

**MINUTES  
TOWN OF CAMP VERDE  
REGULAR SESSION  
MAYOR AND COUNCIL  
473 S MAIN STREET, SUITE 106  
WEDNESDAY, OCTOBER 20, 2021 at 6:30 P.M.**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/82337533571?pwd=THNLZzhnUkI3dEVZQkExOTJlY21CUT09>

**One Tap Mobile: 1-346-248-7799 or 1-669-900-9128**

**Meeting ID: 823 3753 3571**

**Passcode: 971924**

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

1. **Call to Order-** The meeting was called to order at 6:30 p.m. by Mayor Jenkins.
2. **Roll Call.** Council Members Jackie Baker, Cris McPhail, Jessie Murdock, Robin Whatley, Vice Mayor Joe Butner, and Mayor Dee Jenkins. (Bill LeBeau absent).

Others present, Town Clerk Cindy Pemberton, Town Manager Russ Martin and Transcriptionist Dana Donahue

3. **Pledge of Allegiance-** the Pledge of Allegiance was led by Vice Mayor Butner.

Town Clerk Pemberton stated there is not a number 6 on the agenda. The agenda proceeds from number 5 to number 7. Mayor Jenkins acknowledged "so noted."

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. Executive Session September 15, 2020 (Recorded and on file)
2. Regular Session – October 6, 2021

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

1. Special Session – Wednesday, October 27, 2021 at 5:30 p.m.

2. Regular Session – Wednesday, November 3, 2021 at 6:30 p.m.
3. Regular Session – Wednesday, November 17, 2021 at 6:30 p.m.

- c) **Approval of Main Street Sewer Replacement and Storm Sewer Design Professional Services Agreement with Woodson Engineering for a not to exceed amount of \$475,000 using American Rescue Plan Act (ARPA) Funding.**
- d) **Approval of the “ONE ARIZONA DISTRIBUTION OF OPIOID SETTLEMENT FUNDS AGREEMENT”.**
- e) **Approval of an application for Shannalee Marie Fowler, for a temporary extension of premises/patio liquor permit for Low Places, LLC for 564 S. Main Street on November 4th and 5th to host the Turquoise Circuit Block Party. The extension includes use of the Main Street in front of the building and parking lot area.**

Town Clerk Cindy Pemberton asked the Council for permission to pull Agenda item C of the consent agenda, per request of staff.

Councilor Murdock asked for clarification of the address of the business in agenda item E. Is it 564 S. Main or 464 S. Main? Ms. Pemberton asked, is it stated 464 on the application? Mayor Jenkins replied, it is 564 on the application. The address then is 564 S. Main for Agenda item E.

Councilor McPhail moved to approve agenda as stated with the exception of item D. Councilor Baker second, with a question. Councilor Baker said she wanted to make sure it was understood that the Council Meeting on October 27<sup>th</sup>, is an executive session. Ms. Pemberton stated, yes, it was read that way.

Councilor Murdock asked for clarification of the agenda item to be pulled. Is it item C or item D? Councilor McPhail realized she had stated Item D instead of item C. Ms. Pemberton said we have a first and second motion on the table which can be voted down.

Mayor Jenkins said we will call for a vote and see where it goes. Mayor Jenkins called for a vote, and the motion failed for lack of a vote.

Mayor Jenkins asked if Councilor McPhail would like to restate her motion. Councilor Murdock moved to approve the consent agenda as stated with the exception of item C. Councilor Baker second.

Mayor Jenkins called for a verbal vote

Verbal vote;

All in favor Aye.

No Nay voted.

Motion passed 6-0

Risk Manager Heather Vinson spoke, explaining item C of the consent agenda. She states we changed the indemnity clause from the templated document. We have the approval of the risk pool, but we are waiting for the response from the attorney. The change is highlighted in your packet. Mayor Jenkins asked if this change had passed legal?

Ms. Vinson replied that is what I am waiting for and expected it to be back tomorrow.

It is a templated agreement, but the change was requested by the contractor. The risk pool Ok'd it, but it still needs to be approved by legal, Mr. Sims.

Mayor Jenkins asked if Ms. Vinson was asking for approval if the town attorney has not approved it?

Ms. Vinson replied no, the template is approved, but we are waiting for the attorney review.

Town Manager Russ Martin further explained that they are asking for approval and when the motion is made, it be made with the caveat that the town Attorney will approve it. If he does not, we will have to resubmit it.

Councilor Baker asked, why would we approve this item if the town attorney has not approved it?

Councilor Baker asked Ms. Vinson if she felt confident the town attorney will approve it. Ms. Vinson replied yes.

Vice Mayor Butner moved to Approval of Main Street Sewer Replacement and Storm Sewer Design Professional Services Agreement with Woodson Engineering for a not to exceed amount of \$475,000 using American Rescue Plan Act (ARPA) Funding, with the understanding it had to be approved by the town attorney with the indemnity provision, section 10, indemnity item C on page 5. Councilor Baker seconded

Vote;

Councilor Whatley- aye

Councilor McPhail-aye

Councilor Murdock-aye

Councilor Baker-aye

Vice Mayor Butner-aye

Mayor Jenkins-aye

Motion passes 6-0

- 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)

Ester Talbart spoke about the Mandatory Water Adequacy. She is a realtor for Yavapai Reality for many years. Presently there is a piece of legislation before the Board of Supervisors relating to a Mandatory Water Adequacy for Yavapai County. What this means is that the entire County would be subject to Mandatory Water Adequacy. 80% of the State of Arizona has Mandatory Water Adequacy. 20% does not because those areas have water. What they are trying to do is make Yavapai County an active management area. She feels that some parts of Yavapai County need the water adequacy, and some do not. There are some workshops regarding this issue. She continued, stating she was present at the meeting where one of the conservation groups spoke about water and water use. There will be additional meetings regarding this issue, one tomorrow with the Arizona Department of Water Resources. She said Ron Goldman is an advocate for Arizona. One of the environmental groups came with their attorney. She can provide the power point to the council.

Kelly Roberts of the Camp Verde Adult reading program spoke about the success of the Adult Reading Program. She thanks the council for the Towns continued support of the program and finding them a spot at the library. The program was started by Verde resident Gwen Gunnell in 1988 and has flourished over the years. Ms. Roberts went on to tell the council how many students have completed the program. They had one student that was 71 who finally received her GED. Several students were used as an example of how successful the program is. She gave additional examples of students that having received their GED, went on to get solid jobs, several at Verde Valley Medical Center. Ms. Roberts wanted to be sure that the Council was aware of how much the program does for the community.

**7. Discussion, Consideration and Possible Appointment of one (1) member to the Planning & Zoning Commission for a term that will expire January 2022. Staff Resource: Cindy Pemberton**

Ms. Pemberton stated the Clerk's Office received two applications for the current Planning and Zoning seat which will expire in January of 2022. It will need to be reappointed in January of 2022.

Ms. Pemberton read a list of candidates that were present; Ingrid Powell Osis, who submitted her application on October 12, 2021 and Robert Forman who submitted his application on September 8, 2021.

Ingrid Powell Osis stepped forward and introduced herself. She moved to Camp Verde two years ago and want to be involved in the town. Mayor Jenkins said she was glad that Ingrid has stepped up to apply for this position and was happy folks from the community are wanting to serve.

Councilor Murdock asked Ingrid if she had any background in this area? Ingrid replied

she did not, however she has volunteered in several other areas, but not specifically Planning and Zoning. I have done quite a bit of volunteering in Flagstaff and Superior, especially when it came to finances. She sees the benefits of having a woman on the board.

Councilor Baker said she welcomes Ingrid's application and is happy she has stepped up to apply for the position. If you are not appointed tonight, please keep applying.

The second candidate, Robert Forman, spoke about his qualifications. He is retired. He has been a resident of Camp Verde for thirty years. I previously served on the Board of Appeals for two years, He has served on several committees and the Planning and Zoning Board for three years. I have a little bit of knowledge of Planning and Zoning ordinances.

Councilor Murdock stated that Mr. Forman has listed his qualifications adequately.

Councilor McPhail asked Ms. Pemberton if there will be additional vacant seats on the Planning and Zoning Board in the future.

Ms. Pemberton stated yes, there may be in January of 2022, but she did not have a definitive list at this time. All prospective candidates must reapply in January of 2022. Ms. Pemberton stated she can provide a list and email it to the council.

Mayor Jenkins asked the Clerk on how Council should vote. Ms. Pemberton stated someone needed to make a motion on either candidate, someone else second, then vote.

Councilor Baker moved to appoint Robert Forman to the Planning and Zoning Commission for a term expiring January of 2022.

Second made by Councilor Murdock.

Vote;

Councilor Baker-aye

Councilor McPhail-aye

Councilor Whatley-aye

Councilor Murdock-aye

Vice Mayor Butner-aye

Mayor Jenkins-aye

Motion passes 6-0

8. **Discussion, Consideration and Possible Approval of a proposal to complete the first phase of network upgrades and WIFI expansion throughout the Main Street campus and buildings with our contracted IT company Sunstate in the amount not to exceed \$75,000.** Staff Resource: Russ Martin

Town Manager Russ Martin spoke about the Wi-Fi extension on Main Street. There are

two parts. The first part is done, the second part is an upgrade for the firewall etc... We have hit the \$50k threshold and we still need to do more things. There is still no Wi-Fi at Verde Lakes and or the ballpark. The next time we do this, there will be different solutions we need to apply depending on where the Wi-Fi is going.

This is the first phase of the Wi-Fi extension. Our intent is that people can go anywhere to the Town facilities and get onto Wi-Fi as a guest. You can see all the distribution of it throughout the town facilities and the phases of each in your packet.

Council Baker asked about Arturo Park. Does this mean we are providing service to this general area? Mr. Martin stated yes, we have to extend it to neighborhoods such as Arturo Park and Verde Lakes to qualify for the funding. It is essentially public Wi-Fi. Councilor Whatley asked if she would have to pay Century Link anymore?

Mr. Martin further explained that the access to Wi-Fi 24/7 may create some problems, however, we will have the ability to dial the Wi-Fi down or shut it off entirely to discourage problems during late hours. We don't want people hanging out at the town hall at odd hours.

Mayor Jenkins asked about the money limits? In the packet are three proposals; Do we not want to exceed \$75K? Mr. Martin said page 4 and 5 was missing in the documentation the Council was given, but the bottom line is it will cost around \$73K for the firewall etc....he acknowledges there is a page missing and will supply it to the Council.

Mayor Jenkins wanted clarification that it is necessary for the Town to provide public Wi-Fi as opposed to the Yavapai County providing broadband.

Mr. Martin answered by saying it is the town's responsibility, and we should provide the public with Wi-Fi on Town "campus." The County broadband pipes would need to be located and sized, because the pipes have to be large enough to qualify for federal funding, however, it is still the Town's responsibility to provide the Wi-Fi.

Vice Mayor Butner moved to approve proposal; Discussion, Consideration and Possible Approval of a proposal to complete the first phase of network upgrades and WIFI expansion throughout the Main Street campus and buildings with our contracted IT company Sunstate in the amount not to exceed \$75,000. Councilor Baker seconded the motion.

Vote;

Councilor Baker-aye

Councilor McPhail-aye

Councilor Murdock-aye

Councilor Whatley-aye

Vice Mayor Butner-aye

Mayor Jenkins-aye

Pass 6-0

9. **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

10. **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 stated she attended the Ft. Verde Days Parade, and it was fun. She also attended the dance at Low Places and said it was very well done, especially because it was outside. She and her family had a wonderful time.

Councilor Murdock wanted to thank the staff and volunteers for the effort that went into Ft. Verde days. I look forward to continuing the tradition.

Councilor Baker said she attended the parade and dance, and it was wonderful. She also attended the ribbon cutting for the new car wash. It is quite a business, and the partners are wonderful.

Councilor McPhail stated she thought Ft. Verde days went very well. Thank you staff. She continues to attend the Yavapai-Apache Tribal council meetings. They have seated their new elected members. One of the members, Amanda Hometewa approached her and asked if the Town Council could address the shoulder issue of Middle Verde Road. Many people walk and bicycle the shoulder and they would like to see it improved. She also attended the Verde Flows meeting.

Vice Mayor Butner replied that improving the shoulder of Middle Verde Road could create a liability issue for the Town. He continued, saying he thought the parade and rodeo were a great success. He went on to speak about the Turquoise Circuit and upcoming events the 4<sup>th</sup> of November. The rodeo is November the 5<sup>th</sup>. He intends to

support the rodeo. He also said improvement to the shoulder on Middle Verde Road came up on the Verde Connect project when they spoke about a bridge. Improvements to the shoulder of Middle Verde Road may be problematic.

Mayor Jenkins said she attended the PSPRS meeting at the Marshalls office and the regular Mayors meeting.

She also attended the rodeo and parade and participated in the rodeo. She and the Town Manager met with Senator Sinema which was very productive. Sinemas' office followed up with her and she was impressed with the attention they gave us. She also attended several town meetings with staff.

11. **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 followed up with the Senator Sinema meeting. He also was very impressed with the Senators' attention to them. It was the first time any Senators office had contacted the Town. Keep that in mind if issues come up.

The staff did a great job on all the events we have had this year. The rodeo and parade were well attended, especially by the younger crowd. They were very appreciative. Thank you staff for all the work.

Looking forward; tomorrow at 10am, they will be ribbon cutting at the new Fire Station at 10. Tuesday all staff were present for an All Hands meeting. He said they line them up according to how long each member has been working for the town. It is fun to see how people move up in the ranks. We are very lucky to have long standing staff.

The Mandatory Water Adequacy is coming out with more links and information. There will be a public discussion of this in the future. There was a proposal to discuss this issue tonight, but he felt it needed to be put on the next agenda so that Council can educate themselves on the issues and details before it comes to the Council. The information is similar to what Cottonwood did. I will make sure you can "hot link" into the information.

Halloween night we need help. If you can make it, we can really use you. The same table as last year at 5 pm.

Councilor McPhail asked if there was a costume theme? Mr. Martin stated maybe. He also requested some of the Council attend the Turquoise Circuit event. We need people 6 to 11. We have a lot of folks there, but we can always use more. It is November 4<sup>th</sup> and we will be shutting the street down about 5 and reopen it at midnight. This is our event, and we own it. It will be a long night. You can coordinate it with me. More eyeballs the better. The Council being part of the event will send a good message to the Turquoise Circuit.



12. **Adjournment**

The meeting was adjourned at 7:20.



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Mayor Dee Jenkins



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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 October 20, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 15<sup>th</sup> day of November, 2021.



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Cindy Pemberton, Town Clerk