

**MINUTES  
TOWN OF CAMP VERDE  
REGULAR SESSION  
MAYOR AND COUNCIL  
473 S. MAIN STREET, SUITE 106  
WEDNESDAY, APRIL 6, 2022 at 6:30 P.M.**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/84401067791?pwd=MGtvNkdRSXlFeGNMMW04M3psUjlxZdz09>

**One Tap Mobile: 1-253-215-8782 or 346-248-7799**

**Meeting ID: Meeting ID: 844 0106 7791**

**Passcode: 175243**

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

1. **Call to Order** Mayor Dee Jenkins called the session to order at 6:30 PM.
2. **Roll Call.** Council Members Jackie Baker, Cris McPhail, Marie Moore, Jessie Murdock, Robin Whatley, Vice Mayor Joe Butner, and Mayor Dee Jenkins.
3. **Pledge of Allegiance** Councilor Baker led the pledge.

Mayor Jenkins acknowledged that Clarkdale Council Member Bill Regner was in attendance on Zoom.

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) Work Session – March 10, 2022 at 5:30 p.m.
- 2) Special Session – March 16, 2022 at 4:30 p.m.
- 3) Special Executive Session – March 16, 2022 at 4:30 p.m. (recorded on file)
- 4) Special Session – March 16, 2022 at 5:30 p.m.
- 5) Regular Session– March 16, 2022 at 6:30 p.m.

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

- 1) Work Session – Tuesday, April 12, 2022 at 5:30 p.m.
- 2) Work Session – Wednesday, April 13, 2022 at 5:30 p.m.
- 3) Regular Session – Wednesday April 20, 2022 at 6:30 p.m.

- c) **Approval of additional funding in the amount of \$10,422.25 from the original budget of \$35,000 for Job Order Contract # 22-157 Separation of Commercial**

**Connections on Main Street project after bid and awarding in the amount of \$45,422.25 to Ligon Excavation, LLC.**

- d) Approval of Wastewater Division Dump Truck Purchase from Tucson Trux and Equipment Sales, LLC. In the amount of \$71,541.00. Staff Resource: Troy Odell and Chet Teague**
  
- e) Approval of a letter supporting Clarkdale's application for a Rebuild American Infrastructure with Sustainability and Equity (RAISE) Grant. Staff Resource: Russ Martin**

Councilor Moore requested item 4d be pulled from the Consent Agenda.

**Motion** by Vice Mayor Butner to approve the consent agenda minus item 4d. Second was made by Councilor Baker.

**Roll Call Vote:**

Councilor Baker: aye  
Councilor McPhail: aye  
Councilor Moore: aye  
Councilor Murdock: aye  
Councilor Whatley: aye  
Vice Mayor Butner: aye  
Mayor Jenkins: aye

**Motion** carried 7-0.

Councilor Moore discussed item 4d. After researching the proposed dump truck there were several red flags including mileage, tire replacement requirements, difficulty on working on the particular motor, and sourcing parts. Councilor Moore also indicated that Council may need to look at a budget increase due to inflation and requested more information on resale of treated water as a viable option.

Chet Teague said the system currently takes in septic haulers and because of the chemicals resale is currently not possible. It is something the Department is looking at as a goal for the future, but would be approximately ten to fifteen year timeline to accomplish. In regards to item 4d there is another truck that was located by the Department. The price was out of the approved budget, but Council can look at it as an option. Mr. Teague informed Council that he would continue to look at other options for the dump truck including sourcing it Out of State.

Councilor Baker clarified that the main purpose of the dump truck purchase is to eliminate the contract for the hauling company. Councilor Baker also commended Councilor Moore for the research she had conducted.

Councilor McPhail suggested that staff review and come back with better options.

Two weeks was determined an appropriate timeline. No motion was taken for item 4.d.

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))

Mary Phelps President of Camp Verde Arena Association invited Council and the public to the Fundraiser Dinner on Friday the 15<sup>th</sup> of April. Doors open at 5:00 p.m. and dinner will be served at 6:00 p.m. Council will have a table provided. Ms. Phelps also brought flyers for the public for the Rodeo on May 20<sup>th</sup> & 21<sup>st</sup>. Tickets can be purchased at Caseys Cowboy Shop, Camp Verde Feeds, or online. Sunday there will be a scholarship jackpot as part of the event.

Katherine Sirimarco wanted to inform Council and the public of Opioid Overdose Prevention classes at the Camp Verde Library. The classes will be provided by Yavapai County Health Services on 4/26/22. There will be two sessions the first will be held at 2:30 PM and the second at 6 PM. All attendees will receive a box of Narcan spray, the drug to help prevent overdose.

Bill Regner thanked the Mayor and staff from the Town of Clarkdale.

6. **Special Announcements and Presentations:**

- **Proclamation – Proclaiming April as Fair Housing Month**

Mayor Jenkins proclaimed Fair Housing Month April 2022.

- **Presentation and Appreciation of the Camp Verde Marshal's Office by Cottonwood Police Chief Stephen Gesell**

Stephen Gesell Cottonwood Police Chief discussed the incident in July of last year that resulted in the death of a young Cottonwood resident. During the rescue effort one K9 Officer almost drowned in a wash and the vehicle was destroyed. Chief Gesell explained that inter-community relationships matter and Camp Verde loaned Cottonwood a K9 vehicle for four months. Chief Gesell read a statement on behalf of the Cottonwood Police Department. He stated that the Department recognizes the Camp Verde Marshal's office and Marshal Rowley with deep appreciation and gratitude for their generous support to The Cottonwood Police Department K9 Unit 2022.

- **Update and Presentation by the Community Development Department on the Status of the Code Compliance Division.**

John Knight Community Development Director introduced Anthony Apodaca, code enforcement officer employed by the Town since August. Mr. Apodaca explained that he has ten years of experience in code enforcement. Mr. Apodaca wished Council to consider adding another code officer. There is currently 145 active cases and having another officer would allow the department to be proactive in reaching out to the community for compliance. Mr. Apodaca envisions a department that is more about compliance than enforcement where voluntary compliance is the goal.

7. **Discussion, Consideration and Possible Direction to staff to prepare a budget for and host the Turquoise Circuit Finals Block Party on November 3, 2022.**  
Staff Resource: Russ Martin

Town Manager Russ Martin introduced Stacey Barker, Camp Verde Arena Association. Turquoise Circuit Finals went off without a hitch and was beautiful. Last year Low Places hosted the block party. During the event they learned a lot about what to potentially change and have quite a few things to look forward to. The Arena Association worked with Low Places to put a map together for Council. The Beer and Alcohol garden was reduced to the size of Low Places establishment and the map indicates the new stage area. The request for Council is that the Town of Camp Verde be responsible for the stage portion of the event. A five year contract has been signed with the Turquoise Circuit through 2026. The Town would provide signs, tables, barriers, and more lighting for safety.

Councilor Whatley asked if the item had been discussed with the Parks and Recreation Department.

Mike Marshal Parks and Recreation Division Manager and Jeremy and Shannalee Brady from Low Places were available for questions.

Mr. Marshal is aware of the agenda item, but doesn't have additional details other than what is being presented. The timing of the Rodeo is an extremely busy time for the Department. Trunk or Treat, Fort Verde Days, the Christmas Craft Bazaar and other functions are happening during the time period. The Department would need to talk to Council about staffing requirements. Further details and a budget would need to be determined.

Councilor Robin Whatley inquired if the Arena Association would be able to handle the block party on their own if the Town was not able to provide the resources at this time.

Mr. Barker reminded Council of the revenue generating benefits to the Town by having this event. He felt the Town should be excited about their involvement in this

event.

Councilor Whatley wanted a rough number that would be needed in order to successfully host the event including the additional manpower that would be needed.

Mr. Marshal stated that last year the budget was \$2,300 from the Town plus additional funding from the event budget. Mr. Marshal estimated \$2k to \$3k as a reasonable price if Low Places is handling the alcohol portion. Changing the structure of the alcohol section will make fencing and gatekeeping logistically easier. There will still be safety barricades and signage needed, but the event will not require the same level of security.

Councilor Whatley recommending penciling the Rodeo into the regulatory events calendar since a five year contract had been signed. That way the staff and community would be looking ahead and forward to the annual event.

Mayor Jenkins remarked that she is looking at the Rodeo as another Town event and mentioned that she would like to see a couple of scenarios and cost from staff.

Councilor Baker remarked that a longer contract was a positive thing for Camp Verde. Councilor Baker also remarked that the map seemed to be smaller than past events.

Mr. Barker explained that the map was just a suggestion for the Town.

Councilor Moore encouraged Council to consider creating a festival around the annual event. She requested that Jeremy and Shana Lee from Low Places elaborate on how it went and the Town involvement they'd like to see.

Jeremy and Shanalee Brady mentioned that the stage area was a main focus. The ceremonies were conducted inside and there was only enough room for participants and their families. By hosting event space outside it means that the Community will experience greater involvement making it both an adult and children friendly Town sponsored event. Also shrinking the beer garden was important to reduce the burden and amount of liability their business has to take on. They also believe the new footprint would encourage additional businesses to participate in the festivities.

Councilor Moore mentioned that due to the timeframe of the event volunteers are going to need to be heavily relied on. She inquired whether the Arena would have access to volunteers to help with the block party.

Mr. Barker informed Council that all of the volunteers they utilize would be working at the rodeo grounds and it would be almost impossible to pull people out to assist. Mr. Barker also reiterated that Camp Verde is at the center of the State and should strive to be center stage and not just a town on the 260.

Councilor Murdock offered her appreciation to the Turquoise Circuit taking the leap to host their event in Camp Verde. She also made it known that if there were an interest

in forming a small committee she would be happy help.

Tony Zembik, Turquoise Circuit, mentioned that the decision to move everything outside would mean that the community and contestants can be together enjoying the same atmosphere. Mr. Zembik also wanted to offer a thank you on behalf of the Turquoise Circuit Board. He mentioned that it usually takes up to three years to build up an annual event like this. The level of success in the first year was impressive. The Circuit Board was impressed by the turnout and took pictures of the grand stands during the event. Mr. Zembik congratulated the Town. The Circuit will be adding a trick rider to perform at this year's finals to make the Rodeo even better for the fan base. The Circuit provided Council with information of further partnership opportunities to look at for the future. The Circuit wants to consistently improve and a three day event costs in excess of \$200k. Mr. Zembik offered his appreciation of the warm hospitality from all factions of committees within the community that they worked with.

Councilor Moore inquired if other towns traditionally hold a block party as is being presented.

Mr. Zembik stated that some do and some don't. But most try to find ways to make it bigger and better.

Cheri Wischmeyer informed Council that she is excited about the idea of a bigger and better block party. She commented that she attended last year and was amazed even in the dark. There were people from surrounding areas in attendance as well. She believes that the community misses the old block parties and wants to see more community events.

**Motion** by Councilor McPhail to direct staff to prepare a budget for the Turquoise Circuit Block Party on November 3<sup>rd</sup> 2022. Second was made by Councilor Jackie Baker.

Councilor McPhail remarked that Council will most likely have to add staff and a budgetary cost associated with this event.

Vice Mayor Butner inquired if the partner opportunity with Mr. Zembik should also be included.

It was determined that the item would need to be on an agenda in a separate meeting.

**Roll Call Vote:**

Councilor Jackie Baker: aye

Councilor Cris McPhail: aye

Councilor Marie Moore: aye

Councilor Jesse Murdock: aye

Councilor Robin Whatley: aye

Vice Mayor Joe Butner: aye

Mayor Dee Jenkins: aye

**Motion** carried 7-0.

8. **DISCUSSION CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION 2022-1087, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FY2022 RAISE DISCRETIONARY GRANT, CERTIFYING THAT SAID APPLICATION MEETS THE STATE AND FEDERAL REGULATIONS, POLICIES, GUIDELINES, AND REQUIREMENTS OF THE PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.** Staff Resource: Russ Martin

Mr. Martin explained that this agenda item is in reference to the Y that makes the downtown connections and involves the work on top of the underground work. The connection is the intersection to connect Black Bridge and then goes the other direction down Finnie Flat to 260. The median sidewalks and gutters are about 22 million dollars. This submission is due next week and would allow the Town to get all of that project done and the opportunity to go after funding. Local First Arizona has been offering grant assistance on the project.

Councilor Whatley clarified that this motion is just to let the Town apply for a grant and is not spending 22 million right now.

**Motion** by Councilor Robin Whatley to approve resolution 2022-1087. Second was made by Councilor Jackie Baker.

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: aye  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: aye  
Councilor Robin Whatley: aye  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion** carried 7-0.

9. **Discussion, Consideration and Possible Direction to staff to prepare an agreement that would allow the Town to temporarily fund, with reimbursement from the \$150,000 awarded grant, the construction of a parking lot and restrooms, on property owned by the Verde Valley Archaeology Center, that would serve as a publicly accessible trailhead for the future Homestead Park.** Staff Resource: Steve Ayers

Economic Development Director Steve Ayers stated that Council had approved a letter of support for the grant about a year ago. The request is to prepare an agreement to allow temporary funding of the 150k while waiting for the awarded grant.

Ken Zoll, Executive Director of the Verde Valley Archaeology Center, explained that with a grant from the National Park Service they installed a trail around the pit house village with interpretive signs and a Native American garden in the center. The other parcel is being used to do a traditional dry farming plot. This grant is to install a permanent vault toilet. The cost for the toilet is 90k and 10k for ground work. The remainder 50k will be utilized to make the trail to be ADA accessible. The grounds are currently open to public free of charge from dawn to dusk. The existing area and proposed facility can also be utilized as overflow for the people using the Homestead Park.

Councilor Whatley has been around the small trail and thinks it is within the interest of the city to have restrooms available for public use on the trails.

Councilor Murdock asked if the vault style toilet was connected to sanitary or would need to be pumped.

Mr. Zoll stated it will be connected to the sewer system, water, and electricity.

**Motion** by Councilor Jackie Baker to direct staff to prepare an agreement between the Town and the Verde Valley Archaeology Center that will facilitate construction of a publically accessible trailhead with the Town putting up funding then being reimbursed by Verde Valley Archaeology Center through an Arizona State Parks grant. Second was made by Councilor Jessie Murdock.

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: aye  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: aye  
Councilor Robin Whatley: aye  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion** carried 7-0.

**10. Discussion, Consideration, and Possible Approval of a budget adjustment of \$20,738 to purchase the “Executime” module from our current financial program, Tyler.** Staff Resource: Russ Martin

Town Manager Russ Martin stated this wasn't in the budget but this would be paid for within savings from the prior year. Marshal Rowley spends a great deal of time making reductions and his department is where savings happen. Marshal Rowley can give Council more detail on this item. The proposed module connects with existing

software.

Marshal Rowley stated that there were problems with timekeeping because the current system has officers put in their time after a two week period. Payroll has been experiencing several problems including double time entries that makes the payroll process cumbersome and sometimes over 5 hours in corrections for command staff. The new system would provide real time punching and communicate to the supervisor when a punch is missed. The Department is paying for the bulk of the expense out of their budget. The recommendation is to add the software for other Town departments. In order to qualify for the funds they have to pay their portion.

Mayor Jenkins commented that she was surprised the Town hadn't gone this route already. She remarked on several benefits including clerks getting hours electronically instead of waiting, getting away from manually entering times, legal issues if staff is not imputing their own time and the time savings of the system.

**Motion** by Vice Mayor Joe Butner to approve the budget adjustment of \$20,738, that is \$13000 from CVMO RICO fund \$7,738 from Human Resources fund for use towards purchasing a time keeping module known as Executime. Second was made by Councilor Jackie Baker

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: aye  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: aye  
Councilor Robin Whatley: aye  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion** carried 7-0.

**11. Discussion, Consideration, and Possible Initiation of an ordinance amendment to adjust the maximum height limit for properties located near the State Route 260/Highway 17 Intersection.** Staff Resource: John Knight

John Knight Community Development Director requested an initiation for an ordinance amendment. Council would not be committing to an amendment at this time. There is a hotel that is interested in adding a rooftop restaurant and bar with the height increase. The area impacted by this would be restricted to the 260/Highway 17 Intersection where the Department believes it would be appropriate.

Councilor Whatley remarked to Council that she believed in uniformity in code and that she the amendment should be for any business in that sector.

**Motion** by Vice Mayor Joe Butner to initiate an ordinance amendment to adjust the maximum height limit for properties located near the State Route 260/Highway 17

Intersection. Second was made by Councilor McPhail.

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: aye  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: aye  
Councilor Robin Whatley: aye  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion** carried 7-0.

**12. Discussion, Consideration, and Possible Selection of a Field Lighting System Supplier from either Qualite for \$587,552 (installed price plus tax) or Musco for \$658,354 (installed price plus tax) to provide the field lighting system for the Camp Verde Sports Complex.** Staff Resource: Ron Long

Ron Long discussed the two bids for lighting at the Sports Complex. The bid amounts need an additional estimate of 10% tax added to them. Qualite lights averaged 4000-6000 candela and Qualite is below 1000 candela. The candela impacts the amount of glare that is produced on the field. These two vendors were selected out of group for quality, pricing, and maintenance. Both systems provide a 25 year warranty. The Qualite bid included installation and Musco includes price for installation from Tierra Verde Builders. This Motion will be selection of a vendor and next council to be for award with specific numbers brought back to Council.

Councilor Moore noted that Musco meets International Dark Sky specifications and Qualite may not. She inquired if there was a hooding to make them qualify.

Mr. Long responded that the up light on both systems are shielded. The candela numbers are with shielded light. Qualite will do whatever they can to make the Town happy, but will not guarantee to meet International Dark Sky. Musco includes Dark Sky compliance in their contract.

Councilor Whatley commented that the price difference of \$70,802 was substantial and should be kept in the discussion.

Mike Marshal commented that the biggest concern was glare and light shielding. There is a significant difference between the systems. Glare from sports field lighting is one of the legitimate complaints from neighbors. If the price is broken down by year the difference between the two is less than \$3000. Mr. Marshall personally viewed the lighting options and makes a recommendation of Musco.

Tony Gioia presented to Council that he has had experience with Musco lighting and urges Council to choose them. The Dark Sky designation is extremely dear to his heart.

Pete Roulette felt the Town should set an example if it intends to make residents and businesses comply with Dark Sky. He felt that **was** more important than the 70k price difference.

Vice Mayor Butner shared his experience with Musco lighting at the arena for Prescott. The lighting works extremely well and he was amazed by the lack of overflow lighting from the fields. Although he agrees with Councilor Whatley that 70k is a significant amount of money, he believes that it is not a lot when you consider the amount of time these lights will be used.

Councilor Baker strongly agrees with Mr. Roulette that the town has been lax with complying and want us to get back to what we are supposed to do. She also believes that with the Musco system the Town will save money over time.

Councilor McPhail remarked that with other lighting systems the light spillage was 30-50 feet off the sports line. She noted that with the Musco system the light stopped at the fence line.

**Motion** by Councilor Cris McPhail to direct staff to prepare a contract to award the lighting system to Musco. Second was made by Vice Mayor Joe Butner

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: aye  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: aye  
Councilor Robin Whatley: aye  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion** carried 7-0.

**13. Discussion, Consideration and Possible Approval of salary increases for the Town of Camp Verde Mayor and Council.** Resource: Mayor Jenkins and Robin Whatley

Councilor Whatley discussed the value of the time spent by the Council and Mayor to reading packets, conducting due diligence, and serving the Town. The current compensation is \$250 Council and \$350 Mayor monthly. Information was gathered from other Towns and the median was determined to be \$750 for the Mayor and \$550 to Council. This pay is commensurate with other cities and towns and Council has raised compensation for other Town Staff positions.

Mayor Jenkins informed Council that the information is of other cities and towns in the surrounding area. Clarkdale was omitted because they also receive health benefits and did not information from Jerome. Her hope is that Council was provided with enough information to make a decision on the agenda item.

Councilor Moore spent a lot of time on preparation for tonight's agenda. She has heard all sorts of things since serving on Council and has come to the conclusion that the role is kind of like being an umpire. She believes the increase is not extreme and well earned.

Councilor Whatley wanted to clarify that the increase would not come into effect until after one month following the 2022 election. She wanted to ensure that there was no misperception that Council was voting on a raise they would immediately benefit from.

Debbie Roulette remarked that she believed a volunteer was a volunteer and felt the amount of the proposed increase was excessive.

Councilor Baker reflected on her first four years on council when she strictly did not take the \$50 a month stipend. After a certain amount of time in service when she considered running for re-election her spouse agreed with the condition that she accept the stipend. She chose to serve the community but felt some compensation was appropriate.

Councilor Moore recently attended an opening event and was asked to bring a donation. She felt comfortable with attending the event as a member of Council with the donation in hand because of provided monthly compensation. She remarked that the amount often gets put back into the community to pass to the town.

Councilor Murdock stated that the agenda item makes her nervous and felt that it was a hot topic. She worked for town previously and is familiar with how it functions. There is value in what Council does. It is not about the money but the gift that is given back to the community. She wants to show her support to council members in the future.

Mayor Jenkins is looking at the issue from a statistical base. She wanted to make sure it would not take effect until next election cycle and did not want people to think that it was put on the agenda to get an increase while sitting as Mayor.

Councilor Whatley remarked that Councilor Moore is right and that Council members are expected to attend things. That attendance often times comes with a cost. She almost did not run as Council member because the stipend was \$50 per month. She doesn't believe that should be a deterrent in running.

Tony Gioia served on Council around the year 2000. It costs Council members to go to meetings and gas prices are high. Office supplies are purchased to be more prepared. There are a lot of costs for Council to do the work for the community. Mr. Gioia noted that Council may feel guilty to say yes. He stated that Council members deserve to be compensated for the costs that incur. He knows of more than one member in the community who would have applied if it wasn't going to cost them money to volunteer.

**Motion** by Councilor Marie Moore to approve the salary increases of the Mayor in the amount of \$750 and council members to receive \$500 per month effective one month after the 2022 elections and canvass has been approved. Second was made by Councilor Jackie Baker

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: aye  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: aye  
Councilor Robin Whatley: aye  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion** carried 7-0.

Mayor Dee Jenkins called a five minute recess at 8:35 PM. Council reconvened at 8:40 PM.

14. **Discussion, Consideration and Possible Approval of the Town Marshal to be an appointed position to operate under the Town Council per Title 9 Cities and Towns A.R.S. § 9-237 Appointive officers.** Resource: Mayor Jenkins and Vice Mayor Butner

Vice Mayor Butner noted that in bringing this item forth he considered the statutory structure, the legislature, and how Camp Verde was established starting off with title 9 and the Marshal and Clerk roles. The Council and Mayor are the governing body and those that execute on their decisions are the Marshal, Clerk and Town engineer. Various department heads and the Town Manager are not referenced. When a Town grows the decision may be made to get a Town Manager to oversee these tasks and assume the responsibilities of executing on policy decisions. Vice Mayor Butner believes the Town manager has more responsibilities than can effectively be performed and restructuring the Marshal position directly under Council may alleviate some of the issues that may arise from this. Vice Mayor Butner feels the Town is not receiving the quality that it needs and deserves. Watching this happen and allowing it to continue is one of the reasons that he has decided not to run for reelection. The Town Marshal is a paramilitary organization with sworn law enforcement officers that have very specialized training and credentials. It may be inappropriate to have a civilian at the head rather than a sworn officer who understands the duties. The person who should be solely responsible and reporting to the Town Council should be thoroughly familiar with the duties that law enforcement needs to perform. The Town has a Marshal and chain of command for the department. Management of that department directly through the Marshal will result in better performance of the Marshal's office and the departments under the City Manager in turn.

Councilor Moore wished to further understand the implications of this structure.

Specifically, if the Marshal was reporting to the Council twice a month if that may inhibit his ability to perform his duties.

Marshal Rowley has worked under both structures but the Mayoral position was full time. It would change who he reported to for immediate needs the Mayor or Town Manager.

Councilor Whatley asked if the agenda items were discussed with the Marshal and Clerk and expressed frustration that Council had received no information in their packet regarding these agenda items. These items represented a unnecessary seismic shift. Council Whatley stated that the Town Manager needs to surround himself with people he can work with and has complete trust in. The Manager's job is to hire those people. The form of government has been the same since it was founded and why has not been sufficiently explained.

Councilor McPhail requested an explanation of the pros and cons between the two structures from the Marshal.

Marshal Rowley stated that transparency to the community with a panel giving his review. The position does lose a buffer without a manager. The daily interaction was not problematic because the Mayor was a full time position. Marshal Rowley has no problem working either way. It's the Councils choice. Daily constant contact is important for some of the decisions that need to be made.

Councilor McPhail wanted to clarify that someone may be needed immediately in order to get some things accomplished and having a Mayor that is not full time could be problematic.

Marshal Rowley stated that it depends on the situation.

Councilor Baker remarked that in 1986 when community was incorporated the council manager form of government was chosen because at least 50% of other municipalities were doing that for the efficiency of daily supervision. She added that expediency would continue if a change were made and believes it would work well either way.

Councilor Murdock expressed her support for all the functions and positions of the current Town structure. She remarked on how hard the Town Manager has been working for the community and believes that if efforts are coming up short then the Council needs to provide support in the form of an assistant or additional position. The Town manager has been consistent throughout the growth of the Town and a lot has been asked of him. This agenda item was an unpleasant surprise and the information provided was a State statute with a blank sheet behind it. The Town hires a professional to do a job and sets specific expectations. Councilor Murdock stated that her background does not include running a Marshal's office and Council should be directing one person which is the Town Manager.

Councilor Whatley reiterated the frustration of lack of information for this agenda item.

She remarked that if the Marshal answers to Council she would want him to document each time he talks to a Council member what it was about to have a full breadth of knowledge about what is taking place. Also to determine if it is the same people he is talking to. The Town Manager's job is to manage the town and she does not feel equipped to run a Marshal's office. Councilor Whatley apologized to Russ Martin for the agenda item and remarked that it had been stated that the Town doesn't need a Town Manager.

Vice Mayor Butner took an opportunity to clarify what is being asked for with the agenda item. He stated that there was a fundamental misunderstanding and no one has asked to remove the Town Manager, which is not on the agenda. The Town manager is well equipped and taking the Marshal out from underneath will make the Manager more efficient. That's why the statute was referenced and what is being suggested. The change also provides a better form of government for checks and balances. With a different structure there is not one person who is the only source of information for everything in the Town. The Council should have the Manager in charge of the things he is good at and likewise for the Marshal.

Councilor Murdock wanted to understand if the intent would be to change the structure back if someone with police background were in the Town Manager position.

Vice Mayor Butner stated there would be no need if there were a good Town Marshal.

Mayor Jenkins spoke to the fact that any Council member can bring an item and Council needs to respect each other's opinion. She stated that it is her job put items on the agenda when a Council member asks.

Councilor Jackie Baker expressed division on how she felt on the issue. She stated that The Clerk's office and Marshal's positions are required and therefore it is sensible to place them under Council, but didn't believe it was a requirement of the statutes. The Marshal's office is one of the larger budgets and the burden on the Town Manager should be taken into consideration.

Councilor Whatley remarked that the problem she saw was that the information was extremely limited. There was not enough information in the packet. ARS 9-237 is referenced, but it is up to Council to decide the structure. If it's not broke why fix it.

Councilor Moore expressed that she would like to understand what makes this proposed structure better than what we're doing.

Marshal Rowley responded that Council does not have an easy decision tonight. It is up to Council which structure they want to see. He is happy to work under either structure. The agenda item isn't because of any bad relationship with the Town Manager. The Marshal has a great relationship with the Manager and Council. There are some items to consider including the Departments large budgets, the Union that is now at 90% is time consuming, and he doesn't believe the Department should be

lumped into the Town pay scale. Ultimately Council needs to vote and choose the structure they want to see.

Councilor Moore clarified that the Department would not self-governing under the proposed structure and would still be held accountable to State and Federal Government agencies.

Cheri Wischmeyer stated that her husband was second Marshal and had answered to a Council. The Town code for the Clerk and Marshal had been changed for the purpose of autonomy. There are times when the direction of a statute doesn't always coincide with the person that is overseeing the Department which can create conflict. It's sometimes uncomfortable when you are going to your boss and saying you can't do this. When there is a Council of seven overseeing then there is more than one person making decisions. In changing the structure Council would be affording the Department the opportunity to spend the budget as it sees fit and if more funding is needed it would come to Council again.

Sharon Petrie stated that she believed this item to be a good idea because it removes personal feelings one way or another. Council would be a group that gives those positions their budget. It is better to have several people looking over what is decided rather than have one person who may want to go in a particular direction. Law enforcement would know there is a Council they answer to.

Councilor Murdock remarked that Council already gives direction when they pass the budget. She expressed her support for both the Town Manager and Marshal positions for whoever may be in those roles. She believes that people have overstepped boundaries and does not wish to overstep at all.

**Motion** by Vice Mayor Joe Butner to approve that the town Marshal be an appointed position to operate under the Town Council and no longer directly under the Town Manager. Second was made by Councilor Jackie Baker.

Councilor McPhail stated that she was going to vote against this motion for the reason it is heading toward a Mayoral form of government. There are open positions that Council does not know who will fill. She believes that the Town Manager and transparency are appropriate at this time for the current size and system.

Councilor Baker responded that he is hearing in the discussion about the form of government. That is not the issue. The issue is putting the Marshal back under Council supervision which it was for many years. Council is satisfied with the Town Manager right now. The motion is not going to change what our Marshal does at all.

Vice Mayor Butner thanked the Mayor for getting this item on the agenda and reinforced that the intent was not to engage in any form of personal attacks against staff or other Council members. This structure is better, more efficient, reflective of state statute, and it emphasizes the checks and balances in this Town Manager form of government. Vice Mayor Butner thinks government and services to citizens will be

better served.

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: nay  
Councilor Marie Moore: aye  
Councilor Jesse Murdock: nay  
Councilor Robin Whatley: nay  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: aye

**Motion passes 4-3.**

- 15. Discussion, Consideration and Possible Approval of the Town Clerk to be an appointed position to operate under the Town Council per Title 9 Cities and Towns A.R.S. § 9-237 Appointive officers.** Resource: Mayor Jenkins and Vice Mayor Butner

Vice Mayor Butner explained that this agenda item is a similar situation as previously discussed in item 14. The Clerk's position is to ensure that Council stays within the line and should be responsible to the Town and Mayor. Vice Mayor Butner believes it is important that when a question comes up the Clerk doesn't look at the Manager to answer the question. Removing this clarifies the lines of communication and relieves a duty of the Town Manager to manage the Town Clerk. The Town will have better checks and balances and service as a whole by making this change.

Councilor Robin Whatley strongly disagreed. She gave the example of a Clerk that reports to Council and a Council Member is related to the Clerk as a potential conflict of interest. With the change the Clerk would lose the ability to keep Council in line by that decision putting their job at risk. Currently because the Clerk operates under the Manager the Clerk is free to call out any inconsistencies or errors.

Councilor Murdock inquired about who would be writing new code for this change.

Town Clerk Cindy Pemberton replied that the Town would have to create an ordinance and change the entire code.

Councilor Murdock expressed again that she is against this.

Councilor Baker responded to the example which was given earlier by Councilor Whatley. She felt that some type of impropriety when her daughter was Clerk was implied in the example. She wanted to make it known that her work during that time period was above board. She also stated that she believed the Clerks position is an important requirement for any municipality and felt that it was important for the Clerk to be an independent department head. It prevents political issues from entering into the relationship and also relieves the Town Manager of additional duties.

Councilor Moore wanted to know if the Clerk's position would be held accountable to another governing agency similarly to the Marshal's role.

Town Clerk Pemberton responded that they are regulated by the State and Secretary of State.

Councilor McPhail noted that she was hearing that Council has not given the Town Manager the resources required and Council may want to revisit that. The only time she had experience with a Clerk whom was working for the Council was an amazing clerk and the Town Manager was insufficient to the task. She chose to do it that way so she could buffer herself. Council McPhail wanted to hear from the Clerk her opinion of being under Council or Manager.

Town Clerk Pemberton was under Council with the City of Prescott. Her work didn't change other than she answered to seven instead of one. Ms. Pemberton felt blindsided about the entire process. She didn't understand what Council felt like they would be accomplishing. Ms. Pemberton felt like this agenda item was not fulfilling a goal of giving the Town Manager the assistance that he needs. The change would also be putting her in an awkward predicament where the lines of subordinate and supervisor would be skewed as she would need to correct Council members.

Councilor Whatley extended an apology to Councilor Baker. She didn't mean to imply that anything untoward had gone on. She was simply pointed out that the Town should avoid the appearance of impropriety and not implying any had occurred.

Mayor Jenkins thanked Ms. Pemberton for her comments and expressed that she expected the Clerk to tell her exactly the way it is and nothing less. She felt clarity about voting on this agenda item and felt she did not have a clear answer on the previous vote.

Wendy Escoffier the code was changed in 2000 because the mother was elected to council. Ms. Escoffier also wanted to mention that the changes for the items won't be effective until the Town Code is amended.

**Motion** by Vice Mayor Joe Butner to approve the town clerk to be an appointed position to operate under the Mayor and Town Council and no longer under the supervision of the Town Manager. Second was made by Councilor Jackie Baker.

**Roll Call Vote:**

Councilor Jackie Baker: aye  
Councilor Cris McPhail: nay  
Councilor Marie Moore: nay  
Councilor Jesse Murdock: nay  
Councilor Robin Whatley: nay  
Vice Mayor Joe Butner: aye  
Mayor Dee Jenkins: nay

**Motion fails 2-5.**

16. **Discussion, Consideration, and Possible Direction to revise Town Attorney job description and language of a possible advertisement.** Staff Resource: Russ Martin

Agenda Item Moved to a Future Session.

17. **Discussion or consultation for legal advice with the Water Rights Attorney, regarding land and water right settlement negotiations with the Yavapai Apache Nation. The Council may, by majority vote, recess the special session, hold an executive session and then reconvene the special session for discussion and possible action on this item as covered by A.R.S. §38.431.03 (A)(3); (A)(6) and (A)(7).**

- **Recess into and hold Executive Session pursuant to A.R.S. §38.431.03 (A)(3); (A)(6) and (A)(7)**
- **Reconvene Open Session**

Agenda Item Moved to a Future Session.

18. **Discussion and possible direction to staff for the purposes of consideration for development of, or the negotiation of a property purchase for the purpose of development of a Public Safety Building. The Council may, by majority vote, recess the special session, hold an executive session and then reconvene the special session for discussion and possible action on this item as covered by A.R.S. 38-431.03 (A)(3) and (7).**

- **Recess into and hold Executive Session pursuant to A.R.S. §38.431.03 (A)(3) and (A)(7)**
- **Reconvene Open Session**

Agenda Item Moved to a Future Session.

19. **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))

No cards from public.

- 20. 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 McPhail attended open meeting class, at game night there were fifteen kids, and of course the Pecan and Wine festival. She offered a thank you to several members of staff and maintenance who were ambassadors for the town and presented a pleasant helpful environment. Council McPhail expressed a thank you to Council from maintenance for the mowers and mentioned that the grass looks fabulous. Other meetings she has attended include the Verde Lakes Recreation corporation who are going to do a festival at the end of April, a Yavapai College meeting with elected officials, the Marshal's Truancy committee, APS conference, Earth Day Committee, met with the Nature Conservancy regarding the grant for West Clear Creek, and attended the Yavapai Apache tribal meetings. She was the only person from the public who spoke when she attended the Yavapai College meeting to Comment on their CIP plan. She spent a long time with consultants and explained Camp Verde needs that are not being addressed.

Councilor Moore attended open meeting in March which was informative and volunteered for a few hours at the Pecan and Wine festival on Sunday. The pie contest had great participation would like to see it become an annual traditions. The Parks and Recreation combined hard work was evident with the maintenance department. Their constant appreciation which was shown and spoken to all the volunteers was commendable.

Councilor Murdock attended the Camp Verde Little League opening ceremony. There were approx. 320-350 registered players which was over a hundred more than last year.

Mayor Jenkins attended the Pecan and Wine Festival, did Christmas shopping, and had a blast. She attended the Yavapai County Board of Supervisors meeting and the Yavapai College meeting administration with elected officials. The Clerk scanned handouts so the information is available for Council. The financial reports for East and West are included. Mayor Jenkins also attended the regional housing meeting via Zoom, APS meeting, HR interviews on April 1<sup>st</sup>, and met with the Forest Service for the yearly update on fire season.

- 21. Legislative Update Town Clerk Cindy Pemberton**

Ms. Pemberton indicated that there were two items of interest, but one would be forwarded to Council via an email. The item was through the senate and regarding Judge Brutinel to not allow early voting which was found unconstitutional and struck down. Senate bill 1270 supports the Arizona State Parks Heritage Fund that restores the original lottery. There are a number of sponsors involved if Council is interested in supporting. It went through house appropriations in March. There has been no activity since March 16<sup>th</sup> likely because it is a money bill and will probably become part of the budget discussion. Council Murdock recommended to the Mayor to issue a letter of support for SB1270.

- 22. 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.

Marshal Rowley the Marshal's Office and Matforce have been working on truancy. Today was the first time they went out and visited homes. It was well organized and they visited several homes of truant kids with Matforce pamphlets. The kids were given a free notebook and eligibility in a \$500 drawing if they didn't miss school. They found it was a success and plan to go out every Wednesday when there is overlap of staff. They plan to visit about three to four families at a time. This time they found a bunch of kids had moved and addresses were wrong. The ultimate goal for the program is to have community members go out and do this.

Councilor Murdock works in the district and is very interested to see where the program goes.

Town Manager Russ Martin discussed the Forest Service meeting the Mayor had mentioned. Part of the money the government is spending will go towards a ten person work crew and quite a bit of work towards fuel mitigation measures. That will help stay ahead of fire issues going forward. The conditions are just short of super dry right now. The goal is to keep the forest open. If they do shut it down it would be out of desperation. Tomorrow afternoon at 4:30pm there will be two candidates for the Human Resources role to review. Budget meetings will begin next week. The Town Manager applied for a grant for 2.53 million directly to Senator Kelly in the past three weeks for the old 279 pavement job. The City portion would be a 10% match. There are somewhere around 300 projects who applied and 80-100 max will be approved for all the congressional area we could be a part of. The Manager will put together the details for Council as this was applied for in between Council sessions and had not been formally presented to Council.

**23. Adjournment**

Mayor Dee Jenkins adjourned the meeting at 10:25 PM.

*Dee Jenkins*

Mayor Dee Jenkins

*Cindy Pemberton*  
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 April 6, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 27<sup>th</sup> day of April, 2022.

*Cindy Pemberton*

Cindy Pemberton, Town Clerk