

**MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 2, 2022 at 6:30 P.M.**

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/83638255588?pwd=cEtWbTZaMEIxRmxVZzlHTSs3MHZlZz09>

Phone: 1-669-444-9171 or 1-669-900-9128

Meeting ID: 836 3825 5588

Passcode: 247850

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.
3. **Pledge of Allegiance** Councilor Whatley led the Pledge of Allegiance.
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 – September 14, 2022 at 5:00 p.m.
 - 2) Special Session – September 28, 2022 at 5:30 p.m.
 - 3) Regular Session – October 5, 2022 at 6:30 p.m.
 - b) **Set Next Meeting, Date and Time:**
 - 1) Special Session – Community Gym - Wednesday November 9, 2022 at 5:30 p.m.
 - 2) Regular Session – Wednesday November 16, 2022 at 6:30 p.m.
 - 3) Regular Session – Wednesday December 7, 2022 at 6:30 p.m.
 - c) **Approval of revisions to the Economic Development Director job description.**
Staff Resource: Steve Ayers

Vice Mayor Butner would like 4C pulled for discussion.

Councilor Moore had some concerns with 4A 1&2. She said generally when they have problems with the minutes, they send an e-mail into the Clerk's office. She had drafted an e-mail, but never e-mailed it over. She expressed concerns with the work session on September 14th, and there were some spelling errors that need to be addressed on the September 28th meeting.

Councilor Baker had a concern of a misspelled name on the minutes of the September 28th meeting.

Councilor Moore made a motion to approve the consent agenda without 4A1, 4A2, and 4C. Councilor Baker made a second motion.

Roll Call Vote:

Mayor Jenkins: aye

Vice Mayor Butner: aye

Councilor Whatley: aye

Councilor Murdock: aye

Councilor Baker: aye

Councilor Moore: aye

Councilor McPhail: aye

Motion passed 7-0.

Mayor Jenkins asked Vice Mayor Butner about his concerns on 4C.

Vice Mayor Butner expressed his concern that there were some things not in the job description that should have been. Some of his concerns were the businesses on Main St. and the old downtown area. He wrote down some suggestions. He said on page 45 of the job description, there was a portion that says, "develops a municipal development plan for visitor engagement and tourism". He would like it to say, "develops and implements a municipal marketing plan for visitor engagement and tourism including businesses on Main St. and in the old downtown area".

Mr. Ayers did not have any objections to this suggestion, nor to any changes Council makes. He is stepping down and said they attempted to revise it. The old job description didn't mention tourism, because it wasn't in his job description when he came to work for Camp Verde. They tried to consolidate it without being too specific. He said however Council wants to word it, Mr. Ayers is okay with it.

Vice Mayor Butner also suggested that they add a required skill in "promoting and marketing existing businesses as well as new businesses".

Mayor Jenkins asked Mr. Ayers to clarify some things on the application. She wondered what it meant to "oversees communication with difficult and sensitive citizen inquiries and complaints directed to the economic development department."

Mr. Ayers said his intent with that is the buck stops at his desk. The director is ultimately responsible for the responses that come out to the public, within his own department.

Mayor Jenkins also asked about the portion that talked about development agreements.

Mr. Ayers said they haven't done very many development agreements, but he has been involved in each one that Council has seen since he's been there. He's just a participant in the process of those documents to provide input.

Councilor Moore thought there should be more in the job description regarding tourism. She thinks Economic Development and Tourism are two separate things, but she thinks they are connected. They've had issues in the past with the Chamber of Commerce, which is why they don't handle tourism.

Mr. Ayers said they separated these out and created the Economic Development Specialist position with the idea that the Director is still responsible to oversee, but there's a few more specifics in that job that the Specialist will do and not the Director. He is fine with them adding whatever language they want into the job description, but some things may be better fit for the Specialist. He gave an example of the online marketing. He oversees the tourism effort of the town.

Councilor Moore said if they aren't going to have a tourism department for the Town because they haven't reached that stage yet, they still need to focus on tourism. They need to advertise someone who has experience in tourism as well as Economic Development.

Mr. Ayers gave an example of the Economic Development Directors in surrounding towns. He said the one in Cottonwood has her own business in tourism and marketing but will be the first one to tell you that she's not quite sure how to do the hardcore Economic Development. The one in Sedona is very gifted in Economic Development but has no experience whatsoever in tourism. He said you may not find someone who is specifically strong in both. The job description is to understand that you're going to have both responsibilities. When he first got here there was his position, then they built out the specialist position, then they eventually built out the project management position, and they divide up the specific responsibilities.

Councilor Moore agreed and thanked him.

Councilor Murdock said they're looking for a blend of skills set. They're trying to combine too many positions and assets into one position, so they may need to look to adding positions. She knows Economic Development and Tourism are under the same umbrella, but specifically they are two completely different positions.

Mr. Ayers added that they shouldn't confuse the job description with who they are hiring. You will hire based on criteria, and sometimes it's not based on your prior skill. The job description is to make the person aware of what their responsibilities are as the Economic Development Director.

Councilor Baker said regarding tourism, Sedona has a large rate of tourism, but they spend a lot of money to allot to their tourism department. Camp Verde doesn't have that, so finding someone who has that kind of talent, without the additional revenue, would be ideal.

Mr. Ayers agreed.

Councilor Moore made a motion to approve item 4C with the Vice Mayor's amendments. Vice Mayor Butner seconded that motion.

Roll Call Vote:

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

Councilor McPhail: aye
Motion passed 7-0.

Mr. Ayers asked for the amendments to be written down and transferred to the Clerk.

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))

Steven Magoon spoke on zoning enforcement. He moved in about four years ago. He spoke of a neighbor who purchased land and converted their land into a roping arena. The owner brought in an illegal amount of cattle and horses on their 5 acres. He filed a complaint with the enforcement officer for zoning. An inspection was done, and they had a discussion with the property owner. She would allow him to have excess animals on the property, but only during the times needed to do his roping activities. What that owner interpreted this to be was those animals can be on there for half a day, then off the other half. He would move the cattle to forest service land, where he'd keep them at night. Sometimes he wouldn't even move them. Mr. Magoon said it was an ongoing problem. He filed a complaint with the forest service as well. They asked the man to exit the animals from their property. He then moved his animals back to his own property. More complaints were made, but he just kept moving cattle to places they shouldn't be. None of Mr. Magoon's complaints got addressed in a timely matter. When they were addressed, they'd often come out when the animals were not on his property. It's been ongoing for the last 18 months. He's trying to get resolution.

Mayor Jenkins asked for his name and address. She said the Manager will follow up with him.

Deputy Clerk Virginia Jones asked that everyone take their batteries out of their microphones to see if that solves the issue of them not working.

Janet Anderson shared a concern regarding an upcoming planning and zoning meeting item. She thanked Council for the opportunity to speak. Arizona has a 'right to farm' law. It protects agricultural operations from nuisance lawsuits. To receive protection, operations must be done on farmland defined as land devoted to commercial agricultural production. She believes the Arizona law is wanting to protect big, agricultural production land, which she certainly wants to do. The proposed ordinance would apply to all zones, except for CF and OS districts. There's a great variety in our residential property. Some people have 2 acres, some

have more than ten. However, most of the land isn't devoted to agriculture. It's not commercial agriculture production in these areas that are zoned residential. She has enough land to enjoy, but not enough to have commercial operation. She said Mr. Knight commented that this came about because of nuisance complaints being abundant in Camp Verde. She thinks more rigorous enforcement and follow up would result in fewer complaints. She encourages more voices and input in the proposed ordinance as it impacts many people that have always felt that their residential property would not fall under any ordinances regarding commercial agricultural production. It's not a solution to lessen complaints. She feels it only serves to prevent or lessen citizens ability from making them. She encouraged people to attend the meeting.

Dave Freeman wanted to speak on Planning and Zoning and illegal clean up. He said he's been around for many years on Planning and Zoning. He said during those years, as a committee, they wanted to clean up some of those zoning ordinances and consolidate things. The intention was always toward improvement. Because Arizona's laws don't allow for the taking of rights and privileges, they were shot down. This ordinance that's being talked about, might be giving something to somebody, but it's taking from others. Council has a choice to go ahead and pass it, but they'll be slammed with lawsuits, and it'll be shot down at a State level. He knows there's a sizeable budget to pay for lawsuits, which are unnecessary. He said dumb decisions are the results of these lawsuits. The record for the last 20 years will show what he's talking about. He feels it's ill advised and going to be an expensive proposition that will result in a class action lawsuit to the town from the number of people who are opposed to it. The state doesn't allow the taking of rights or privileges, so he feels they're going to lose. He doesn't think it's a good way for the town to spend money. This is not something that should be on the agenda at all.

6. Special Announcements and Presentations:

- **Proclamation declaring November 2, 2022 as Extra Mile Day**

Extra Mile Day recognizes individuals that go the extra mile in personal effort and volunteerism service to their community. Mayor Jenkins proclaimed this day to be Extra Mile Day.

7. Discussion, Consideration and Possible Approval of Ratification of the July 6, 2022 Regular Session minutes that were previously approved by Council on July 20, 2022 correcting and adding action taken in open session regarding items #36 and #37 supervisory and organization structure of the Town Marshal's Office and its employees and legal advice to receive an update regarding potential notice of claims. Staff Resource: Cindy Pemberton

Town Manager Russ Martin said there was a decision made during executive session. They failed to put it in the minutes, and they all failed to reflect that they did have that decision. This corrects those minutes.

Councilor Moore clarified to the town that what this means is that the Marshal's office is not underneath Council. They decided not to do it on July 20th. It is missing from

those minutes, so there's some misconception that the Marshal's office is under Council, but they are not, they are under the Town Manager.

Councilor McPhail made a motion to approve and ratify the meeting minutes of July 6, 2022, as revised. Councilor Baker seconded that motion.

Roll Call Vote:

Mayor Jenkins: aye

Vice Mayor Butner: abstain

Councilor Whatley: aye

Councilor Murdock: aye

Councilor Baker: aye

Councilor Moore: aye

Councilor McPhail: aye

Motion passed 6-0.

Vice Mayor Butner abstained due to him not being at that meeting.

8. **Discussion to consider the Town's position and possibly instruct staff to commence negotiations for the purchase of real property downtown for future Town use. The Council may, by majority vote, recess the regular session, hold an executive session and then reconvene the regular session for discussion and possible action on this item as covered by A.R.S. §38.431.03 (A)(7).**

- **Recess into and hold Executive Session pursuant to A.R.S. §38.431.03 (A)(7)
Meeting was recessed into an Executive Session at 7:35 p.m.**

Motion was made by Councilor McPhail to recess into Executive Session, with a second by Councilor Moore.

Roll Call Vote:

Mayor Jenkins: aye

Vice Mayor Butner: aye

Councilor Whatley: aye

Councilor Murdock: aye

Councilor Baker: aye

Councilor Moore: aye

Councilor McPhail: aye

Motion passed 7-0.

- **Reconvene Open Session**

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))

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.
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.

12. **Adjournment**



Mayor Dee Jenkins



Attest: Town Clerk Cindy Pemberton

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on November 2, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 9th day of January, 2023.



Cindy Pemberton, Town Clerk