MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, FEBRUARY 21, 2018 at 6:30 P.M.

1. **Call to Order**

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

2. **Roll Call.** Council Members Jackie Baker, Buck Buchanan, Dee Jenkins, Brad Gordon, Robin Whatley; Vice Mayor Jessie Murdock; and Mayor Charles German.

   Also Present: Town Manager Russ Martin, Deputy Town Clerk Virginia Jones, Public Works Director Ron Long, Parks and Recreation Manager Mike Marshall 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 – February 7, 2018

      2) Special Work Session with Yavapai College Reps – February 9, 2018

   b) **Set Next Meeting, Date and Time:**

      1) Wednesday, February 28, 2018 at 6:30 p.m. – Council Hears P&Z Matters

      2) Wednesday, March 7, 2018 at 6:30 p.m. - Regular Session

      3) Wednesday, March 14, 2018 at 5:30 p.m. – Work Session

      4) Wednesday, March 21, 2018 at 6:30 p.m. – Regular Session

   c) **Consideration and possible approval of the FY19 Budget Calendar.** [Staff Resource: Mike Showers]

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

5. **Special Announcements and presentations.**

   5.1 Proclamation - March 2018 March for Meals Month

   Mayor German proclaimed March 2018 March for Meals Month

   Marie DeClue spoke to the members of Council regarding her experience with Meals on Wheels; how the program has expanded drastically, and the need for financial support to keep the program running. The program is in desperate need of more drivers. The drivers are, in most cases, the only interaction the receiver of the meal has with another person each day. There will be a march from the Gazebo on Main Street to Hwy. 260 in support for the program on the 24th and Ms. DeClue asked for participation from all those able.

Ron Posten, a volunteer for Meals on Wheels spoke of his experience with the program. Ron spoke of the costs accrued to keep the program operating and asked for sponsorships and volunteers.

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

Bruce George spoke with Council regarding the ability to receive free tax services through AARP at the community library. A handout was given with contact information.

7. **Business. Legal action can be taken.**

With no objection from Council, item 7.4 was moved up on the agenda to address prior to 7.1, 7.2 and 7.3.

7.4. **Discussion and update on progress at the Camp Verde Sports Complex including but not limited to construction schedule, timelines, drainage/ utility plans and 100-foot buffer from surrounding property lines.** [Staff Resource: Russ Martin]

Town Manager Russ Martin explained that approximately 3 weeks ago, progress began on the project and clearing was started for preparation of a pre-bid meeting. Clearing will continue as well as necessary drainage will be put in and or redirected as required. The intent is to have Town staff clear the property to help reduce cost of the project. Bids are projected to be received by March 14. After March 21, the winning bid contractor will begin grading and utility placement will start. Staff will be excavating for the reuse water pond as well. Adjacent property owners have voiced serious concerns regarding what has been taking place so far. The main concern voiced by neighboring property owners is regarding buffer requirements. Russ Martin expressed there is no ill intent regarding this matter, but there is confusion regarding what "100-foot buffer" means. There will be an additional cost of $25,000.00 for an amended design to move the drainage outside of where it is currently planned at. Martin explained to Council that the Town and the public have property rights on the park property and if changing the plans it will change the options, limit those options, and delay the bidding process. Martin also expressed that the park will not be completed in its entirety with the currently budgeted finances. Martin also showed the engineered park plans, referencing drainage issues and butter areas being disputed. Martin indicated that there were 38 people at the Pre-Bid meeting and they anticipate a good amount of bids to consider.

Councilor Dee Jenkins questioned where the Ramada and picnic areas are located at because they are not listed on the plans shown. Parks & Recreation Manager Mike Marshall explained that those details have not been designed as of yet.

Vice Mayor Murdock asked for clarification regarding the McCracken Road entrance. Russ Martin explained that the McCracken access will be gated and not for public use. Murdock questioned the drainage issues. Martin explained that there will be a temporary low water crossing during construction on the Hwy. 260 entrance and there could potentially be use of the McCracken entrance during that time. Murdock questioned what the daily start time for construction will be. Parks & Recreation Manager Mike Marshall explained that the Town ordinance indicates 6:00 am during the summer and at sunrise in the winter.

Mayor German opened the meeting to public comment.

Cheri Wischmeyer read a letter to the Council and provided a copy that has been attached as a part of the record including a complaint filed with the town regarding the infringement of the buffer zone.

John Wischmeyer addressed Council and completed the reading of the letter submitted by his wife, Cheri Wischmeyer. John submitted a pseudo-petition with 105 signatures supporting the stopping of impeding on the infringement of the buffer zone

Carol German addressed Council with a submitted statement that is attached as a part of the record. Ms. German expressed her concern for the town failing to uphold their agreement, making changes in plans without council approval or public knowledge.

Neighboring property owner to the park, Bill and Erin LeBeau submitted a letter to Council, read by Carol German for review of their concerns regarding the change in access on McCracken Lane and their concerns that the access way will not be respected as an emergency purpose only.

Kevin Torrey addressed Council regarding the understanding of the buffer zone to the citizens and how they agreed to a park and a buffer zone of undeveloped land. A letter has been submitted for council review and is attached as a part of the record. Mr. Torrey indicated that the Council violated open meeting law and the plans shown tonight are not available for public review anywhere.

Henry Kaldenbaugh spoke to Council regarding environmental concerns and the preparation that is being done by the Town is causing issues with the neighboring properties. He recommended that the Town develop the eastern portion of the park farthest away from property owners first and then later on when funding is available, develop the western portion.

Nathan Hardy, Regional Commissioner for the AYSO (American Youth Soccer Organization) in the Verde Valley expressed that a park such as this has been highly anticipated for years and his program brings a large amount of revenue to the Town on a year-round basis. Mr. Hardy indicated his understanding of the neighboring property owners' concerns but also stated that any kind of construction is going to infringe on property owners at some point. Hardy complimented the Town of Camp Verde and stated that out of all the townships he deals with for his organization, Camp Verde is the most generous toward youth programs.

Mayor German thanked everyone who addressed Council and indicated that Council will need time to review the information given.

Mayor German called a five-minute recess at 7:40 pm. The meeting resumed at 7:45 pm.

7.1. Discussion regarding current conditions of Recycling Bins and program. [Resource: Councilor Jackie Baker and Russ Martin]

Town Manager Russ Martin explained that on a regular basis, unacceptable things are left at the recycling bin locations. Staff is looking for direction to generate better behavior from the public to respect the free service provided. Martin expressed that besides vigilance from the residents in the area, signage may be necessary as well.

Councilor Baker explained that the program began in 1999, initially with bins placed by the high school football field. Since then, the bins have been moved to their current locations, but unfortunately, the citizens have abused the service provided. Sedona Recycling ends up taking unrecyclable items and eventually incur costs of disposing of the items.

Councilor Gordon questioned if there is an ordinance regarding leaving rubbish. Town Manager Russ Martin indicated that there is an ordinance with in the Town Code. Gordon suggested placing proper signage indicating the area is under security surveillance and for the Town to install the proper cameras needed.

Councilor Whatley requested that any signage put up have the ordinance number listed as well as a statement indicating that violation of the ordinance costs money to the taxpayers and a phone number where the community can report violators.

Councilor Buchanan expressed that the only option the Town has is to put up detailed signage indicating what is and/or is not allowed at the bins and invest in cameras for potential prosecution.

Councilor Baker referenced the ordinance in regards to this issue and agreed with the need of signage and cameras.

Vice Mayor Murdock indicated that this is due to a lack of access and affordability for dumping. Murdock mentioned the importance of notifying the public of the free dump days throughout the year, which the county makes available, and feels that vigilance from citizens is key.

Town Manager Russ Martin indicated that security cameras will be brought to Council for budget consideration.

7.2. Possible approval of 12 Special Event Liquor License application for the 2018 Spring Heritage Pecan and Wine Festival to be held March 17-18, 2018. Applicants include: Alcantara, Arizona Stronghold Vineyards, Caduceus Cellars, Cellar 433, Granite Creek Winery, Oak Creek Vineyards, Page Springs Vineyards & Cellars, Pillsbury Wine Co., Salt Mine Wine, The Oddity Wine Collective, Winery 101-Gallifant Cellars, and Verde Valley Rangers, Mounted Sheriff's Posse, and Clear Creek Vineyard & Winery. [Staff Resource: Virginia Jones]

Deputy Clerk Virginia Jones stated that the agenda item was modified to add one additional application, bringing the total for consideration to 13.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council unanimously approved 13 Special Event Liquor License application for the 2018 Spring Heritage Pecan and Wine Festival to be held March 17-18, 2018.

7.3. Discussion, consideration/update and possible direction to staff relative to proposed legislation by the 53rd State Legislature. [Staff Resource: Russ Martin]

Town Manager Russ Martin explained that tomorrow the mandated fire sprinkler issue is in front of Senate for consideration and he has still not heard from the representative. If changes are to be made, the State Fire Code needs to be amended. Discussion regarding possible taxation on alternative vehicles will take place as well, which would in turn fundamentally give back to the HURF funds which are used to fund DPS and unavailable for municipalities to use. Councilor

Baker indicated that the monies paid to NACOG, TPAC, and RPAC are used for advocating for this matter to be pushed through.

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.

Vice Mayor Jessie Murdock indicated she will be attending the Intergovernmental Meeting on 02/22/2018. Councilors Baker and Gordan indicated they are attending also.

Mayor German will be attending a meeting with NAHC (Northern Arizona Health Care) regarding the letter written and a Kiwanis meeting, as well. Mayor German attended a GAMA (Greater Arizona Mayors Association) meeting Friday where discussion occurred regarding restoring HURF (Highway User Revenue Fund) funding with the possibility of the proposed legislation took place.

Councilor Jenkins will be attending the Grand Opening at the Yavapai-Apache Nations Cliff Castle Casino Hotel on Friday, February 23, 2018.

Councilor Buchanan hosted a party for 80 attendees in his home with Friends of the Verde River. Buchanan indicated that there is a much stronger unified voice for the Verde River being heard and action needs to take place soon for the welfare of the river.

10. Manager/Staff Report

Town Manager Russ Martin explained that the WIFA Loan the Town applied for has been approved and the Town was awarded a $1 million-dollar forgivable balance on the principle amount. Depending on the interest rates at closing, the Town could save approximately another $500,000.00 in interest. After March 21, the sewer rates will be increased to payers. Martin commended Town Staff and the staff from WIFA for their excellent customer service throughout the entire process.

11. Adjournment

The meeting adjourned at 8:16 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 February 21, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 8th day of March, 2018.

Judy Morgan, Town Clerk

7.4

Rec

2-21-2018
Council meeting
J. Wischmeyer

TO: Mayor and Town Council
FROM: Concerned Citizens of Camp Verde
SUBJECT: Camp Verde Sports Complex Buffer

We the undersigned are concerned that the agreed upon 100ft buffer has been infringed upon. We ask Council to direct the Town Manager and Staff to implement immediate steps that insure the agreed upon 100ft buffer is honored as defined in the Town Planning and Zoning Ordinance.

> **The definition of buffer in the Ordinance reads: "Buffer: Undeveloped or landscaped property used to separate the activities from surrounding properties. Required landscaping or setbacks do not qualify as buffer"**

Destroying the natural landscape within the buffer area for the purpose of constructing a 40ft wide drainage ditch meets the definition of development and improvements which contradicts the definition of Buffer within the Ordinance.

Dixie Hoble	[illegible]
John McCletchey	Irene E Peoble
Claudia Ward	[illegible]
Gary L Greeson	[illegible]
Bjorn [illegible]	[illegible]
Dorman Raines	[illegible]
Vivian Raines	[illegible]
[illegible]	Cherie Federer
Lina M Vail	Carol Hollamon
Fred Howe	Ron Hollamon
Darlene Howe	Lucille Moran
O'Kelli Spleiss	[illegible]
[illegible] Jacob Spleiss	[illegible]

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Eric Harpin	[illegible]
Mike Youngman	Edna Beggrow
David P. Baugher	Dulian Beggrow
Rick [illegible]	[illegible]
[illegible]	Ruth A. Bohannon
Billie Jean Baugher	Jakky E. Kirkpatrick
Lucian Carling	Roland C. Bennett
Janette Capitano	Danielle Bennett
Hazelee Robinson	Rick [illegible]
Anne Bailey	[illegible]
Laurence H. Russell	Hy H Kaldenbaugh MD
Janet Walesby	Martha Kaldenbaugh
Callyan [illegible]	

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[illegible]	
[illegible]	
Sarah J. Legotte	
Ralph A. Legotte	
Glenn Valdez	
Samuel S. Holloway	
Bladey B. Holloway	
[illegible]	
[illegible]	

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Carol Baily	
Darren N. Harris	
Carolyn J Harris	
[illegible]	
Eugene E. Rook	
Byron Tills	
Deborah Boring	

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[illegible]	[illegible]
[illegible]	James Williams
[illegible]	[illegible]
Melanie Myers	[illegible]
Cody Kayburn	
[illegible]	
[illegible]	
Brandon Mountzmaker	
[illegible]	

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Steve Goetting	[illegible]
[illegible] Zeah Robbins	Gail E. Pate, DVM
[illegible]	Melvin O. Pate
[illegible]	Chester Linder
Nancy Mel	Mary Linder
Patricia Miller	R L Johnson
[illegible]	Mark E Johnson
[illegible]	Howard Johnston
Deborah A Barber	Patty J Johnston
[illegible]	Wendy [illegible]
Tim Woodson	Cheryl Wischmeyer
[illegible]	[illegible]
[illegible]	

from C.
7.4
2.21.2018

John and Cheri Wischmeyer
P. O. Box 324
735 Beaver Drive
Camp Verde, Arizona 86322

February 17, 2018

TO: Camp Verde Mayor and Town Council

RE: Buffer Infringement

It has come to my attention that the Town of Camp Verde, through the office of Town Manager Russ Martin, has failed to honor a commitment made by the Town to owners of residential properties bordering the exterior of the yet to be constructed Sports Complex on Highway 260 and McCracken Lane. During the process of designing the complex, numerous meetings were conducted to inform the public of the Complex's design, and as a result there was a diagram of the proposed Complex published in the local newspaper and posted at locations in town to inform the public of the design and to elicit public input. The final Complex design, approved by the Town Council, included a 100 foot buffer zone for the few residential properties at the edges of the proposed park property.

My husband John filed a complaint with the Town, on February 12, 2018 (attached), addressing the Town's unexpected grading of a dirt space 33 feet in width, adjacent and parallel to our residence property on February 9th and 10th, 2018. As the grading was accomplished, it was approximately 20 feet or less from our property line. The gist of the complaint was that the grading was done within the 100 foot buffer and thus was an incursion into the agreed upon buffer zone.

John and I met with Town Manager Russ Martin, on February 12, 2018, and then learned that in addition to the grading already accomplished, there were plans for a sizable storm water drainage ditch (40 Foot in Diameter and 4 foot deep) to be constructed adjacent and parallel to our property and within the 100 foot buffer zone. In addition, Russ informed us that the entire Complex site of more than 100 acres would be bladed clear of native vegetation and that included the 100 foot agreed upon buffer zone.

On February 14, 2018, John and I again met with Russ to view particulars of the planned storm water drainage ditch to be constructed adjacent to our residence. When we noted to Russ that the ditch was not shown on the plan presented to the public for review/comment, and the final plan accepted by the Town Council, he informed us that it had shown up in engineering plans approximately nine months ago; that the Town Council had not been apprised of it nor had he presented it for their review to approve this major revision to the heretofore accepted plan. When we queried him about the ditch's inclusion in the 100 foot buffer zone in contradiction to the plan approved by the Town Council, he did not offer to remove its construction from the 100 foot buffer zone.

> **The Town of Camp Verde Planning and Zoning Ordinance definition of buffer is: "Undeveloped or landscaped property used to separate the activity from surrounding properties. Required landscaping or setbacks do not qualify as buffer."**

It is obvious that the Complex property in the approved buffer meets the definition of a buffer, as defined in the Town Planning and Zoning Ordinance, as it is undeveloped. The recently completed grading, and the future construction of a storm water drainage ditch, would constitute improvements to the property and are infringements into the undeveloped land of the buffer.

We request that the Town of Camp Verde stop any further infringement of the approved buffer zone including grading, construction of a storm water drainage system, or any other activity that fails to maintain the property as a buffer as was intended when the Complex's plan was approved by the Camp Verde Town Council.

Thank you for your attention to our concerns.

Cheri Wischmeyer
735 Beaver Drive
Camp Verde, AZ 86322

Attachments: Formal Complaint filed February 12, 2018
Camp Verde Planning and Zoning Ordinance Definition of Buffer
Article from 12-30-2017 with Final Park Layout
Map printed from Council Minutes – 10-18-17 with Buffer identified

FOR OFFICE USE ONLY
Complaint #_____
Received by:_____
Date:_____
Forwarded to:_____
Review Deadline:_____
(10 working days)

TOWN OF CAMP VERDE
CITIZEN COMPLAINT PROCEDURE
473 S. Main Street, Suite 102 – Camp Verde, AZ 86322
928-567-6631

The Town of Camp Verde has initiated a policy for receiving citizen complaints to ensure a fair review of concerns of the public about policy, procedures, ordinances, codes, personnel, and/or similar issues.

Have you attempted to resolve your complaint with the appropriate department? ☒ Yes ☐ No

When to File a Formal Complaint
If, after notifying a Department Head that you have a valid concern and you have not received a satisfactory response, you may proceed to the next step by filing a Formal Complaint.

How to File a Complaint:
Complete the written complaint form following the instructions listed below. Complaint Forms are on file in the Clerk's Office at 473 S. Main, Ste. 102 or you can download a blank copy online at www.campverde.az.gov

You must sign and date a written complaint form and mail or hand- deliver it to the Clerk's Office. (Under no circumstances, will phone calls, emails, faxes or other forms of tele-communication be accepted). The Complaint must state specific dates, facts, and other pertinent information. You may attach any relevant documents supporting your claim. If you plan to include comments or statements by other witnesses, you must submit their signed and dated statements with your complaint. Your complaint cannot be amended and the Clerk's Office cannot receive additional information related to your complaint once it has been submitted.

TYPE OF COMPLAINT

☐ **Personnel** — **Name of Employee:** Ron Long

☐ **Non-Personnel** — **Department:** Public Works

☐ **Zoning** — **Location:** Community Park **Parcel#:** 404-02-171B

☒ **Other** — **Be Specific:** See attached letter to Russ Martin, dated 2-10-18.

What to expect:

1. Upon receipt of your written complaint, the Clerk's Office will date stamp the complaint, assign a complaint Number (i.e. C-09-01) and forward by e-mail to the appropriate department head, and to the Town Manager. You will receive a receipt noting the complaint number, date received, and person who received the written complaint.

2. The Department Head has ten (10) working days after receipt of the complaint from the Clerk's Officer to respond in writing. This written response will be mailed to you and a copy will be filed in the Clerk's Office. A copy of the response will be submitted by the Clerk's Office to the Town Manager. All original complaints and responses will be on file in the Clerk's Office. If the complaint is concerning land use activity and it is found to be justified, the Community Development Department will begin the compliance process as outlined in Section 102 of the Planning & Zoning Ordinance.

3. If the response is not satisfactory to you, you have ten (10) working days from the date of the written response to request that the Manager to review the matter. The request must be filed, in writing, with the Clerk's Office, and must reference the original complaint number. Note: phone calls, emails, faxes or other forms of communication will not be considered. The Manager will review the matter within ten (10) working days, and notify you of his determination with regard to your complaint. The Manager may concur with the response of the Department Head or recommend additional action.

Name: John and Cheryl Mischmeyer Mailing Address: P.O. Box 324, Camp Verde

Physical Address: 735 Beaver Dr. Telephone #: 928 567-2458

State the details of your complaint or information: Use the reverse side if necessary. If you have any relevant documents, please attach photo copies only. DO NOT ATTACH ORIGINAL DOCUMENTS.

See attached letter addressed to Town Manager Russ Martin, dated 2-10-18.

The information presented in this complaint form is true, correct and complete to the best of my knowledge, Furthermore, I acknowledge that I have read and understand the procedures. Note: a complaint is a public record and by law we must provide the name of the complainant.

X _____ Signature

X 2-10-18 Date

NOTE: The Administrator shall arrange to provide assistance in the preparation of a written complaint in compliance with 504/ADA requirements and for those who are limited or non-English speaking clients. (11-2013)

For Office Use Only

☐ Copy to Manager _____ Date

☐ Sent to Department head for review _____ Date **Review Deadline** _____ Date (10 working days)

☐ Action Taken _____ Date

☐ Manager Review (if applicable) _____ Date (if applicable) **Review Deadline** _____ Date (if applicable)

RELEVANT DEPARTMENT

☐ Administration ☐ Building ☐ Clerk's Office ☐ Public Works

☐ Parks & Recreation ☐ Maintenance ☐ Library

☐ Community Development ☐ Marshal's Office ☐ Magistrate Court

☐ Commission: _____

John & Cheri Wischmeyer
P. O. Box 324
Camp Verde, AZ 86322
(928) 567-2458

To: Russ Martin, Town Manager
Town of Camp
Camp Verde, Arizona
Date: February 10, 2018
Re: Citizen Complaint

Attached: (5) Photos of the construction area adjacent to residential area

During the planning process for the Camp Verde community park on the Town property bordered by McCracken Lane and Highway 260, there were many public assurances that there would be a 100 foot buffer zone at the edges of the park land that are adjacent to residences. You may understand my consternation when on February 8 and February 9, 2018, heavy equipment from the Town created a dirt road of approximately 33 feet in width parallel and adjacent to the south side of my residential property. The unannounced operation of this heavy equipment continually on both days in contravention of the declared buffer zone threw clouds of dust onto my house and the ruckus startled my horses and dogs while also disturbing the usual tranquility of my household. The measured distance from the edge of the created dirt road to my property fence line adjacent to the park land was 17 feet and not the 100 foot promised for a buffer zone.

In the late afternoon of February 9, 2018, my wife Cheri and I found Public Works Director Ron Long at the entrance to the park land off of Highway 260 and queried him about the construction of the dirt roadway adjacent to our home in violation of the declared 100 foot buffer zone. He said that was being done as the Town was going to place a drainage ditch in that area. That was the first time we had any inkling that a drainage ditch was to be constructed near our property and we are now concerned if that drainage project may or may not impinge on our residential property.

Our request is that the 100 foot buffer zone be enforced and that the already installed roadway construction and use of it cease immediately. The construction of the roadway has destroyed the natural habitat in its path therefore we want to see a plan to restore that habitat to the 100 foot buffer zone in a timely fashion. We respectfully request to be informed of a response to this complaint and what actions will be taken to remedy this situation.

John Wischmeyer

John & Cheri Wischmeyer
P. O. Box 324
Camp Verde, AZ 86322
(928) 567-2458

Photo was taken facing north. The foreground is the new dirt road constructed February 8 and 9, 2018. Then there is a space of less than 20 feet from the north edge of the new roadway to our south property line. Our residence is in the background.

John & Cheri Wischmeyer
P. O. Box 324
Camp Verde, AZ 86322
(928) 567-2458

Photo was taken facing northwest with the new dirt road in the foreground, then the horse shelter on our residential property.

John & Cheri Wischmeyer
P. O. Box 324
Camp Verde, AZ 86322
(928) 567-2458

Photo was taken facing south from my residential property with the barbed wire fence on my property line and then the new dirt road separated from my property line by less than 20 feet.

John & Cheri Wischmeyer
P. O. Box 324
Camp Verde, AZ 86322
(928) 567-2458

Photo was taken facing east showing the width of the new dirt road, a strip of creosote bushes to the right and then the top of my horse trailer located on my residential property.

John & Cheri Wischmeyer
P. O. Box 324
Camp Verde, AZ 86322
(928) 567-2458

Photo was taken facing northeast with the new dirt road in the foreground, then a space of 20-30 feet to the property line of the residence to the east of my residence. The neighbor's residence is in the background.

BLOCK: That property fronting on one side of a street and so bounded by other streets, canals, railroad right-of-way, un-subdivided acreage or other barriers (except alleys) of sufficient magnitude as to interrupt the continuity of development on both sides thereof.

BOARDER OR ROOMER: An individual other than a member of the family occupying the dwelling unit or part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

BOARDING HOUSE: See "ROOMING OR BOARDING HOUSE".

BOARDING STABLE: A structure designed for the feeding, housing or exercising of horses not owned by the owner of the premises for a consideration.

BUFFER: Undeveloped or landscaped property used to separate the activity from surrounding properties. Required landscaping or setbacks do not qualify as buffer.

BUILDING: A structure having a roof supported by columns or walls; or any structure used or intended for supporting or sheltering any use or occupancy.

-ACCESSORY: A subordinate structure, either attached or detached from the principal or main building or use occupied or devoted to a use incidental to the principal use.

-ATTACHED: A building which has a party wall or a common wall with another building.

-CLOSED: A structure completely enclosed by a roof, walls and doors on all sides facing the perimeter of a lot.

-CLUSTER: A technique in which attached or detached dwelling units are grouped relatively close together, leaving open spaces as common areas.

-COMMUNITY: A public or quasi-public building used for community activities of an educational, recreational or public services nature.

-DETACHED: A building having no party wall or common wall with another building.

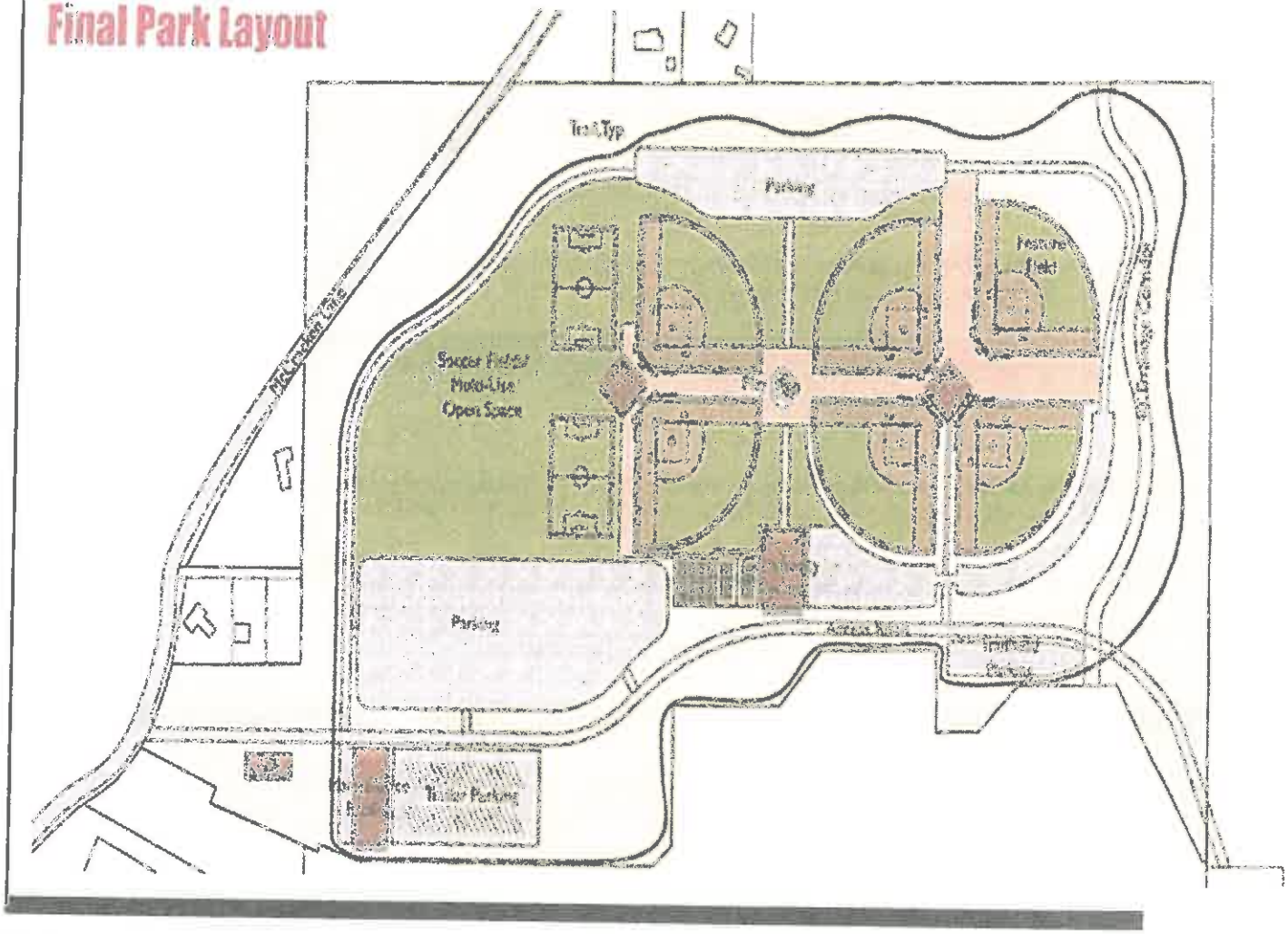
-FACTORY BUILT: A structure, all or a major portion of which was factory assembled for permanent attachment to a lot and constructed in compliance with A.R.S. Section 41-2142 and certified as such by the Arizona State Registrar of Contractors, Building Codes Division.

-HEIGHT: The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building, or as defined in the current adopted building code. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or finished ground surface within a 5-foot (1524 mm) horizontal distance of the exterior wall of the building when such a sidewalk or ground surface is not more than 10 feet (3048 mm) above lowest finished grade; or
2. An elevation 10 feet (3048 mm) higher than the lowest finished grade when the sidewalk or ground surface described in Item 1 is more than 10 feet (3048 mm) above the lowest finished grade.

Camp Verde Bugle

Final Park Layout



Kinley Horn's design for the Camp Verde Sports Complex, which will be built east on SR 260 off McCracken Lane. (Courtesy of Kinley Horn)

By **Bill Helm**

- Originally Published: December 30, 2017 1:32 p.m.

CAMP VERDE – First you name it, then you build it.

In July, the Camp Verde Town Council decided that the planned 110-acre uber-complex off SR 260 and McCracken Lane would be known as the Camp Verde Sports Complex.

Earlier this month, after months of planning and design meetings, a master design and construction plan for the new park's grading, drainage, infrastructure and storm water was completed, says Mike Marshall, Parks and Recreation Division Manager.

Council approved funding for the park's construction, which is expected to begin in early 2018.

Design work for construction plans on the park's ballfields, ramadas, lights, play grounds and other amenities is also expected to begin in 2018, Marshall says.

"This promises to bring even more work for us and the rest of Public Works, but we are all excited by the opportunities presented," Marshall says.

Parks and Recreation endeavors to hold Camp Verde Little League baseball games in the new Sports Complex by spring 2019.

This year, Parks and Recreation Coordinator Shawna Figy earned her certification as both an Aquatic Facility Operator and as a Certified Youth Sports Administrator.

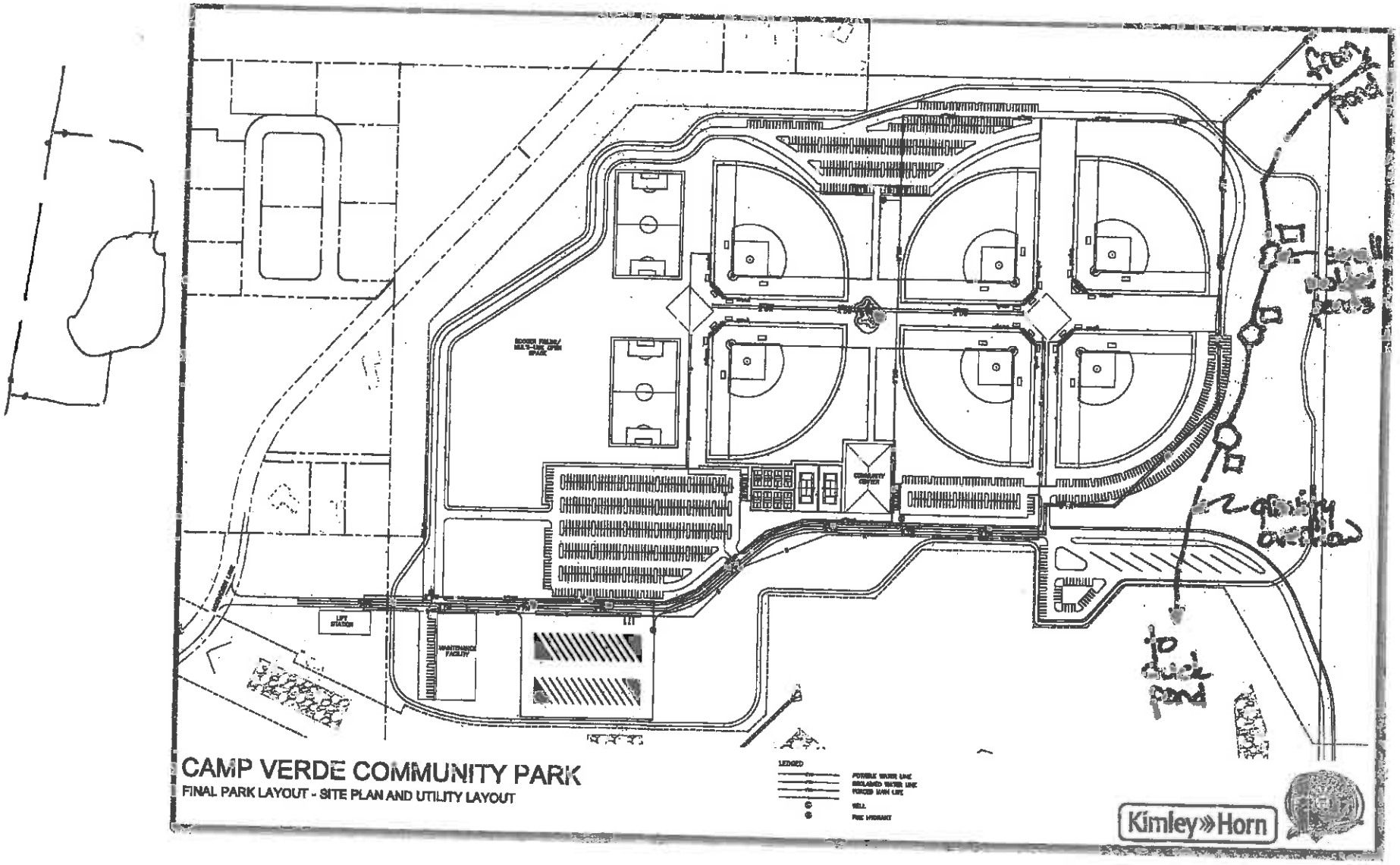
Along with other continuing education and professional development of department staff, the additional training "helps ensure that our programs meet national standards and allow us to improve our level of service to Camp Verde residents," Marshall says.

Figy, who was hired mid-year in 2016, "has allowed us to greatly improve both the quantity and quality of all our services," Marshall says.

In 2017, Parks and Recreation sought to both maintain and improve its existing programs for youth, adults and seniors, such as Grasshopper Basketball, adult volleyball, adult softball and pickleball, as well as bus trips to see the Arizona Diamondbacks and various Friday day trips.

And with end-of-year celebrations such as the Halloween Spooktacular, Christmas Craft Bazaar and Parade of Lights, Parks & Recreation staff remained "committed to doing our best to maximize the recreation opportunities for Camp Verde residents."

-- *Follow Bill Helm on Twitter @BillHelm42*


CAMP VERDE COMMUNITY PARK
FINAL PARK LAYOUT - SITE PLAN AND UTILITY LAYOUT
LEGEND
Kimley»Horn
from pond
small molded ponds
gravity overflow
to duck pond

#3.

7.4.
2.21.2018

February 21, 2018

PARK BUFFER STATEMENT TO COUNCIL

When the original park plan was approved by Council, the residents on McCracken Lane requested a 100 yard (300 ft.) buffer. It was finally agreed upon that there would be a 100 ft. buffer instead of 100 yards between the proposed park and residential properties. **The definition of Buffer in the Town Ordinance reads "Buffer: Undeveloped or landscaped property used to separate the activities from surrounding properties. Required landscaping or setbacks do not qualify as buffer".** Council also assured that the main entrance to the park would be on the east end of the park with an emergency egress locked gate on McCracken Lane. With Council stating there would locked gates at both points, residents must assume there would be a fence constructed between the park and the buffer area to assure the safety and welfare of McCracken area residents. It was also the understanding that area residents, as a courtesy, would be informed when any development on the park would begin, and this was not done and now even part of the natural buffer area has been destroyed. It seems apparent that the Town is not honoring the agreements with residents. Citizens should be concerned about this since it demonstrates a propensity of town government to fail in honoring their promises to the community.

I would also like to emphasize that the Citizens of Camp Verde were involved in the original planning of what they were told would be a community park. However, citizens were not included as the park plans were changed. Originally, the Community Park Plan included ball fields, basketball courts, tennis courts, a volleyball court, a walking path, playgrounds and ramadas, which are all features of a true community park. It also included **a 5 acre retention pond**. Now the plan has been changed to a sports complex excluding all of the above except ball fields.

Currently plans have been created, **without Council approval,** to destroy the natural landscape of the buffer area. The agreed upon Buffer Area should not be a drainage ditch that could potentially be a flood hazard to area residents. A couple years ago, further up on McCracken Lane a huge drainage area on Forest Service land, even with a dam to protect residents, overflowed causing extreme damage to property owners in the area. That problem to this day has not been rectified. This flood incident supports the fact that the original 5 acre retention pond should be created instead of trying to divert flood waters around the natural drainage that could cause severe problems.

The current designated buffer is undeveloped land and should be left in its natural state in accordance with the Town Ordinance as stated above. Because the buffer area backs up to the property line of several residents, it should also be protected by an 8 ft. fence to ensure the safety and welfare of residential properties. Without a fence, the ability to access the park land and the buffer area would be wide open. We hope that the Town will keep its promises and honor the agreements that have been made with Camp Verde residents.

Carol Herman
1227 S. McCracken Ln.

RECEIVED
FEB 21 2018

#4
Read by Carol Garman

Copied Council

STATEMENT TO THE TOWN COUNCIL

We, Bill and Erin LeBeau, reside at 1217 S. McCracken Lane here in Camp Verde. We purchased our home in 2015, aware of, and in support of, the new park/sports complex off McCracken and SR 260.

Our proximity to town, and the privacy of our home location, were significant considerations in our decision to purchase property here in Camp Verde. Our home was built facing Squaw Peak, with large picture windows to take in the view.

We look forward to enjoying the new recreation facilities and appreciate the value they will provide to our community. We do, however, have some concerns as to how the complex will be developed. The original plans, as we understood them, did not include any access from McCracken Lane. The inclusion of such an entrance/egress road on the current plan is a surprise to us. It crosses the front of our home and will reduce the privacy we currently enjoy.

We have been assured by several Town of Camp Verde officials that the entrance off McCracken will be gated and used for emergency purposes only. That is acceptable just so far as it is adhered to. We are concerned that these restrictions might be easily changed administratively.

McCracken Lane is not suitable for park or sports complex traffic. The intersection of SR 260 and McCracken/Quarterhorse is prone to traffic accidents. McCracken has many blind curves, particularly close together where the entrance to the complex will be. Speed limits are generally ignored along Quarterhorse, McCracken, and especially the stretch of 260 that intersects those roads.

Our privacy and the security of our property are, of course, very important to us. We ask assurance from the developers that the 100 foot property line buffer be fully respected and that a suitable fence or other barrier be erected along the buffer line.

Our other main concern is for drainage. Reportedly, a new ditch is planned to divert rainfall from the surrounding hills around the park perimeter and into the existing ditch leading to the Verde River. We are aware of no professional flood or engineer studies being conducted to support such ditch construction and are worried about how any drainage project might affect our property.

We would like to thank the Council for their time.

5 & 6

Camp Verde Town Council

Mayor, Charles German
Vice Mayor, Jessie Murdock
Council Member, Jackie Baker
Council Member, Buck Buchanan
Council Member Dee Jenkins
Council Member, Bradford Gordon
Council Member, Robin Whatley

February 21, 2018

Kevin O. Torrey
695 E. Beaver Dr.
Camp Verde AZ 86322

Council Members:

I am writing to address the matter raised this evening by several concerned members of the community. The matter is very much straightforward and easy to resolve, and I hope the Council will take the appropriate steps to do so.

Pursuant to Arizona law, A.R.S. § 9-461.05, Arizona municipalities are required to create a general development plan that provides citizens an opportunity to see what their government is proposing within their community. Pursuant to that statute, the Town of Camp Verde ("Town") created and passed its first development plan in 2004. According to that plan, a community recreational area (the "Park") on east Highway 260 was being proposed. Upon hearing the news, the residents in the adjoining properties relayed their concerns, which were not unlike the concerns commonly expressed in similar situations. These people simply wanted assurances that the proposed development would not harm their property values or limit their ability to enjoy their properties. The people brought their concerns to the Council, and they were heard. The Council promised a natural buffer, an undeveloped zone of 100 feet that would be left in place to allow the residents some level of isolation from the activities of the Park.

Unfortunately, it does not appear that the Council's promise is being kept. Several days ago, the residents of Beaver Drive were startled by the sight of a new road being graded just a few feet from their property lines. When the general plan was updated on March 30, 2016[1], there was no indication that the Town had made any changes to the proposed Park. But a road this close to

[1] http://www.campverde.az.gov/government/town-clerk/documents/general-plan/

the property line is certainly not in accordance with the original agreement. The town has posted a diagram of the proposed facility, but it does not contain enough detail to discern the exact nature of the proposed park. It does, however, appear to show a buffer of at least 100 feet between the existing property boundaries and the nearest artificial structures. It appears that the actual construction does not match what was promised and conveyed to the residents.

Pursuant to Arizona's Open Meeting law, A.R.S. § 38-431.01, "[a]ll legal action of public bodies shall occur during a public open meeting." The designation of the Park was done accordingly, as were the hearings to address the community concerns. However, A.R.S. 38-431.01(E) requires the Town "[w]ithin three working days after a meeting" to "post on its website … a statement describing the legal actions taken by the public body … during the meeting." The citizens affected by the new construction have looked diligently, and one has even made a public records request, but to date, no one has been able to find anywhere that either (1) the original plan for the Park or (2) any updated plan have been posted to the Town's website.

Pursuant to A.R.S. § 38-431.05, "All legal action transacted by any public body during a meeting held in violation of any provision of this article is null and void." Put simply, if the Town has not properly notified the residents of precisely the plans for the Park, or of any update to those plans at a properly noticed and conducted Open Meeting, the actions are not legally supportable.

I want to be clear that it is not my intention to sound litigious in any way. I simply want what the other residents of the community want: the Town government to be responsive to the people, as is the intention of Arizona Open Meeting law. And as I previously stated, this is not a difficult matter to resolve. All the residents require is a simple reassurance that the park will not harm our properties. There is no reason that this matter should become antagonistic.

A community softball game can be noisy. Lights at night can illuminate an otherwise peaceful bedroom. The public is not always conscientious about cleaning up after themselves, and having to clean up trash that blows into a yard from the park is unacceptable. But these concerns are not at all uncommon and are readily addressed by the already agreed-upon buffer. The same Open Meeting Law that provides for the required disclosures above also provides a remedy. Pursuant to A.R.S. § 38-431.05(B) "A public body may ratify legal action taken in violation of this article" if within 30 days of notice of the violation, the Council holds a properly noticed Open Meeting and votes to ratify the previous agreement, and thereafter provides the above-mentioned notices on its website.

This is precisely what the residents are requesting from the Council. We simply ask that you correct the oversight of the previous Councils and vote to reaffirm the 100-foot buffer area around the proposed Park. If this is done, you will have all of our gratitude. I thank you for listening.

Kevin O. Torrey, JD, MBA, MS