarter of 2024. They are done with their development plans, they just have to submit the final ones. APS will have about a month timeframe to work on it and give them final approval. APS would like to start construction on it sometime in April. They're trying to get things pushed through APS, and he's happy with how it's going.

Ms. Mulcaire said that APS has their requirements of a 10 ft fence, however, through the ordinance they had on February 1st, 2023, they no longer have to wait. They can now administratively say yes, you're a utility, you're exempt from the Town's 6ft fence height, and can build the 10 ft fence. They just have a building permit for their fence. They're expecting a 4–6-week turnaround total. They're expecting to work quickly in the Community Development Department.

Councilor Murdock said she read through a note that talked about 64k kilovolts. She wondered how much power that really is?

Mr. Murphy told her that was an APS question.

Councilor Murdock said she has some friends that work around power and they say it's "big power and will serve a lot". She thought this was exciting and amazing what this project is going to do for the community.

Mr. Murphy agreed, but said these questions are out of his wheelhouse. Based on current needs and future development, this is where they're at. There are bigger sub-stations, but they're also double the size.

Mayor Jenkins thanked him for coming.

Ms. Pemberton read a comment from the Zoom chat.

Zoom user "Michael Wasko" said the project manager schedule currently shows November 2024 end service date. The sub is installing two 20 megawatt transformers.

Mayor Jenkins thanked him.

Councilor Baker made a **motion** to approve resolution 2023-1103, A resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona,

approving use permit number 20220782 for the purpose of developing a power utility substation, located on parcel 403-23-006y comprising approximately 5.98 acres, situated in a C-3 (Commercial: Heavy Commercial) District, on N. Commonwealth Drive, Camp Verde, Yavapai County, Arizona.

Second by Councilor McPhail

Roll Call Vote:

Councilor Baker: Aye

Councilor Escoffier: Aye

Councilor McPhail: Aye

Councilor Murdock: Aye

Councilor Godwin: Aye

Vice Mayor Moore: Aye

Mayor Jenkins: Aye

Motion Passed 7-0.

11. **DISCUSSION, CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 2023-1104, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE TOWN OF CAMP VERDE ("TOWN") TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT ("IGA") (TOWN CONTRACT NO. 2023-141-IGA-1-10140) WITH THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT ("DISTRICT") FOR FINANCIAL CONTRIBUTIONS FROM THE DISTRICT TO THE TOWN FOR FISCAL YEAR 2022-2023; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.** Staff Resource: Jeff Low

Utilities Director Jeff Low said the Yavapai County Flood Control District provides annual funding to jurisdictions within the county that requests flood control related projects. The Utility Department has requested funding for a new aerial topography survey of the Town with one-foot contours and six-inch resolution. They are also requesting a new, two-dimensional flood model for the entire Town. The topography can be utilized by town staff for internal use and future planning of CIP related projects, including upcoming water system master plan. The two-dimensional flood model can also be utilized for future storm water models or toward FEMA grants to update flood plane boundaries throughout the Town. He let them know the item will be on the agenda March 1st for the County Board of Supervisors meeting. Additionally, it'll be on the Town agenda for a contract to be awarded to Wilson Engineering and Company in the amount not to exceed \$245,000.

Mayor Jenkins asked Mr. Low how this helps him.

Mr. Low said it helps to determine where flood problems are in the Town. He finds it to be very helpful. The model is very accurate.

Councilor Baker said when she saw this and the amount of the grant she was praising the Lord because for years they've gotten just the standard amount from Yavapai County. But this will really help them address, prepare, and maintain areas of flooding.

Mr. Low responded and said it will help clarify future projects. One of the issues has been that one of their flood studies is from the 1980's. It's not very accurate. It's cause issues for development.

Ms. Mabery said she wanted to add a little bit of discussion about the Yavapai County Flood Control district and how this money is coming to them. She told them every property owner in the Town of Camp Verde, on their property tax bill, is paying into the Yavapai County Flood Control District. The District and the County try very hard to dedicate resources to the individual municipalities where those taxes are being collected. Each municipality is responsible for deciding what projects they want and asking for the money. They must do what they say they're going to do in a timely manner. If they're consistent in doing that, they're applications are looked at highly. She told them this is a great resource for the town. She commended Mr. Low for moving this process forward.

Mr. Low said during his time with the City of Prescott they got regular grants from FEMA utilizing this type of data.

Mayor Jenkins said it sounds like this is the first step in the process to address the flooding issues. She thanked Mr. Low.

Councilor Escoffier asked, if the money is accepted, will this preclude the Town from receiving additional funding from the Flood Control District for other projects? She wondered if they ranked projects throughout the county to decide on who's going to get them? Will they decide to do this every year?

Mr. Low told her every year they'll have a set amount of money and other jurisdictions will submit projects, along with the Town of Camp Verde, and they'll pick out how much money each jurisdiction gets. He said they want to spend their money and they need to spend it because it looks bad if they don't spend it. The Board doesn't want to continue to give money if it's not spent.

Councilor Escoffier asked if it's based off of how much money the Flood Control District is collecting from our tax area?

Mr. Low told her it's partially our tax base, but also the county. They get a certain amount of property tax from every property in the whole county.

Councilor Escoffier asked if we're getting our complete share that we're putting in. Mr. Low said not normally. However, you can if you keep pushing it and are regular with them.

Councilor Murdock explained this process so that the public understood what they were discussing.

Councilor Escoffier wanted to further clarify. She said in other Counties, the municipalities can opt out of the Flood Control District, and then they receive the total amount of taxes from that jurisdiction. They are written a check and then

handle it all themselves.

Vice Mayor Moore made a **motion** to approve resolution 2023-1104, A resolution of the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, Authorizing the Town of Camp Verde ("Town") to enter into a an intergovernmental agreement ("IGA") (Town Contract No. 2023-141-IGA-1-10140) with the Yavapai County Flood Control District ("District") for financial contributions from the district to the town for fiscal year 2022-2023; and authorizing the Mayor and the Staff to take any and all steps necessary to accomplish the above.

Second by Councilor Baker

Councilor Escoffier said she had a question on the resolution. The third whereas says the "City seeks to approve" and she wondered if that needs to say "Town"?

Town Attorney Trish Stuhan said they can administratively clean it up.

Roll Call Vote:

Councilor Baker: Aye

Councilor Escoffier: Aye

Councilor McPhail: Aye

Councilor Murdock: Aye

Councilor Godwin: Aye

Vice Mayor Moore: Aye

Mayor Jenkins: Aye

Motion Passed 7-0.

- 12. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to A.R.S. §38-431.01(H))

Jeff Noonan spoke regarding the Vietnam War Memorial. He said they're looking for volunteers. It's March 28th, 2023 Specifically, they're looking for military, but it's open for anybody to volunteer.

- 13. DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE TOWN ATTORNEY REGARDING EXECUTIVE SESSION REQUIREMENTS. NOTE COUNCIL MAY, BY MAJORITY VOTE, RECESS THE MEETING, HOLD AN EXECUTIVE SESSION WITH STAFF AND THEN RECONVENE FOR DISCUSSION AND POSSIBLE ACTION ON THIS ITEM AS COVERED UNDER A.R.S. 38-431.03 (A)(3)** Staff Resource: Attorney Trish Stuhan

Councilor McPhail **moved** to go into Executive Session.

Second by Vice Mayor Moore.

Roll Call Vote:

Councilor Baker: Aye

Councilor Escoffier: Aye
Councilor McPhail: Aye
Councilor Murdock: Aye
Councilor Godwin: Aye
Vice Mayor Moore: Aye
Mayor Jenkins: Aye
Motion Passed 7-0.

The Council convened into Executive Session at 7:19 p.m.

• **RECESS INTO AND HOLD EXECUTIVE SESSION PURSUANT TO A.R.S. §38.431.03 (A)(3).**

• **RECONVENE OPEN SESSION**

The Council reconvened at 8:07 p.m.

Mayor Jenkins directed staff to develop a procedure for E-session minutes

14. Adjournment Meeting was adjourned at 8:08 p.m.



Mayor, Dee Jenkins



Attest: Town Clerk Cindy Pemberton

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 February 15, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 2nd day of March, 2023.



Cindy Pemberton, Town Clerk