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**MINUTES
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, MAY 23, 2018 at 6:30 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 6:30 p.m.

2. Roll Call

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

Also Present:

Community Development Director Carmen Howard and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Mayor German 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) Budget Session – May 4, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, June 6, 2018 at 6:30 p.m. - Regular Session
- 2) Wednesday, June 13, 2018 at 5:30 p.m. – Work Session
- 3) Wednesday, June 20, 2018 at 6:30 p.m. – Regular Session
- 4) Wednesday, June 27, 2018 at 6:30 p.m. – Council Hears P&Z Matters

Motion made by Councilor Gordon to approve the consent agenda as presented. Second was made by Councilor Baker. **Motion** carried unanimously.

5. Special Announcements and presentations.

None

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) (Pursuant to ARS §38-431.01(H))

Carol German - would like Council to reconsider raising the pool fees. She understands it is costly to run the pool but it is one of the few things the community has for the youth. She feels raising it to \$2 is cumbersome for families and thinks the fee should be \$1.00 to \$1.50. With all the work that was put into building the pool by work from the citizens and the Heritage Grant, she would like the Council to reconsider this one fee.

Bill LeBeau - would like to have more information on the proposed budget, specifically the debt, spending, Capital Improvement Projects and the Manager's wages. Mayor German suggests Mr. LeBeau sit down with the Town Manager to ask his specific questions.

Ron Posten - stated he specifically moved here after he attended CornFest. He was impressed with the event and fell in love with area. He spoke on his disappointment in possibly losing this event; suggested leadership set a date to hold it next year and be proactive by setting up a committee for the event; Camp Verde Promotions leaders experiencing burnout; looking for new solutions to the problems that arise; asked Council to consider how to save CornFest because it's the number one draw for visitors.

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

7.1. Possible approval (or denial) for Ordinance 2018-A434, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a Text Amendment change to the Town of Camp Verde Planning and Zoning Ordinance Section 203, Use District to remove Medical Marijuana Dispensaries from C2 (Commercial, General Sales and Services) Zoning District and to remove Medical Marijuana Off-site Cultivation Location/Facilities from the C3 (Commercial, Heavy Commercial). [Staff Resource: Carmen Howard]

Community Development Director Carmen Howard gave a PowerPoint presentation showing an overview of all current zoning Districts in the area and where the proposed change would be. Ms. Howard explained that after speaking with town citizens, administration, and Council Members, C3 zoning is the better zoning for Dispensaries and M1 for the Growth Facilitates. All state laws were met with postings and public hearings. The Planning and Zoning Commission recommends approval for these changes, as well as staff.

Carol German complimented the Planning and Zoning Commission for making this change so that all Grow Facilities are in the same zones. Ms. German asked if there is a state law that prohibits the Town from limiting the number of grow facilities in a community. Ms. Howard doesn't know but can find out. Ms. German stated that the Town doesn't get any tax dollars from this and grow facilities take a lot of water and the area is in a drought. Mayor German stated the Town can't prohibit them as long as they follow through the zoning process and permits. The town does have the authority to restrict where they come in and the town can

preserve the C3 Zoning for higher level of revenues that would be beneficial to the Town.

Councilor Baker stated that most of the facilities have been placed in obvious areas. Councilor Baker asked if this is a requirement for safety to have them on the highway as opposed to a rural area. Ms. Howard stated she felt it was more because of zoning. Growers have looked at more residential areas for the grow facilities and the Town is not willing to rezone those areas. These facilities have strict security rules. Councilor Baker feels that Highway 260 East would be a good place for these facilities. Ms. Howard reviewed the areas where grow facilities are currently located.

Councilor Gordon stated he assumes the current facilities will be grandfathered in and the Town will not change the zoning. He asked if the existing grow facilities own the neighboring properties for their expansion and are they going to sue the Town for taking. Ms. Howard stated the grow facility on Highway 260 already has plans for expansion which would be grandfathered. Councilor Gordon asked if they change their expansion plans in the future (not what was approved initially), would the Town allow this. Ms. Howard stated they have talked to all applicants who have inquired about this earlier to make sure they are aware of this change.

Motion made by Councilor Gordon to approve Ordinance 2018-A434, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a Text Amendment change to the Town of Camp Verde Planning and Zoning Ordinance. Second was made by Councilor Whatley. **Motion** passed unanimously.

7.2. Extension of High View LLC Mining Conditional Use Permit until May 3, 2019.

Community Development Director Carmen Howard stated Staff has been working with High View to get all the regulatory requirements updated. All requirements have been completed and staff is requesting approval for another year. Jeremy Bach with High View is in the audience.

Councilor Baker understood when Council approved the use permit in the past, this was for materials that ADOT would use in the Highway 260 Project then reclamation after that. She thought that ADOT has all their materials and won't need more materials in 2019. She is concerned the materials will be used for other projects. Ms. Howard stated the Use Permit is not limited to any specific project and the materials were used for the Highway 260 Project. The Mining Use Permit is good for 10 years as long as they are following the rules. The Department has nothing to disallow anything if it is used for other projects. Ms. Baker confirmed the Use Permit has to be approved each year. Ms. Howard stated if they are complying then that should be the reason to approve the extension of it. Councilor Baker thought that after the Highway 260 Project is done, more commercial development reclamation would have already begun. Ms. Howard is not sure when the reclamation will start or will be done.

Councilor Gordon stated his hope that they would be up and running so they

could supply materials for Highway 260, not that it was their intent or purpose of it. Mayor German didn't remember putting a restriction on it because it is a yearly renewal for the permit.

Jeremy Bach stated the idea behind mining specifically, was to level the property and be in compliance with other washes/slopes so that they could do it instead of a developer. This would be a more affordable rate. Subsequent to that they have been working on getting the utilities across, so when pads come up for sale, they are ready. There are already things in the works. There is quite a bit of cost to get the excavating done. Currently slopes are good from back to front and their hope is to not import too much more material.

Councilor Baker asked if this will be a continued mining operation until they are ready to begin reclamation. Mr. Bach stated that as soon as they are ready to turn in the PAD, the job that is currently going right now will be over September or October of this year. There is one other job being bid and the property is leveled the way that they want it. This allows them to be able to phase the project. Councilor Baker stated the possibility still exists that they will need another renewal to complete the mining portion of it. Mr. Bach stated that once they start moving ahead with the PAD portion of it, they become restrictive, so that is a function of time. He is unsure.

Councilor Gordon stated it was a smart move to utilize the gravel that is there and make it attractive to developers down the road. Mr. Bach appreciates that, a lot of the roads in the subdivision should already be graded and hope to make it work.

Motion by Councilor Baker to approve the Extension of High View LLC Mining Conditional Use Permit 2015033 until May 3, 2019. Second was made by Councilor Gordon. **Motion** passed unanimously.

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

None

9. Council Informational Reports.

Councilor Gordon - attended the Meet and Greet for the Marshal candidates. He stated all three are good candidates.

Mayor German – attended the 55th Anniversary event for the Verde View Apartments. He said they had a good turnout for the luncheon. They are continuing to look at ways to improve their services. Residents express how well they are treated.

Councilor Jenkins- attended the Meet and Greet for the Marshal candidates, she emailed her thoughts and observation to Russ Martin. They all would complement the department.

Councilor Whatley- went to the Marshals office and listened to presentations. She liked meeting them personally and supports whomever is chosen. Mayor German stated there was an interview process that involved the various Verde Valley region

Police Chiefs and Law Enforcement Officials.

10. Manager/Staff Report.

None

11. Adjournment

Mayor adjourned the meeting at 7:12 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 Council Hears Planning and Zoning Matters of the Town Council of Camp Verde, Arizona, held on May 23, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 11th day of June, 2018.



Judy Morgan, Town Clerk