

MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, DECEMBER 16, 2020 at 6:30 P.M.

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/88057471644?pwd=YktKb0J0ZStLbnFmMVR5cENnQnM3UT09>

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 6:30 p.m.

2. Roll Call: Council Members Jackie Baker, Bill LeBeau, Cris McPhail (Zoom), Jessie Murdock (Zoom), Robin Whatley (Zoom), Vice Mayor Joe Butner, and Mayor Dee Jenkins.

Also Present

Town Clerk Cindy Pemberton (Zoom), Human Resources Director Brandy Cabrera, (Zoom), Town Manager Russ Martin (Zoom), Jeff Kobel, Maintenance Division Manager (Zoom), Economic Development Staff Steve Ayers and Jessica Bryson (Zoom), and Transcriptionist Susan Ayers (Zoom).

3. Pledge of Allegiance

Vice Mayor Joe Butner 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) Special Session – November 10, 2020
- 2) Regular Session – December 2, 2020

b) Set Next Meeting, Date and Time:

- 1) Regular Meeting – Wednesday January 6, 2021 at 6:30 p.m.
- 2) Regular Meeting – Wednesday January 20, 2021 at 6:30 p.m.

On a motion by Councilor Bill LeBeau and seconded by Councilor Jackie Baker, the Consent Agenda passed 7-0, with approval by Mayor Jenkins, Vice Mayor Butner, and Councilors Whatley, McPhail, LeBeau, Baker and Murdock.

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))

There were no calls from The Public for items not on the Agenda.

6. **Special Announcements and Presentations**

- Presentation of Staff Recognitions-1-year, 5-year, 10-year, 15-year, 20-year from Supervisor/Dept. Heads

The following were acknowledged for significant years and exceptional service:

Bobbi Webb, Permit Tech/Administrative Asst/Asst Planner	One year
Brandy Cabrera, Human Resources Director	One year
Cindy Pemberton, Town Clerk	One year
Cliff Bryson, Code Compliance/Risk Manager	One year
Lori Webb, Parks and Recreation	One year
Jeff Kobel, Public Works Maintenance Div Manager	One year
Kay Jenkins, Finance Dept Accountant	One year
CV Marshal's Office -	One year
Joshua Collins, Deputy	One year
Earl Huff, Dispatch Supervisor	One year
Barbara Phillips, Dispatcher	One year
Lana Stine, Dispatcher	One year
Paul Rotzler, Deputy, licensed drone pilot	Five Years
Chet Teague, Plant Operator/Wastewater Division Manager-	Five Years
Gerry Ann Dillinger, Visitor's Center Ambassador	Five Years
Russ Martin, Town Manager	Ten Years
Alice Gottschalk, Library Practitioner; recruiting/training	Fifteen Years
Lupita Urias, Workplace Maintenance	Fifteen Years
Yolanda Trahin, Workplace Maintenance	Twenty Years

7. **Public Hearing and Possible Approval of Liquor License Application #123949 for John Samson Teah, Magic Wok located at 348 S Main Street #10. This is a class 12-Restaurant application.** Staff Resource: Cindy Pemberton

- **Staff Comments**
- **Public Hearing Open**
- **Public Hearing Closed**

- **Council Discussion**

Town Clerk Cindy Pemberton gave background information regarding this item. Staff received a liquor license application on November 12, 2020 and posted the necessary paper work the same day. The Restaurant is located within the Camp Verde Downtown Entertainment District. The Entertainment District was approved by Town Resolution 2012-874. All fees attached to the application have been paid. Staff has not received any comments or concerns regarding the application.

There were no comments from the Public in regard to this item.

On a motion by Councilor Bill LeBeau and seconded by Vice Mayor Joe Butner, the motion carried 7-0 with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Whatley, McPhail, Murdock, LeBeau and Baker.

8. Discussion, Consideration and Possible Direction to work with the Verde Lakes Corporation on potential lease agreement of Tract A, “the ponds” in Verde Lakes Subdivision and prepare associated documents for formal consideration at a future Council meeting. Staff Resource: Russ Martin

Town Manager Russ Martin explained to Council that what The Verde Lakes Corporation is requesting, is to have a similar arrangement as the Town has with the Verde Lakes Water Company where they currently lease out the ground where there is a small park with swing set. There was a question of water rights, but this is no longer a priority, as there would be no water rights from May through October. It would be about the ability to have a park out there that would serve the general public.

He explained that staff is looking for direction from Council to spend time putting a lease agreement together that would facilitate maintenance of the park/ponds and work towards future improvements as resources allow. If Council gives direction, there would be updates with timeframes/expectations for formal Council direction and lease agreement consideration.

There were no comments from the public in regard to this item.

Councilor Baker asked for clarification of the fact that there are no water rights to the ponds from May through October but when it is free flowing, they can put water in the pond?

Mr. Martin explained that between October and May there is opportunity, but from May-October there is not opportunity for water rights. He validated the fact that the May - October limited water supply would definitely be included in the plans.

Councilor Whatley is concerned about a lack of water in the big pond and that previously the fish died. She is glad to make it for public use and believes good things could happen there.

Councilor McPhail explained that all parties have gotten together recently, and believes it could be a beautiful site. Right now, it is private property, which limits the ability to get things done. She clarified that this would be a beautiful asset for entire town; not just for the Verde Lakes Community.

Russell Moore from Verde Lakes spoke via Zoom. He stated that they do not have any water between May 1 – September 30th. After September 30th, the water flows. The intention is to get an outreach for this community that is in dire need for one. Drugs and alcohol are rampant, and the Marshal cannot get on the property due to the fact that it is currently private property. He believes there is a lease agreement needed with the Town of Camp Verde to turn it into a public park. He believes there are benefits for everyone, citing bird watchers that come from all over, and states there is historical value as well.

Vice Mayor Butner is in favor of the lease agreement if it can be worked out. He would also like to see an indemnification agreement from Verde Lakes Corporation in addition to the lease agreement.

Councilor Murdock would like to see staff put together a proposal put together for funds needed for maintenance so as to support staff, as there are various other projects taking up time and resources as well.

Councilor Jackie Baker is concerned it will overload work for staff as they are already working on the community park, which is huge project. It is complex and her vote would be not to address it at this time until some of the other projects are completed.

(Councilor LeBeau left the meeting at 7:34 p.m. and returned at 7:38 p.m.)

Councilor Whatley opined that the Verde Lakes Ponds could really be an asset to the town, with addition of a nice place for fishing and picnicking. She believes that the price is right, the Town will get a nice park and there will be limited maintenance.

On a Motion by Councilor Cris McPhail and seconded by Councilor Robin Whatley, the motion passed 6-1, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors Whatley, LeBeau, Murdock and McPhail. Councilor Baker cast a nay vote.

9. Discussion, Consideration and Possible Direction regarding current sewer fee structure as it relates to RV parks and similar commercial rental properties.
Staff Resource: Steve Ayers and Russ Martin

Economic Development Director Steve Ayers brought to Council's attention that the RV park at the interstate is funding approximately 10% of the cost to run the town sewer system, while using less than 4%. He asked the Council for their permission to work with staff to devise a more equitable fee schedule and bring it back to the Council at a later date.

There were no speaker cards in regard to this item.

Vice Mayor Butner recalled earlier discussions in regard to base rates and flat rates, and recalls that flat rates seemed to be appropriate at the time. Since the RV park is relatively new and occupancy is fluctuating, they don't have an annual average to go by. He wondered if they should wait for a while due to other developments going in, and the Town is also looking at the possibility of purchasing the water company.

Councilor Murdock inquired as to whether the RV park has a well or are they on the water system. Mr. Ayers replied that they are on the water system, and they have provided staff with all of their usage invoices since the day they opened. Councilor Murdock would like to

visit the options and establish why one independent company is paying so much. She would like to see staff visit this and bring information back to Council.

Councilor Baker expressed concern as well, and would like to go ahead with researching the issue and gaining more information; possibly having a more equitable sewer fee for all.

Mayor Jenkins spent time looking at the information. She believes that the reason why this particular RV Park is paying \$100,000 per year is because they are paying for spaces that are not in use. It does seem like an excessive amount, and she would like to entertain the thought and look at the options going forward.

Mr. Ayers stated that the average use is just under 40%, as the park is new. He states that the Town still charges them \$8,000 per month. The RV Park has brought the Town to the point whereas all of the other rate payers are not seeing increases. He believes the rates should be lowered in the spirit of fairness.

Councilor LeBeau feels they are doing same to residential users who are charged as to the number of drains in their home regardless of what their occupancy is, and it would not be prudent to lower rates for commercial users that they couldn't offer to the residential users as well.

On a motion by Councilor Baker and seconded by Councilor Murdock, motion carried 7-0, with approval by Mayor Jenkins, Vice Mayor Butner (with the amendment of adding residential users to the study as well) and Councilors Baker, Murdock, Whatley, LeBeau and McPhail.

10. **Discussion, Consideration and Possible Approval of Ordinance #2020-A459 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE CAMP VERDE TOWN CODE BY ADOPTING A NEW CHAPTER 16, "RECREATIONAL MARIJUANA," ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; PROHIBITING MARIJUANA TESTING FACILITIES; PROHIBITING MARIJUANA ESTABLISHMENTS; PROHIBITING MARIJUANA DELIVERY; SETTING FORTH VIOLATIONS; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.** Staff Resource: Russ Martin

Town Attorney Comments: This is the same ordinance drafted by Mr. Sims and approved by the Town of Jerome, the only additional prohibition allowed by law is delivery, Jerome opted out of this and allowed home delivery, this ordinance as written would NOT allow delivery. This adds a whole new section to the Town Code.

Town Manager Russ Martin gave background information on the subject. Staff was directed to prepare an ordinance for prohibition for Council's consideration. The proposed ordinance would eliminate the ability for marijuana to be sold within Town limits in any way. It also contains an emergency clause to ensure this is addressed in a timely matter considering the process the state has begun in preparing for the rules and ultimately the release of licenses. All prohibitions that are allowed by Proposition 207 are included in the ordinance for Council's consideration tonight.

Town Clerk Cindy Pemberton read an email on behalf of Carol German. "This letter is to speak in favor of Ordinance #2020A059. Having worked with MATFORCE over the years as

well as with the schools, I have seen the damage drugs can do and would hope to see Council vote in favor of the ordinance.”

Merilee Fowler, Executive Director of MATFORCE, spoke via ZOOM: Their primary focus is prevention. She commended the Mayor and Council for considering this ordinance. She would like to see everything possible done to protect young people. She quoted statistics of youth drug use in Yavapai County and there has been a 48% increase in the regular use of marijuana in the last ten years, which is because of the way perception of the drug has changed. If marijuana sales are allowed in the town it sends the message that there is nothing wrong with it; that it is socially acceptable. Marijuana is a gateway drug; not to say that everyone that uses marijuana will move on to harder drugs, but with the of the hard drug addiction that she deals with, most started with alcohol, tobacco and marijuana.

Marshall Corey Rowley, having lived in Washington, Oregon, and Alaska, spoke of previous experiences in public service in places where marijuana is legal and states no good would come of allowing recreational marijuana sales in our community. He quoted instances whereas there was a 23-year-old selling to fourteen-year-olds. Mr. Rowley would not like to see recreational marijuana sales come to the community of Camp Verde.

Town Manager Russ Martin pointed out that there is one reference that is incorrect reference in Article 16-7; Paragraph B, where it says The Town of Camp Verde Civil Hearing Process set forth in Article 18-3 of the Camp Verde Town Code. That number needs to be changed to Article 7.7.

Vice Mayor Butner stated that he would be ready to make a motion and pointed out that this ordinance would prohibit the sale of marijuana in Camp Verde and that it would be a civil offense if it happened.

Councilor Robin Whatley stated that many municipalities have a dispensary for medical marijuana **only** and wonders if the town may be able to attract a **medical marijuana only** dispensary in Camp Verde.

Mr. Martin clarified that that the state law does not allow towns to prohibit a medical marijuana dispensary; so, this particular ordinance would not have an affect if a medical marijuana dispensary wants to come in.

Councilor Jackie Baker wondered if there is a mileage restriction issue in regard to how many dispensaries are allowed in a certain area; and is this why cottonwood has one now? Mr. Martin noted that there is still a restriction but believes that has changed and a medical marijuana facility could locate in Camp Verde.

On a motion by Vice Mayor Butner and seconded by Councilor Baker with aforementioned correction by Town Manager Martin concerning the penalties and amending Article 16-7, paragraph B to read ARTICLE 7.7, motion carried 7-0, with approval by Mayor Jenkins, Vice Mayor Butner and Councilors LeBeau, McPhail, Whatley, Baker and Murdock.

11. **Discussion, Consideration and Possible Approval of an increase of \$27,500 for the FY21 budget for Community Development, to allow the hiring of a second Permit Technician for the department, including associated workstation costs.** Staff Resource: Melinda Lee

Community Development Director Melinda Lee explained how the permit volume for the Community Development department has been experiencing a steady increase since May of 2020. Its current trajectory is approximately 30% over the FY20 and recent months within FY21. She would like to hire an additional Permit Technician to help manage the increase in permitting, and manage it well. Currently other staff is helping to take up slack and therefore takes away from everyday duties those individuals need to tend to. This is a request for an additional Permit Technician within the Community Development Department with an estimated expense of \$27,500 to establish the new workstation and the associated salary. This would be a front counter position, serving as the first point of contact for inquiries, by phone and in person. They would screen the request and determine which staff member would be best suited to assist them. They would assist the current Permit Technician with the input of permit applications and associated notifications, tracking, and scheduling of inspection requests. Their workstation would be provided using existing furniture in storage, plus the installation of a computer with two monitors and a new desk phone.

Mayor Jenkins asked for clarification that if the \$27,000 salary is for six months, then going forward next year it would be \$52,000. She had questions regarding the total head count for the department, and what the current average turnover time is for a permit.

Ms. Lee stated that they tell folks four to six weeks because of the volume of processing with every permit. Information has to be transmitted to various agencies for approval, tracking and issuance but is all done through the Community Development Department; they are a one-stop operation. They are not keeping up with follow-through in a timely manner.

Vice Mayor Butner asked what their goal is in terms of turnaround time. Ms. Lee responded that they do not have a particular goal at this time. She agrees that it would be a good thing to have; all of the different reviewing agencies would have to be involved.

Mr. Butner clarified that they are asking for \$27,500 but is an annual increase of \$51,584...is that correct? Ms. Lee stated that the annual salary for that position would be approximately \$52,000, which includes the entire benefit package as well.

Councilor LeBeau wondered if there were other options besides another full-time employee. Ms. Lee had considered other positions, a temporary position and an entry level counter person, and they are trying to make the permitting process more efficient. However, she does not see the volume of work lowering in the next few years. The new position will also cross train to support current technicians when they are out of the office.

Councilor Murdock does support the position. She had questions about the wages, and a \$54,000-dollar Permit Technician. Town Manager Russ Martin explained that is not the actual wage; it is total cost with healthcare and benefit package. Councilor Murdock thanked the department for processing permits as soon as possible, and understands that there are too many variables and it is a hard thing to predict.

Councilor Baker wanted to clarify that the new position is something that should not wait until the next budget year. Ms. Lee stated that there has been an overload for several months and they are trying to prevent added stress in the department. They are trying to maintain a six-week turnaround time overall, and would like to not have them in process for that long.

Councilor Whatley believes that the goal is to get the permit turnaround time shorter and that it would be prudent to hire someone to help achieve the goal.

Councilor McPhail added that a town gets a reputation when a Community Development Department cannot get their permits done in a timely manner, and she commends Ms. Lee for being proactive with the issue. She opined that they should not get behind the curve and lose new businesses due to a possible bad reputation.

On a motion by Councilor Cris McPhail and seconded by Councilor Whatley, motion carried 7-0 with approval by Mayor Jenkins, Vice Mayor Butner and Councilors LeBeau, Baker, Whatley, McPhail and Murdock.

12. Covid-19 Update. Staff Resource Russ Martin

In answer to a question posed by Mayor Jenkins, Town Manager Russ Martin relayed information regarding PPE for protection; their main supply is coming through Yavapai County and the County is quick to respond to needs for resources. The Town is doing well with their supply here. Everyone is working to try and protect point of contact, which seems to be how people are getting sick.

The numbers in positive COVID-19 cases continue to increase. Mr. Martin did test positive, along with his wife. The rest of his family is negative. The standard for return to work is to be symptom free for 24 hours, ten days after onset of symptoms. Staff is working diligently to protect each other. Currently there have been thirteen employees that have tested positive.

Mr. Martin reported that in November the town recorded a new record in revenue.

He shared that tomorrow starts a series of phone conversations with Yavapai County regarding distribution of the vaccine. Level Two is Public Safety, and they will discuss when that distribution might happen. Level four involves Government employees.

Town Finance Director Mike Showers reported that the Town is currently \$96,700 over budget through December in local TPT revenues. They are approximately 10% under total general fund expenses through October. Balances in reserve will definitely increase this year.

Mayor Jenkins thanked Mr. Martin for his report, and wished him and his family well.

- 13. 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))

There were no calls from the Public for items not on the Agenda.

- 14. Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai Apache Nation, Intergovernmental Association, NACOG Regional Council, Verde Valley Regional Economic Organization (VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement Board, Phillip England Center for the Performing Arts Foundation. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

Councilor Whatley attended a Philip Englund Center for the Performing Arts Foundation meeting via Zoom. They have had to close everything down but they have a full slate of concerts, etc., that could possibly happen next October. The foundation is doing very well.

Mayor Jenkins attended a PSPRS meeting. She attended the Cottonwood Council Retreat. She enjoyed being able to meet the other Mayors. She has attended numerous Zoom Meetings related to COVID-19.

- 15. 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 reminded staff to schedule retreat time next year as we go into 2021. He thanked everyone for the well wishes, and hopes to be back to work soon. He assured Council and staff they are welcome to call him at home with any concerns.

16. Adjournment

The meeting was adjourned at 8:38 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 December 16, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 11th day of January, ~~2020~~²⁰²¹

Cindy Pemberton

Cindy Pemberton, Town Clerk