

MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 18, 2020 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 Dee Jenkins called the meeting to order at 6:31 p.m.

2. Roll Call

Mayor Dee Jenkins, Vice Mayor Joe Butner and Council Members Jackie Baker, Bill LeBeau, Cris McPhail, Jessie Murdock (Zoom until 7.49, then in Chambers) and Robin Whatley (Zoom) are present.

Also Present

Town Manager Russ Martin, Town Clerk Cindy Pemberton and Transcriptionist Susan Ayers.

3. Pledge of Allegiance

Councilor Jackie Baker 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) Regular Session – November 4, 2020

b) Set Next Meeting, Date and Time:

- 1) Regular Meeting – Wednesday December 2, 2020 at 6:30 p.m.
- 2) Regular Meeting – Wednesday December 16, 2020 at 6:30 p.m.

Mayor Dee Jenkins had submitted minor wording corrections to Town Clerk Cindy Pemberton prior to the meeting and copies were distributed to Council.

A motion was made by Councilor Jackie Baker to approve the Consent Agenda with stated corrections; seconded by Vice Mayor Joe Butner. The Motion carried 7-0, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Murdock, Whatley, Baker, LeBeau, and McPhail.

5. **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 ARS §38-431.01(H))

Ron Posten stated that he was very happy to see ADOT cleaning up the roundabouts on Hwy 260. He also thanked Council for the support they have given to Meals on Wheels.

6. **Special Announcements and Presentations**

- Proclamation – Designating the Month of November 2020 as National Native American Heritage Month.

Mayor Jenkins so proclaimed.

7. **Possible Appointment of one (1) member to the Board of Adjustment for a term that expires January 2024** Staff Resource: Cindy Pemberton

The Board of Adjustment and Appeals had one vacancy for a term expiring in January 2024. Buck Buchanan has presented a letter of interest for Council consideration.

A motion was made by Councilor LeBeau to appoint Buck Buchanan to the Board of Adjustment and Appeals for a term that expires January 2024; seconded by Councilor Cris McPhail. Motion carried 7-0, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Whatley, LeBeau, Murdock, Baker and McPhail.

8. **Possible Appointment of one (1) member to the Planning & Zoning Commission for a term that expires January 2024** Staff Resource: Cindy Pemberton

There has been a vacancy on the Planning & Zoning Commission since January, with a term that would expire January 2024. Gregory Blue has submitted a letter of interest for Council consideration. Greg is currently a member of the planning and zoning committee

Councilor Butner asked Mr. Blue if he is also currently on the Board of Adjustments. Greg Blue stated that he is, but has recently handed in a letter of resignation.

Mayor Jenkins thanked him for his continued interest in serving the Town.

A motion was made by Councilor LeBeau to approve appointment of Gregory Blue to the Planning & Zoning Commission for a term that expires January 2024. Vice Mayor Butner seconded the motion. Motion carried 7-0, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors McPhail, Baker, Whatley, LeBeau and Murdock.

9. Camp Verde Arena Association Update Staff Resource: Russ Martin

CVAA Daria Weir and Agent Stacy Barker spoke at length of what a phenomenal success the Fort Verde Days events were; turning out even better than they had hoped for. They have hosted the Arizona Junior Rodeo Association and the Queen Creek Junior Rodeo Association, which were also very successful. Ms. Weir listed two upcoming events in the near future, the Arizona Junior high and High school Rodeo Association this coming weekend with 600 entries so far, and an open Rodeo for Thanksgiving weekend. There is a Native American Rodeo coming as well, which is open for anyone to enter. They have also booked several events for the 2021 year.

Many of the local businesses are having a great financial impact from these events. The CVAA has also helped five local youth groups with financial support of their programs.

Ms. Weir extended thanks to Ann Martin for helping the Wrestling team with the concessions stands. They made over \$6000 on the AJRA and Ft. Verde Days Rodeos.

She thanked the many volunteers who helped with the events; among them VACTE, Law Enforcement and Educational Professionals

The Camp Verde Arena Association is continually trying to improve their facility, and are in need of assistance with funding to complete three large projects; sewer development, restroom construction and construction of the concession stand. Ms. Weir spoke of the essentiality of these improvements for continuance of a safe and successful facility. Due to the large turnout for the events, the port-a-johns are not sufficient.

Ms. Weir listed bids of \$52,800 for sewer development, \$39,000 for bathroom construction and \$35,000 for the concession building. She then outlined plans for moving forward with those projects in the future.

CVAA agent Stacy Barker shared feedback from some Canadian visitors, who absolutely loved the facility. He stated the fact that number one on-line ticket sales came from Phoenix.

Mr. Barker also expressed the need for sewer development, stating that often times they have had to call the sewer companies to come empty the port-a-johns before the weekend was over. He explained that no one realized that Fort Verde Days Rodeo would bring in 6500 people, and port-a-johns barely covered it. He is afraid that will shed negative light if the sewer is not developed.

Councilor Whatley asked if the profits made off of the events will go towards sewer development.

Ms. Weir explained that so far the profits have gone to pay for bleachers, a tractor and some other outstanding debts, and that unfortunately the profits are spent.

Councilor Whatley asked if the CVAA would be coming to the Council for the funds to cover the three bids. Ms. Weir stated that is the direction they would go.

10. Discussion, Consideration and Possible Appointment of Council Members as Town Representatives and Alternates to various boards, committees and organizations. Staff Resource Mayor Jenkins

Copper Canyon Fire & Medical - Councilor Whatley – time changed to 3rd Tuesday; also, can do meetings via Zoom)

Yavapai College Governing Board - Councilor McPhail

Liaison to Yavapai-Apache Nation - Councilor McPhail w/ Councilor LeBeau as alternate

Intergovernmental Associations/Meetings - All Council

NACOG Regional Council - Vice Mayor Butner w/Councilor Baker as alternate.

VVREO - Councilor Murdock will forward information to Town Clerk

League Resolutions Committee - Mayor Jenkins

Arizona Municipal Risk Retention Pool - N/A - Elected position

Verde Valley Transportation Org - Ron Long (Public Works) w/Councilor McPhail as alternate

Verde Valley Transit Committee - Councilor Baker

VV Water Users Liaison - Vice Mayor Butner

Verde Valley Homeless Coalition - Councilor LeBeau

Mental Health Coalition Verde Valley – Councilor Whatley will research information

Verde Front - Councilor McPhail w/Vice Mayor Butner as alternate

Verde Valley Steering Committee of MATFORCE - Vice Mayor Butner w/Councilor Baker as alternate

Public Safety Personnel Retirement Board Chairman – Mayor Jenkins

Philip Englund Center for Performing Arts Foundation - Councilor Whatley w/Councilor LeBeau alternate

Friends of the Verde River - Mayor Jenkins w/Vice Mayor Butner as alternate

School Board – Councilor Whatley, w/Councilor McPhail as alternate. (Tuesday evenings - also can do meetings via ZOOM)

11. Discussion, Consideration and Possible Approval for the Finance Director to make the FY20 budget adjustments as attached on the Journal Entry Form labeled BAFY20-01. Staff Resource: Mike Showers

Finance Director Mike Showers is not available. Vice Mayor Butner made a motion to table this item until a later time when Mr. Showers is available. Councilor Elect McPhail seconded the motion. Motion carries 7-0, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Whatley, LeBeau, Murdock, McPhail and Baker.

(7:40 - after item 12, Mr. Showers is now available via Zoom and the item is reopened for discussion).

The adjustments are related to operating transfer accounts and will not affect any expense accounts. Of the four groups of adjustments, two are allowing the Finance Director to move Federal Grant monies from the Federal Grants Fund to the fund where those monies were expensed; the Parks Fund and the General Fund. A third group is for reimbursing the Parks Fund for the Toy building that was purchased by the Parks Fund in FY19, but utilized at the Streets yard (HURF Fund) in FY20. The fourth group of adjustments is for a shortfall in budgeted transfers for HURF-related debt through FY20.

Finance Director Mike Showers explained details of four budget adjustments. One was \$5,020.00 that was expended out of the General Fund for bulletproof vests. He requested approval to move the money out of the Grants Fund into the General Fund.

Second is the HURF Fund for \$6230.00. The Toy building was purchased for use out at the park. Park Funds were used to purchase that building along with other equipment, but Council decided with request from Mr. Long to move that building out to the HURF Department. He requested approval to move that money out of the HURF Fund to the Park Fund to reimburse FY19 expense.

Third, excess grant monies of \$17,975.00 were received for the Park. Mr. Showers requested approval to increase the transfer to move the monies to the Parks Fund.

Fourth, there were estimates for what the different debt payments would be from HURF funds and that estimate was a little bit off. As it turns out, HURF paid a little bit more of the debt than originally thought, so he would need to transfer the extra \$21,170.00 from the HURF Fund to the debt fund.

Councilor Cris McPhail made a motion to authorize Town Finance Director Mike Showers to make the FY20 budget adjustments as attached on the Journal Entry Form labeled BAFY20-01. Councilor Jackie Baker seconded the motion. Motion carried 7.0, with approval from Mayor Jenkins, Vice Mayor Butner and Councilors Baker, McPhail, LeBeau, Murdock and Whatley.

12. Discussion, Consideration and Possible Approval of providing general funding for an Arena Boundary and Screening Fence. Staff Resource: Ron Long

Public Works Director Ron Long gave background information on this item. As part of the Arena development, it was agreed upon that the Camp Verde Arena Association would replace the fence that was removed during construction of the arena. There is currently no fencing between the wastewater treatment plant and the arena. In order to secure the WWTP from trespassing and to screen the materials stored at the WWTP from the rodeo grounds, a boundary and screening fence should be installed as part of the arena development.

Mr. Long is asking for a funding source; possibly the General Fund, for construction of the fence. He acquired two bids just recently, the lowest being \$31,466 and the higher \$37,145. If approved, he would like to award the project to the low bidder at the next meeting so that they can get the fence built before many more events happen. The ponds are not fenced as well; hence the further need to keep kids and animals out of the area.

Councilor LeBeau inquired as to what kind of fence was removed. Mr. Long explained that it was welded wire fence six feet high with three strands of barbed wire and T posts.

Councilor Baker asked whether there would be any additional amount for the screening fence. Mr. Long replied that it was all inclusive in the bids.

Councilor Baker made a motion to approve the utilization of funds from the CIP account for construction of a 6-foot high boundary fence and a six-foot high screening fence between the arena and the wastewater treatment Plant, with the dollar amount to be produced for approval at a future date. Vice Mayor Butner seconded the motion. Motion passed 6-1, with approval from Mayor Jenkins, Vice Mayor Butner and Councilors McPhail, Baker, LeBeau and Murdock. Councilor Whatley gave a "nay" vote.

At this point Town Finance Director Mike Showers is present via Zoom. Vice Mayor Butner made a motion to reopen item 11, with a second by Councilor Cris McPhail. Motion carries 7.0, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Murdock, McPhail, LeBeau, Whatley and Baker.

- 13. Discussion, Consideration and Possible Approval of a lease between the Town and MATFORCE for the use of the Town building at 600 S. 1st Street for the initial term of 5 years with an option for 5 more. The use of the building will be for office and community meetings. Staff Resource: Russ Martin**

Town Manager Russ Martin reminded Council of discussion a couple of months prior regarding the lease of the aforementioned Town building. He advised that the building is in need of a heating/cooling unit in order to be occupiable. MATFORCE has agreed to make that purchase in order to get the building operable.

Councilor Baker asked whether anyone has investigated possible available grants that could assist MATFORCE in this endeavor. She emphasized the many benefits of MATFORCE to the community

Merilee Fowler, Director of MATFORCE, is very excited with the prospect of being in Camp Verde. They have an office in Prescott Valley but now have some staff that live on this side of the mountain and an office here would be of real benefit. She explained the reentry project and how that has added more staff as well. They are looking at putting a youth group together in the future. She offered possible

assistance to other nonprofit organizations that might need meeting space as well, and thanked Council for their consideration.

Vice Mayor Joe Butner made a motion to approve the lease between the Town of Camp Verde and MATFORCE for the use of the Town building at 600 S. 1st Street for the initial term of five years with an option for five more. Councilor Jackie Baker gave a second. The motion carried, with approval from Mayor Jenkins, Vice Mayor Butner and Councilors Whatley, Murdock, LeBeau, McPhail and Baker.

14. Discussion, Consideration and Possible Direction reestablishing a recycling program in cooperation with Sedona Recycles. Staff Resource: Russ Martin

Town Manager Russ Martin explained options in regard to a limited level recycling program. Staff has met with Sedona Recycles to consider the recycling of cardboard and glass. Sedona Recycling would provide the bins. The town would be required to haul to the Sedona Recycles site in West Sedona and pay fees per load. It is not currently budgeted, and so all potential expenses would require a budget amendment.

Mr. Martin explained that they are looking at the land in front of the building at 600 S. 1st Street; the building they will lease to MATFORCE. It is near the Marshal's Office, where any possible issues could be addressed.

There would be cost, but recycling the cardboard would recoup some of that cost; and with more online ordering, most everything comes in a cardboard box.

He explained that there would be wear and tear on Town equipment and staff would have to haul to Sedona, but there is also the option of volunteers for hauling in the future, as there have been many members of the community inquiring as to why there is no longer a way to recycle in town. He indicated that, due to the cost, the service would be not to commercial businesses but for residential use for the most part.

If Council is interested, Mr. Martin would put together a budget adjustment for future consideration.

Councilor Baker remembered having prior recycling services down by the school and how it became unsightly at times. She believes the proposed location would be ideal but had concerns of sofas and stoves being left in the middle of the night. She also had concerns regarding liability if they were to accept volunteers for hauling. She informed Council that local trash services do recycle as a service to the public

Councilor McPhail and put out the idea on local social media to gain feedback from the public. The response she received showed concern for the dumping of unsightly trash items and how it got a bit out of hand when the bins were at Bashas in town. However, the public were generally very excited about the idea of recycling and thought it was the right thing to do.

Councilor Whatley does not remember seeing a mess at Bashas and believes the area closer to the Marshal's Office would discourage miscellaneous dumping. She pays extra to her waste hauler for recycling, but they do not recycle glass. She believes the Town should pursue establishment of the program.

Vice Mayor Butner agreed with Councilor Whatley.

Councilor Cris McPhail made a motion to direct staff to formalize an agreement with Sedona Recycles and prepare a budget amendment for formal consideration at the December meeting. Vice Mayor Joe Butner seconded the motion, which passed 6.1, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Whatley, LeBeau, McPhail and Murdock. A "nay" vote was cast by Councilor Jackie Baker.

15. Discussion, Consideration and Possible Direction to develop an ordinance(s) related to recreational marijuana. Directing staff to work with Planning Commission on zoning ordinance(s) or outright prohibition of recreational sales within the Town. Staff Resource: Russ Martin

Town Manager Russ Martin gave background information on this item. Proposition 207 has passed and will soon be the law in Arizona allowing for the private use of recreational marijuana. Local government has the option to prohibit the sale of recreational marijuana within town boundaries. Staff is looking for direction on whether to implement zoning laws related to future retail sales, or prohibit sales within the town. He believes it is important for the public to understand that if the direction is to put together ordinances tonight, this does not mean they are voted on tonight; just that staff will develop an ordinance plan to be voted on at a future meeting. Mr. Martin specified that whatever is decided on tonight, it does not preclude Council's ability to change that decision in the future; notwithstanding possible legal challenges if zoning laws were implemented and then rescinded down the road.

Councilor LeBeau is not necessarily against the idea of recreational marijuana but indicated that he is not in favor of offering it for sale in Camp Verde.

Councilor McPhail wanted more information on the subject, so she put out the question on social media as well as speaking to citizens privately and was enlightened by the response she received. Most parents of younger children said they had voted against it. Some did feel that the sales tax benefit to the town was worth looking into. There were some who use medical marijuana as an alternative to using opiates and are currently having to drive to Cottonwood, so it would be of benefit to them if they could obtain it here in Camp Verde. In summary, there were some who adamantly said no, but those were fewer than the ones who thought options should be explored. She also mentioned learning that there are going to be limits to the number of permits issued.

Vice Mayor Butner believes that if the town decides to legalize the sale of recreational marijuana within the town, it will be to the detriment of the town, an

example being Colorado; where there are those who smoke openly on the streets and sidewalks. He quoted a statistic he read whereas in a state with legalized recreational marijuana over 50% of newborn children had some level of THC in their system. He would recommend adopting an ordinance that prohibits the sale of recreational marijuana.

Councilor Murdock asked Town Manager Russ Martin what the timeline with the state is; how much time before applications would start coming in. Mr. Martin thinks they're looking at March, with all of the processes and lawmaking, etc. Martin is concerned that many will try and go into business but will also fail if there is a light zoning. Councilor Murdock believes there should be more research before a decision is made. She would like to hear more information and have further discussion on the subject.

Councilor Baker would also like further discussion as well before a decision is made; perhaps a work session.

Councilor Whatley is sure that there will be an age limit. She also thinks it is hypocritical that we have grow facilities in town but won't allow for sale. She believes people will go to Cottonwood and purchase the marijuana, and fact is, the people voted it in. Many people use it for medical purposes. Many people are using it instead of opiates; some use it to calm seizures. Councilor Whatley would like to have more information and discussion as well.

Marshall Corey Rowley opined that it would be ludicrous to compromise the health and safety of our kids for sales tax. He spoke from prior experience and stated this has a far bigger impact than just marijuana sales; for example, Oregon has now decriminalized meth, fentanyl and opiates. He would like to keep it out of the community. He has lived in Oregon and Alaska and the majority of teens that died in car accidents had THC in their system. He shared information on a very recent case whereas there was an adult male selling marijuana to two juveniles, which resulted in a double shooting. There are many dogs that are trained to hit on marijuana and they will no longer be of use; this will cost the taxpayers. He stated that just because marijuana was voted in, does not mean it has to be sold in Camp Verde.

Nicole Rowley works for MATFORCE. She relayed her personal experiences of working with addiction. She has seen many children become addicts, and every one started with marijuana. "If you have worked with addiction and been around people who are addicted, there is nothing like it" "When you bring it in here, it normalizes it for children. The parents accept it, and then the parents become part of the problem too".

Merilee Fowler. She has spent fourteen years trying to figure out how we prevent kids from ever starting to use substances because what we know is, when children start at a young age, they are so much more likely to become addicted. When there is increased supply, more kids use it. When it is socially acceptable, more kids use it. Medical marijuana sales will affect everyone.

Councilor Baker asked if the rest of Council would rather have more discussion in the future or make a motion tonight.

Councilor McPhail stated that she perceives two opportunities; one would be to absolutely prohibit sales of marijuana in the Town of Camp Verde. The other would be to have a public hearing and then work through due process.

Councilor Jackie Baker made a motion to direct staff to prepare an ordinance to prohibit the sale of marijuana in the Town of Camp Verde, which was seconded by Councilor LeBeau. Motion passed 6-1, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors LeBeau, Murdock, McPhail and Baker. Councilor Whatley cast a "nay" vote.

Town Manager Russ Martin reiterated his earlier comments regarding the option to Council to change their minds, and stated if anyone would like more information on this subject that staff would do their best to procure good information from viable sources.

16. Covid-19 Update. Staff Resource Russ Martin.

Town manager Russ Martin informed Council that COVID-19 cases in Camp Verde are increasing, including at the high school. He is soliciting input from staff as to how to address the rise, which could include going to back to doing business by appointment in some departments. He informed Council that there has been a couple of COVID positive staff among town employees. They are looking at options and would like feedback from council within the next couple of days.

Finance Director Mike showers reports that the town has been very successful financially with revenues for October, as has the State of Arizona. He does not think the town will be dramatically affected financially in a negative way either way. Buying online is beneficial to the town as well.

17. 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))

None.

18. 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.

Mayor Dee Jenkins noted that she had attended a GAMA meeting. She informed the Council of a new initiative by Friends of the Verde River called River Friendly Living.

19. **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 Russ Martin gave Council an update on discussions he and Public Works Director Ron Long had with ADOT District Engineer Audra Merrick and her staff regarding landscaping on SR 260. He told Council they would be working towards developing an IGA for future maintenance of landscaping and lighting. He expressed his frustration with ADOT and their ability to communicate responsibilities along the 260 corridor. He believes it will take several months to work out the details.

20. **Adjournment**

Mayor Jenkins adjourned the meeting at 8:41 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 November 18, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7th day of December, 2020.



Cindy Pemberton, Town Clerk

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