

**MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION-WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, SEPTEMBER 12, 2018 at 5:00 P.M.**

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

1. Call to Order

Mayor German called the meeting to order at 5:00 p.m.

2. Roll Call

Mayor Charles German, Vice Mayor Jessie Murdock, Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Brad Gordon, Councilor Dee Jenkins, and Councilor Robin Whatley were present.

Also Present

Public Works Director Ron Long, Parks and Recreation Director Mike Marshall, Town Clerk Judy Morgan, and Recording Secretary Jennifer Reed were present. Councilors-elect Joe Butner (arrived late at 5:08 p.m.) and Bill LeBeau were also present.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Special Session. Legal action can be taken.

4.1. Possible approval of Resolution 2018-1008, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring and adopting the results of the Regular Election on August 28, 2018. [Staff Resource: Judy Morgan]

Town Clerk Judy Morgan explained that this is the Official Canvas and will make it the official record of the primary election once Council approves it tonight.

Motion was made by Councilor Baker to approve the canvas of votes as presented. Second was made by Councilor Buchannan. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving.

Motion was made by Vice Mayor Murdock to approve Resolution 2018-1008. Second was made by Councilor Baker. Councilor Gordon thanked everyone who is a candidate, for running, this shows that there is interest in the community. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving.

4.2. Presentation of Certificates of Election to Joe Butner, Bill LeBeau and Robin Whatley (3 Council Seats – Elected in Primary). [Staff Resource: Judy Morgan]

Town Clerk Judy Morgan explained that this is what we do to confirm they are elected in the Primary. They won't be seated until after the general election. She handed out the Certificates of Election to the individuals.

4.3. Presentation of Certificate of Nomination to Jackie Baker and Charles C. German (Mayor Seat-General Election Runoff). [Staff Resource: Judy Morgan]

Town Clerk Judy Morgan explained that this is a Certification of Nomination, which means these two candidates for Mayor received enough votes to move on to the general election. She handed out the Certificates of Election to the individuals.

5. Work Session. No legal action will be taken.

5.1. Field Trip to Sports Complex for on-site review of construction progress and neighboring drainage concerns. Council will travel to and from the Sports Complex location, then return and reconvene into the Work Session.

Mayor German reminded Council there will be no discussion or deliberation on the field trip. Council Members can write down questions while on the field trip and bring back to the meeting for answers.

The meeting was recessed at 5:08 p.m.

Council travelled to the Sports Complex location with 10 other vehicles accompanying for the tour. Parks and Rec Director Michael Marshall led the tour. They made 9 stops while on the tour and viewed various portions of the project (See Attached Sports Complex Concept Master Plan map). Any questions asked by visiting citizens were written down for response at the Work Session.

The meeting was resumed at 6:53 p.m.

Mayor German turned the floor over to the Engineers for an overview, giving them an opportunity to speak on the Sports Complex development.

Public Works Director Ron Long introduced Andrew Bard, who is the Engineer from Kimley-Horn, the Engineering company doing the design on the park. Mr. Long said the project is about 80% complete on the first phase of the park that includes drainage, grading and infrastructure. The park will be irrigated with reclaimed water from the plant. The next phase is working on the park amenities.

Mr. Long went over the drainage issues experienced as a result of a microburst on July 26th. Due to the intensity of the storm, a tower of straw wattles fell and plugged the drainage ditch, causing flooding on McCracken Road. Crews removed the blockage so on September 2nd when another storm came in, there was no flooding. He doesn't feel there is a problem at the park with the drainage, that it was an unfortunate event that led to the "overtopping" and he feels the design is very sound. Mr. Long spoke on the natural topography which includes a channel that runs off the park area and right across Mr. German's (Mayor) property. It then continues over McCracken Road where it goes along the roadside ditch to the river. Due to the drainage off the park's property the Mayor built a retaining wall on his property, which he paid for. Dirt was filled in behind it, which was also paid for by the Mayor. Mr. Long stated it was a necessary part of the job, if they hadn't done the work then they would have to be out there cleaning up mud and debris. There is a lower section in the channel that was created by the natural topography of the land. There is no way the work that was done there will have any impact on adjacent properties. The west channel is designed to bring water from the north side of the park, around the perimeter of the park, down to the ADOT basin which is located south of the

park. That channel was specifically designed to protect the properties next to the park. Evidence is showing it is doing what it was designed to do.

Andrew Bard stated that when they started working on this project they knew water was going to be the problem because of the huge ADOT basin on the south side. The first step was to evaluate how they were going to route storm-water around the park. They also have requirements and guidelines from Yavapai County and ADOT they must abide by. Offsite water is designed for a 100-year event. He spoke on how well the park held up with the July storm. They had an active construction site that had just seen an intense storm. The "S" curve area is a sensitive area which needed additional capacity, which they modified by adding a 1-foot berm around the outside to prevent over topping, and carved out more of the basin. Drainage is not an exact science, so it was nice to be able to go out and look at the site after the storm and make changes where needed.

Vice Mayor Murdock presented some questions that were asked on the field trip:

1) What is the timeframe for the color phases on the map received? Mr. Long stated they are currently working on grading, drainage and infrastructure. The roads and plumbing should be complete by early October. They are also in design for the second phase of plumbing that comes from the plant to the corner of the park. The design is about 80% complete and should go out to bid in October. Once it goes out to bid, it should easily be done by March 2019. They are also in design of all the color areas that you see on the map, which includes the park amenities. That design should be finished around March and finished in early September 2019.

2) What development is in place to avoid flooding in the "gully" that was there before the construction started? Now that they are all covered, how are you diverting the water which will sheet off of the park and how will that water sheet and get to the drainage swales that are on the outside edge of the park. Engineer Bard stated they routed water around the park, they took all the washes and combined them into one channel. They took the high part of the park and created a west and east channel. These are designed to certain standards and put into a report that is submitted to Yavapai County, ADOT and the Town of Camp Verde and they approved the design.

3) Camp Verde was recently designated a Dark Sky Community. Will there be dark sky lights at the facility? Mr. Long stated that yes they will be using the same lighting contractor as the City of Flagstaff uses which is also a Dark Sky Designated City. They developed an LED technology using shielding. This is where the light is directed on to the field and doesn't spill off to the sides.

Comments were taken from the public.

Joe Butner- stated he felt there were special benefits granted for the Mayor's property to protect it from flood waters off the park. He asked about the dates for contract approval and change orders for excavation of the park property. He stated the Mayor was in violation of the Arizona Conflict of Interest statutes ARS Sections 38-501 through 511. Mayor German asked if he (Mr. Butner) was bringing charges against him tonight. After more dialog, Mayor German said they were getting off the topic but can add it as an agenda item for further discussion.

Nikki Miller asked if there would be more electric (outlets) on the fields. She is involved

with Camp Verde Promotions, who has held events on the soccer field and there needs to be electric on the field for vendors during a special event. Engineer Bard stated it will be added. They sent a service request letter two weeks ago to APS, and are making accommodations for that.

5.2. Discussion and possible direction regarding drainage: Forest Service involving Verde Lakes; McCracken Road/Caughran Ranch Road; Middle Verde, etc.

Mayor German stated this is one of many meetings that is scheduled for the Council to hear what the neighborhoods have to say. Most of the public here is from McCracken Road. The Council wants to solve this and wants to hear from the public, then they can advise/direct staff as to how to solve the problems. The Bull Pen Ranch flooding was solved with a grant. Council is here tonight to fact find, listen and then give direction to the staff.

Mayor German turned the floor over to Carol German. Ms. German stated the public is here tonight to present information, and to show video/pictures. She gave a brief introduction into the issue. She has been designated to introduce three distinct areas. These areas do not all involve the park area. There will be three speakers for each of the three areas. She started her presentation by showing a video of all areas at once. She stated some of the areas have never flooded before.

McCracken & Beaver Area: Bennie Bishop showed a video of his back yard with the water almost to the house. He doesn't think it has anything to do with the construction of the park. Mr. Bishop stated he is not trained to know how to fix this but needs the Council's support. This has been a problem for at least five years; work has not been done in the ditches and culverts in the area; residents have spent time and money trying to fix the problems; who's responsibility is it to keep them maintained. He feels routine maintenance to clean the easements, roadside ditches and culverts are needed and this should begin in a reasonable amount of time. He requests that home and property owners be notified in advance that this scheduled maintenance is going to be occurring. Mr. Bishop went on to read a statement from the residents in the area. *"We are not seeking a heavy-handed approach, to resolving these significant concerns in the subdivision. We do however, ask as tax payers of the town of Camp Verde, provide some basic services to give us the best possible chances to avoid flooding in the future. We understand that flooding can occur just about anywhere during the rainy season, we just want the opportunity to avoid that unnecessary flooding because the roadside ditches and culverts haven't been maintained in that area.* He asked the council, "What is your plan to safe guard the community".

North of Beaver and McCracken: Tom Palmer, resident of the central McCracken area from Beaver, North to Pioneer, stated that each area has a unique drainage problem. He spoke on the natural drainage, which drains a lot of country. He spoke on another drainage basin that resides on private land adjacent to McCracken. There is a large sediment dam that was created there in 50's to take water from the natural drainage and make it flow in a certain direction. A spreader dike failed in 2013, which is when residents first realized they had a problem. In 2018 a similar event happened. The entire man-made feature resides on State Trust Land. He is concerned the spreader dike was not considered when creating the park, and if this feature was fixed it would alleviate future

flooding.

Mayor German told the story of the property owner who put in an unauthorized dam when trying to develop his land. From that point on, the silt has come in and filled it to a point that it will not hold any compacity. Part of the solution is going onto State Land to make that kind of diversion. Mr. Palmer echoed Bennie Bishop's earlier comments that they were here to reach an amicable solution to these issues. Mayor German explained the Town has 42 square miles of incorporated area and has been working on some other possible solutions. A property owner needs to be able to get into the town's right away to legally to fix a problem and protect their property. He will ask staff to come up with some kind of a master plan of the areas where we can go in and have a scheduled maintenance of those bar ditches and culverts.

South of Beaver Area: Carol German showed her back-lot video that has never had raging water running through it. She is not sure what they can do to fix it, maybe build a berm. She stated this has never happened before even with heavier storms that have come through.

Kevin Torrey (top of beaver and McCracken adjacent to the park) disagreed with the Town Engineer that the issues related to this are because of a microburst. He showed a video of the flooding and surrounding area. He stated the water that is flowing is coming from the park and on to the property. Mr. Torrey spoke on no one consulted with residents, or other property owners in the area, and no one got that benefit. He spoke on the Town's responsibility to find a solution and part of that solution involves resolving the "issue" going on with Mayor German.

Mayor German responded he was going off topic and they need to stick to the items on the agenda. Mr. Torrey persisted and Mayor German left the meeting. 8:02 p.m.

Vice Mayor Murdock said the residents here feel this is a very sensitive issue, as well as Mr. German. Ms. Murdock said that she is comfortable running the meeting if the residents would like to continue.

Mr. Torrey stated he will move on because he realized he charged up the room a little and proceeded to sit down. Carol German would like the Council to hear from Joe Nackard next regarding the topic.

Councilor Baker called a point of order, stating as a Council Member she wants to hear what each person has to say. She said we need to respect the quorum. She didn't think the previous speaker, Mr. Torrey, meant any derogatory statement nor was he able to finish what he was saying. Ms. Baker hopes Vice Mayor Murdock doesn't let that happen again.

Vice Mayor Murdock addressed Mr. Torrey and apologized

Mr. Torrey said that when he was finished he knew he created a conflict in the room and stated he is finished speaking.

Councilor Whatley requested the public keep personal attacks out of this. She thanked them all for doing that for the most part everyone has been very respectful. She asked them to understand the Mayor is a neighbor too and has the same problems that they have. The audience made sounds of discord.

Vice Mayor Murdock called order and gave the floor to Mr. Nackard to give his presentation.

Joe Nackard showed his video and spoke about the Pebble Rock Subdivision. In the fifteen years he's owned the property he has never had water sitting on the vacant property. He spoke on considering filing a claim with the Town, but there are things he'd have to prove, do engineering, and you'd have to show any damages. On the tour of the park he felt the flooding was due to the toppled wattles in the ditch, causing the flood waters to overtop the drainage basin. He feels there shouldn't be a problem if the ditch is maintained on McCracken.

Carol German stated she has put together a summary of all three areas spoken about tonight and handed out a copy to each Council Member. She stated there are suggestions included at the end of the report. She said they are all here to work with the town and find solutions to the problems.

Public Comment:

Linda Harkness stated the wattles that were washed out in the first storm were never replaced. There is a report filed with ADEQ maintaining all the silt is kept on the site. With the wattles not in place, it didn't do that; the result of this is silt across the street plugging up the ditches. She spoke on specifications for installing wattles and contested this was not how they were installed. Her drainage easement hasn't been dug out for 28 years and she stated the best thing that could be done for maintenance is to dig out that ditch about every 2 years to make sure it's deep enough to take the flow.

Patricia Miller stated the drainage ditch on McCracken is completely silted in again.

Councilor Jenkins feels it has been a productive night. The tour gave insight into what was brought before Council. She thanked the participating residents for their work on this and efforts. She expects there will be some kind of direction and continued discussions to work on a solution.

Councilor Gordon spoke on the Town hiring a professional engineer to design the park so he is confident that issues related to the park property will be resolved. The bigger problems we have is this entire community was designed without any Hydrology Reports. So even if the ditches and culverts are maintained, we don't even know if those ditches and culverts are adequately sized. This complicated issue is going to take time, there are a lot of agencies the Town has to work with as well as more research to do. We can maintain the ditches but it's just going to be a Band-Aid until we can come up with the money to get a hydrology report, which are very expensive. The problem is not just in these areas, but it is in almost all the town.

Councilor Baker stated this has been a problem from the beginning. Much wasn't done when Yavapai County was the jurisdictional entity that was permitting things when they did permit things. However, a lot of this is going to be shear plain maintenance. She said thank you for the visual presentation that helped them understand. She suggests the following Council direction: to go twice a year to contract out and begin now doing the maintenance in the most problematic areas. Because we don't have the staff to address everything right now, they can contract out with some maintenance people and do what we need to do, to help resolve some of this. This would be preventative measures. We

need to get with State Trust Land, the Forest Service and Town Government to have the agreements that are necessary to go out to do the things we need to do.

Vice Mayor Murdock asked Public Works Director Ron Long some questions:

1. She asked about easements and the town's roads and whether some of these are on private property and/or public property. Mr. Long stated that most roads have easements, but some are rights of way and there is a difference between the two. He explained the difference – rights of way the town owns and not on the tax books; easement the homeowner actually owns the underlying land, but we have the easement for public transportation on the top of it. Typical roadway width is 50 feet in residential areas, giving room for drainage ditches alongside the road. Most ditches are within the town's right away. Mr. Long stated we can't go on to private property without permission and then we can't spend public money on private property.
2. Someone asked about the soundness of the spreader dike. Mr. Long stated it is in poor shape. It is an earth dam and it was not constructed to any standard and he is sure it is failing. He would not trust it at all.

Vice Mayor Murdock thanked everyone for doing the tour at the park site. She is thankful for residents that went out to help clean up after the storm(s), and thinks the town should look into the flooding issues. She knows we have a Stormwater Drainage Program and thinks staff can work with the agencies/entities to come up with a plan. She doesn't feel she can be more specific on each individual point right now, as she thinks it's a larger picture. She would like to leave it to the professionals and keep the members of the community involved.

Councilor Baker asked Mr. Long about his comment that he recognized a flaw with how the swale turned, and saw how that would perhaps cause the flooding on the mayor's property. Did he discuss that with the engineering firm? Mr. Long stated she didn't quite capture what he said but she did hit on points that he did make. He said the "S" curve is where the breach occurred. It was caused because of the plug, but it pointed to a weakness in the design. Not a fault or a failure on its own. It needed the help of the wattles to fail but it pointed to an issue that they needed to fix. He had the engineer look at it and he designed a fix for it. That is to open it up, make it much larger on the corner so it can carry more water, and then he is going to raise the height of the bank. This will keep water in the channel. This is a brand new design that has never been tested until it gets tested.

Councilor Baker asked on the progress of working with all of the entities or if staff is waiting for Council direction to continue to come up with agreements to get things done. Mr. Long stated they have had meetings with the Forest Service but have not spoken with the State Trust folks. They have met with the Land Manager for the Red Rock Districts and their Hydrologist and pointed out the problems they were having in the Verde Lakes area and McCracken area. Most of the problems are on State Trust Land or on Middle Verde Road. The Mayor has been making progress with meetings but is still in conversation and does not have any permits nor have any in the works. Mr. Long thinks staff needs Council's support and he thinks they need to do more politically to draw attention to the problem. We can use the public's help to make these agencies aware of these issues. We need to show solidarity as a community and go to the the

Forest Service and State Trust Land before worse damage is done. It is a political problem.

Councilor Baker would like to direct staff to meet with the entities, the highest level possible, were they could get those agreements between the town and those entities to address these issues that have been occurring in all these years since incorporation, including the ADOT retention basin.

Councilor Jenkins asked what direction is needed tonight to address the questions and issues and what would be a good timeframe for staff to respond with feedback.

Vice Mayor Murdock said staff needs a consensus from Council with our support to continue forward with finding mitigatable reasons to be able to approach the Forest Service, State Land Trust, private property owners and getting into the easement and the rights-of-way of the Town's property.

Councilor Jenkins asked for periodic updates as well.

Public Comment:

Patricia Miller stood and spoke on a 2013 event when the Town Manager was on the McCracken Property after it was badly flooded, and said he would seek permission from the Forest Service and any other entity up above us to repair those dams. She wants to like to know why 5 years later nobody has approached those people.

Vice Mayor Murdock said she does know the Town is continuing to work with the Forest Service, but doesn't have that specific answer. She does know they will continue to go forward with the consensus of the understanding of the problem in the neighborhood and any other neighborhood in the entire community.

Councilor Baker would like to know if this would be more helpful as a political thing to make a motion and actually vote on this direction to staff that would give a better approach to the agencies that you will have to deal with.

Vice Mayor Murdock said they have had discussion and possible direction. The agenda is written for direction not action.

Councilor Baker feels it would be more proper to make a motion rather than direction. Town Clerk Judy Morgan explained the agenda was divided into a special session where action could be taken (for the canvass of the election) and a work session where legal action is not to be taken. Therefore, a motion could not be made at this time. Councilor Baker agree to just give direction.

Direction was given to staff and manager to meet with those entities. Mr. Long said he knows what needs to be done and will do what he can, but urged you need to do more than send him. We need the community to show to these agencies they need to listen to us.

Vice Mayor Murdock called for a 10-minute recess at 8:35 p.m.

The meeting was resumed at 8:45 p.m.

5.3. Camp Verde Promotions Proposal. [Staff Resource: Russ Martin]

Julie Scott, President of Camp Verde Promotions explained that they had met with Town

Manager Martin previously, and they have agreed to continue with the Memorandum of Understanding (MOU) with the Town of Camp Verde with a couple of things added. They have also let him know that after the March Spring Heritage Wine & Pecan event they will no longer be doing the three main events. It is time for someone else to pick it up. However, they will continue with smaller events, such as National Night Out. They will no longer be needing the \$12,000 but did ask for \$2,000 for the smaller events.

Nikki Miller, Board Member of Camp Verde Promotions, said they will focus on youth activities. To try to get them involved in something positive in the community.

Councilor Gordon thanked Camp Verde Promotions. He hopes they can bring in another group to continue the events.

Julie Scott also wanted to thank the Council and Town Staff for helping and volunteering their time.

Vice Mayor Murdock stated as for direction they will follow up with Town Manager Russ Martin and ask him to look into the agreement and their financial request to make sure its in the budget.

5.4. Discussion and possible direction regarding Recycling options in the Town.
[Staff Resource: Russ Martin]

Vice Mayor Murdock stated this is another item that Mr. Martin has been working on. She went on to explain that they received a letter on May 1st from Sedona Recycles stating they will no longer able to provide services to the Town of Camp Verde. They removed their recycle bins. The Town is at a point to decide, do we ear mark a large, significant amount of money from the budget to do recycling. All options should be considered. There is a list of options in the Council's packet for them to review.

Councilor Whatley stated she needs more information. She sees the options but wants to know more specific information about the options, such as cost and man-power.

Public Comment was taken.

Joe Butner spoke on being acquainted with people in this industry and has met with a person who runs a recycling business in the valley who had planned to speak at tonight's meeting, but didn't attend. Mr. Butner stated he would like to see Camp Verde become an outstanding example, or a role model on this particular issue. If it is done the right way it will save the Town money, the citizens of Camp Verde money, and make a private company a significant amount of money.

Councilor Jenkins stated she would like to see this come back with more substantial information to be able to make a decision.

Vice Mayor Murdock said the Council received a list of options that Mr. Martin has put together but urges the community, if they have any concerns or suggestions, to bring those to the Clerk's Office.

This item was postponed until Town Manager Russ Martin is able to attend the meeting and discuss.

5.5. Discussion and possible direction on a policy for waivers and/or reduction in fees (building/planning/etc.) for local non-profits or community groups. [Staff

Resource: Russ Martin]

Deputy Town Clerk, Virginia Jones gave a brief overview that a group is requesting a waiver for a project. Council would need to consider a policy for waivers. This item was postponed until Town Manager Russ Martin is able to attend the meeting and discuss.

5.6. Verde Connect Road – Middle Verde. [Staff Resource: Russ Martin].

This item was postponed until Town Manager Russ Martin is able to attend the meeting and discuss.

6. Adjournment

Vice Mayor Murdock adjourned the meeting at 8:58 p.m.

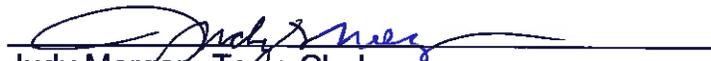

Mayor Charles German


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 the Work Session of the Town Council of Camp Verde, Arizona, held on September 12, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 4th day of October, 2018.

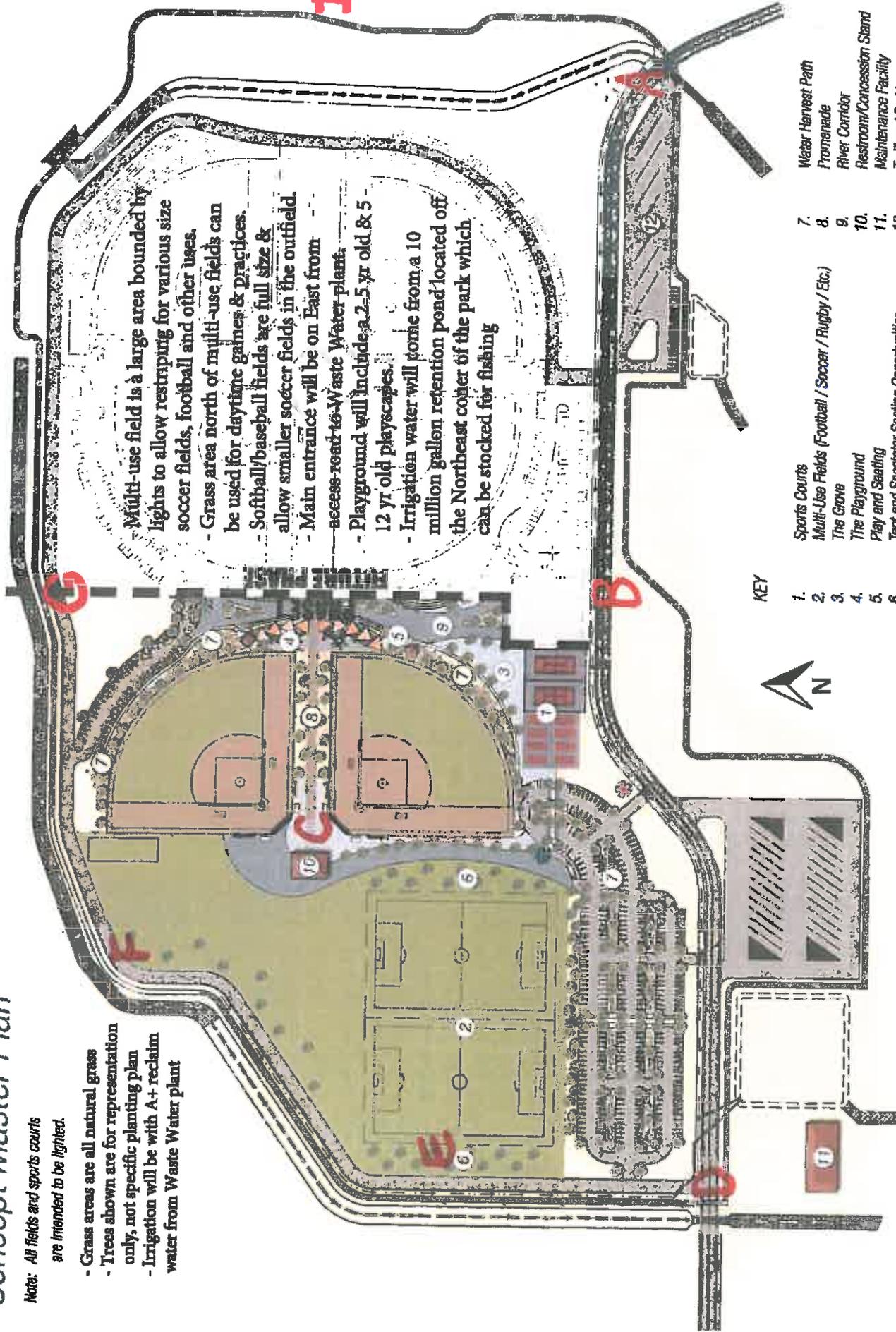

Judy Morgan, Town Clerk

Concept Master Plan

Note: All fields and sports courts are intended to be lighted.

- Grass areas are all natural grass
- Trees shown are for representation only, not specific planting plan
- Irrigation will be with A+ reclaim water from Waste Water plant

- Multi-use field is a large area bounded by lights to allow restriping for various size soccer fields, football and other uses.
- Grass area north of multi-use fields can be used for daytime games & practices.
- Softball/baseball fields are full size & allow smaller soccer fields in the outfield.
- Main entrance will be on East from access road to Waste Water plant.
- Playground will include a 2-5 yr old & 5-12 yr old playscapes.
- Irrigation water will come from a 10 million gallon retention pond located off the Northeast corner of the park which can be stocked for fishing



KEY

1. Sports Courts
2. Multi-Use Fields (Football / Soccer / Rugby / Etc.)
3. The Grove
4. The Playground
5. Play and Seating
6. Tent and Spectator Seating Opportunities

7. Water Harvest Path
8. Promenade
9. River Corridor
10. Restroom/Concession Stand
11. Maintenance Facility
12. Trailhead Parking

