

MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WENDSDAY, OCTOBER 5, 2022 6:30 P.M.

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

1. **Call to Order-** Mayor Jenkins called the meeting to order at 6:30 p.m.
2. **Roll Call.** Council Members Jackie Baker, Cris McPhail, Marie Moore, Jessie Murdock, Robin Whatley, Vice Mayor Joe Butner, and Mayor Dee Jenkins.

Others present; Town Manager Russ Martin, Town Clerk Cindy Pemberton, Finance Director Mike Showers, Transcriptionist Dana Donahue.

3. **Pledge of Allegiance-**the Pledge of Allegiance was led by Councilor Murdock.
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 Executive Session – September 7, 2022 at 5:30 p.m.
2. Executive Session - September 7, 2022 (recorded and on file)
3. Regular Session– September 7, 2022 at 6:30 p.m.
4. Work Session – September 14, 2022 5:00 p.m.
5. Special Executive Session – September 15, 2022 at 5:30 p.m.
6. Executive Session – September 15, 2022 (recorded and on file)

b) Set Next Meeting, Date and Time:

- 1) Work Session – Wednesday October 12, 2022 at 5:30 p.m.
- 2) Regular Session – Wednesday October 19, 2022 at 6:30 p.m.
- 3) Regular Session – Wednesday November 2, 2022 at 6:30 p.m.

Mayor Jenkins requested removal of item number 4.a.4 (Approval of Minutes) from the Consent Agenda.

Motion by Councilor McPhail to approve the Consent Agenda with the exception of item 4.a.4. **Second** by Councilor Whatley

Vote;

Councilor Baker-aye
Councilor Murdock-aye
Councilor Moore-aye
Councilor McPhail-aye
Councilor Whatley-aye
Vice Mayor Butner-abstain
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))

David Dane spoke regarding his property located on Salt Mine Road. He read items from the Camp Verde Zoning Ordinance relating to the keeping, care, and breeding of livestock in a residential area. He stated the zoning of the property in his neighborhood does not allow for the operation of a breeding facility. He went on to say the property behind his breeds cows commercially.

Gary Carr spoke regarding a problem with the new manufactured homes that are being placed on the properties near him in Town. He stated the homes have formaldehyde which has caused him some significant health problems and he does not want anyone else to suffer from the causes of off gassing. The manufactured home units are cheap and available. He wants to make sure the Council is aware of the issue.

Mr. Carr stated he has researched the formaldehyde issue and discovered several federal codes relating to this. In the past, a notice was posted on the cabinet doors of the new homes, but now it is not. He wishes for a notification regarding the use of formaldehyde in the homes, to be made to any buyers of such property.

Debbie Fenner spoke regarding a house she was trying to sell in Verde Lakes. She stated two buyers pulled out of the sale because of the burned and abandoned homes in the neighborhood. She stated there are four burned houses and several abandoned homes that make the area look poorly.

She wanted to know if or why there has not been a large dumpster placed in Verde Lakes so the area can be cleaned up. The weeds and debris around Verde Lakes are

excessive. She stated the neighborhood should be cleaned up. She also would like to place some ironwork in the roundabouts. Ms. Fenner also was concerned about the road on Finney Flat.

Charlotte Salsman spoke via Zoom. She told the council National Night Out was a great success. She loved the location and felt the entire event was well done. She stated the Marshals office did a great job on National Night Out.

6. **Special Announcements and Presentations:**

- **Proclamation Declaring October 2022 as Domestic Violence Awareness Month.** Resource: Tracey McConnell

Jessye Johnson, a representative for Verde Valley Sanctuary, spoke regarding Domestic Violence. She summarized the need for support for domestic violence victims. The Verde Valley Sanctuary began 23 years ago and provides education, crises hotline, transitional housing, and legal help to victims. They have facilities in Cottonwood, Sedona and Camp Verde. The purpose of Domestic Violence Awareness Month is to bring attention to the issues and victims of Domestic Violence.

Mayor Jenkins declared October Domestic Violence Awareness Month.

- **Proclamation Declaring the Month of October as Fort Verde State Historic Park Month:** Resource: Shelia Stubler

Shelia Stubler, the Director of Fort Verde, spoke regarding Fort Verde State Historic Park Month. Stubler thanked the Council for their support of the Fort. She provided several flyers of the event and reviewed what types of things will be happening at Fort Verde Days.

Mayor Jenkins declared October Fort Verde State Historic Park Month.

- **Finance Department Quarterly Report.** Staff Resource: Mike Showers.

Finance Director Mike Showers relayed the Finance report Fiscal Year 2022. Showers reviewed the General Fund Revenues, stating the Town is ahead of budget in every category. He informed Council it was a great year for Revenues.

- Tax Revenues have increased 170% since 2014. After Covid the Town made a large jump in Revenues.
- Regarding sales tax Revenues, Retail is dominate with restaurant second and accommodation third.

- Construction Revenues will be higher in the coming year because of growth.

General Fund expenses are currently under budget. Showers stated even in good years, the Town is able to keep expenses down.

Unassigned cash is currently at \$4,156,361, the majority of which is sitting in the Parks Fund.

Councilor Moore asked for clarification regarding "Revolving Home Loan".

Mr. Showers explained this was an old program that has been completed. However, some houses in the program have been sold and the money is reimbursed to the Town. These Funds can only be used for housing projects and currently the Town sends the money to Northern Arizona Council of Governments (NACOG) when they have a housing project.

When questioned regarding the amount of Money in the Revolving Loan Home Loan Fund, Showers indicated the current amount is approximately \$75,000.00

In response to questions regarding the Reserve amount of \$1.5 Million, Showers stated he set the amount in 2020 at \$1.5 as a best practice and indicated the Town should review it again in a few years.

Mr. Showers continued regarding the General Fund. The Fund balance is currently \$4.5 million. The Town has saved a large amount of money in wages. Operational expenses are on target.

Regarding HURF Fund there is \$181 thousand and they are under budget. Wastewater Revenues are steady. The increase construction accounts for the overage. Wages and Employee Related Expenses (ERE) are over budget in Wastewater because of plant maintenance and supplies. All other categories are where they should be.

In response to questions regarding managing inflation within the budget, Mr. Showers indicated each department Director is managing their budgets with close regard to inflation. Expenses such as fuel use are being assessed every six months because of inflation.

Mr. Showers went on to speak about the Water Department. He told Council there were substantial expenses and Water is currently over budget, however, Revenues are doing well, and he expects it to continue to do well because of growth. The Finance Department is progressing with the Rate Study.

Mr. Showers explained the Capital Improvement Program (CIP) Fund. Stating nine projects have been completed. There is \$700 thousand remaining in the Fund.

- American Rescue Plan Act (ARPA -Covid Relief Funds). Seven completed projects from this Fund. Several other items are near

completion. \$650 thousand remains in the Fund.

- Investments; Local Government Investment Pool (LGIP) is doing well. Mr. Showers likes this program for its accessibility and liquidity. This is a very successful vehicle for investment.

Mr. Showers moved onto Debt.

- Wastewater and Water are the largest loans the Town owes. User Fees are paying the loan.
- The Town took a loan to pay down the unfunded balance for the Public Safety Personnel Retirement System (PSPRS). The loan is saving the Town a large amount of money.

Mr. Showers moved on to Revenues for August 2022. He stated Revenues are doing very well. The Town is on target with its Revenues and Debt.

The Finance Department is still working on Onsite Credit Cards. Online payments for Wastewater is taking off and doing well. The conversion for Water and Wastewater is coming along. The Town is getting caught up on vendor tax reviews.

Finance is planning for next year's budget.

7. Discussion, Consideration and Possible Approval of Firearms / Less Lethal weapons purchase in the amount not to exceed \$45,000. Staff Resource: Corey Rowley

Marshall Rowley spoke regarding this item. He referred the item to Lt. Jacobs.

Councilor Whatley asked if there were any cost saving value in selling the used items (guns) the Town is replacing.

Lt. Jacobs stated the company that the Marshals office is working with will trade used items for the new ones which will save the Town money.

Motion by Councilor Moore to approve Firearms/Less Lethal weapons purchase in the amount not to exceed \$45,000. **Second** made by Councilor McPhail.

Vote

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

Motion passes 7-0

8. Presentation, Discussion and Possible Approval of \$45,000 in CIP Funding for construction of an aggregate base surfaced road, parking area, pipe rail fencing and an informational kiosk at Parson Riverfront Preserve. Staff Resource: Steve Ayers

Economic Development Director Steve Ayers spoke, giving Council an overview of Parsons Park and its location and condition. In 2016 the Town created a Master Plan for the park, however, there is no parking area, and the public must currently park on the street. Mr. Ayers would like approval for an aggregate parking base with a pipe rail fence surrounding it.

In response to Council concerns regarding spending taxpayer dollars that may be washed down the river, Mr. Ayers stated he understood Council concerns. He has met with a representative of Yavapai Fence who assured Mr. Ayers that six to eight inches of ABC would be sufficient for a parking lot base. Mr. Ayers also stated the construction of the "wing walls" of the bridge would protect the parking area from severe flooding. River access points will always be in danger of flooding. Mr. Ayers does not feel this will be a continuing expense.

Councilor Whatley stated the project needed to be finished. People need access to the river. This will benefit Rezzonico Park. The kayakers float between Parsons Park and Rezzonico Park, which is a very nice stretch of the river.

Mr. Ayers replied that the Town has heard from two potential River (floating) vendors that would like to run this route. He would like to explore extending the route through property owned by the Town near the Caves development.

Council expressed concerns regarding flooding and proposed parking.

Mr. Ayers replied that access to the area beyond the fence is accessed through private property, which should impede illegal access. He stated ADOT has graded the area nicely. He felt the area needed to be fenced because of the traffic in the meander land that is overflowing into the park. The trash in the area is building up and the Town sponsored no less than three clean up days.

Ayers explained the Kiosk would be similar to the one at Rezzonico Park.

Councilor Murdock spoke about the access point on the river near Clarkdale and how nice it is. She is in favor of access to the river through Parsons Park. She indicated \$45 thousand is a lot of money for a parking area and fence.

Mr. Ayers replied the area really needs a fence and that is the majority of the expense. He felt the parking area for Parsons Park is far enough above the river to avoid the damage caused by flooding.

Motion made by Councilor Whatley for approval of \$45,000 in CIP Funding for construction of an aggregate base surfaced road, parking area, pipe rail fencing and an informational kiosk at Parson Riverfront Preserve.

Second by Councilor Moore.

Vote;

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

Motion passes 7-0

9. **Discussion, consideration, and possible approval amendment to the Town's Salary Plan by adding the Civil Engineer to the Plan.** Staff Resource: Ken Krebbs and Troy Odell

Director of Public Works Ken Krebbs and Town Engineer Troy Odell, spoke regarding the salary for Civil Engineer.

Councilor Baker asked for clarification on the salary range.

Mr. Krebbs replied, stating they had based the salary on Towns of similar size to Camp Verde.

Motion by Councilor Moore for approval amendment to the Town's Salary Plan by adding the Civil Engineer to the Plan. **Second by Councilor McPhail**

Vote;

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

Motion passes 7-0

10. **Discussion, Consideration, and Possible Approval of Town Council to ratify Staff**

approved Change Order 9, 10 and 11, to Tierra Verde Builders, in the total amount of \$106,674.62 for the purpose of concrete removal, ABC parking lot installation and electrical material cost increases at the Camp Verde Sports Complex. Staff Resource: Russ Martin

Town Manager Russ Martin explained this item. He stated the Town has recently been billed for this work. Concrete had to be removed from near the dugouts at the Camp Verde Sports Complex. Material costs have increased since the contract was approved. Under the Town's Financial Operations Guide, the change orders require Council approval.

Mayor Jenkins asked about signatures on the change orders.

Mr. Martin replied, yes, signatures will be done when it is approved.

Councilor McPhail asked about the money and if we can be reimbursed through grants.

Mr. Martin replied yes, several grants can be applied to the cost.

Motion by Councilor Baker for the Town Council to ratify Staff approved Change Order 9, 10 and 11, to Tierra Verde Builders, in the total amount of \$106,674.62 for the purpose of concrete removal, ABC parking lot installation and electrical material cost increases at the Camp Verde Sports Complex. **Second by Councilor McPhail.**

Vote

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

Motion passes 7-0

11. **Discussion, Consideration, and Possible Approval of a comprehensive evidence and operations assessment of Camp Verde Marshal's Office Property and Evidence Unit to be performed by Evidence Management Specialists LLC to maintain compliance with the Arizona Association of Chiefs of Police ALEAP accreditation program for an amount not to exceed \$6500.00 to be sourced from the Town's Legal Defense Fund. Staff Resource: Corey Rowley and Heather Vinson**

Risk Management Director Heather Vinson spoke regarding this item. She stated this item is a compliance issue. An audit must be performed yearly to meet criteria. This audit is a "best practice" to keep the ALEAP accreditation. She feels the money should

come from the Legal Defense Fund. She stated subsequent years audits should be in the amount of \$2k.

Councilor Whatley stated the audit appears to be rather long. She would like a review of the audit when it is finished.

Marshall Rowley stated that every time a new Property Evidence Manager is hired, an audit is performed. However, an overall professional audit has never been accomplished.

Councilor Whatley reiterated the need for a review for Council after the audit is completed.

Councilor Baker asked about the evidence room and the need to upgrade it.

Marshall Rowley stated that yes, the evidence room needs upgrading, but not immediately.

Motion by Councilor Moore for Approval of a comprehensive evidence and operations assessment of Camp Verde Marshal's Office Property and Evidence Unit to be performed by Evidence Management Specialists LLC to maintain compliance with the Arizona Association of Chiefs of Police ALEAP accreditation program for an amount not to exceed \$6500.00 to be sourced from the Town's Legal Defense Fund.
Second made by Councilor Baker.

Vote

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

Motion passes 7-0

- 12. 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

13. **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, nothing to report.

Councilor McPhail attended the Tribal Council meeting and continues to attend Teen Game Night, the community yard sale and a yoga opening. She helped cook at National Night Out. She attended the Truancy Committee Event. She also wanted to recognize the two employees in Maintenance that attained their certification for chemical use.

Vice Mayor Butner, nothing to report.

Councilor Moore, nothing to report.

Councilor Murdock attended National Night Out. She stated the event was excellent and well received by the community. She assisted in making snow cones, which were also very well received.

Councilor Baker also attended National Night Out. She stated it was well done. The Marshals Office and First Responders were excellent. The community really enjoyed it. She would like to see more events that involve the community.

Mayor Jenkins attended the Utility Director meet and greet and National Night Out. She stated the event was wonderful and the location just right. The event received rave reviews on social media.

14. **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.

Mr. Martin spoke about National Night Out. It was a wonderful event and very successful. He wanted to recognize Regina Freeman and all her hard work. The

Kiwanis also were very helpful. Mr. Martin asked for Council feedback regarding the Utility Director position.

15. **Update, Discussion and Consultation with the Town Attorney(s) for legal advice regarding Sewer Design Engineering contract for services and updates on any pending Risk Management legal issues. The Council may, by majority vote, recess the special meeting, hold an executive session, and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. 38-431.03 (A)(2); (A)(3); (A)(4); (A)(5).**

- **Recess into and hold Executive Session pursuant to A.R.S. §38-431.03 (A)(2); (A)(3); (A)(4); (A)(5).**
- **Reconvene Open Session**

15.1. **§38.431.03 (A)(1)**

15.2. **Reconvene Open Session**

Motion by Councilor Murdock to Recess into and hold Executive Session pursuant to A.R.S. §38-431.03 (A)(2); (A)(3); (A)(4);

Second by Councilor Moore.

Vote

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

Motion passes 7-0

Council moved into Executive Session at 8:15 P.M.

16. **Discussion with the Town Manager and Town Attorney regarding performance review and contract negotiation. Pursuant to A.R.S. 38-431.03(A)(1) and A.R.S. 38-431.03(A)(3). The council my, by majority vote, recess the regular meeting, hold an executive session and then reconvene the regular meeting for discussion and possible action on these items as covered under A.R.S. 38-431.03(A)(1) and A.R.S.**

38-431.03(A)(3).

- **Recess into and hold Executive Session Pursuant to A.R.S 38-431.03(A)(1) and A.R.S. §38-431.03 (A)(3).**
- **Reconvene Open Session.**

Motion by Vice Mayor Butner to notify the Manager accordance with provision 5 entitled Notice of this contract on page 3 of 8 that the Town has elected not to renew his contract and also to advise him at least 60 days' notice indicating the Towns decision not to pursue the renewal and also the provision the Manager shall continue during this transition period perform Town Manager duties until the end of the contract period which ends on March 1, 2023. Second by Baker.

Councilor Baker-aye
Councilor Murdock-aye
Councilor Moore-aye
Councilor McPhail-aye
Councilor Whatley-no
Vice Mayor Butner-aye
Mayor Jenkins-aye

Motion passes 6-1

Discussion and clarification with the Town Attorney, Bill Sims indicated he understood direction, per the Town Code, for him to write the letter to the Manager.

17. **Adjournment**

Without objection, Mayor Jenkins adjourned the meeting at 10:15 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 October 5, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7th day of November, 2022.



Cindy Pemberton, Town Clerk