

**(Corrected) MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 18, 2023 at 6:30 P.M.**

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

1. Call to Order

Mayor Jenkins called the meeting to order at 6:30 p.m.

2. Roll Call

Mayor Dee Jenkins, Vice Mayor Marie Moore, Councilor Wendy Escoffier, Councilor Jackie Baker, Councilor Jesse Murdock, and Councilor Cris McPhail are present. Councilor Robin Godwin is absent.

Also Present

Town Manager Ted Soltis, Town Clerk Cindy Pemberton, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Councilor Escoffier led the Pledge.

4. Consent Agenda – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) Approval of the Minutes:

- 1) Special Session – October 4, 2023
- 2) Regular Session – October 4, 2023

b) Set Next Meeting, Date and Time:

- 1) Special Session Retreat – October 19, 2023 at 3:00 p.m.
- 2) Regular Session – November 1, 2023 at 6:30 p.m.
- 3) Regular Session – November 15, 2023 at 6:30 p.m.

c) Approval of Town of Camp Verde Code of the West. Staff Resource: Ted Soltis

d) APPROVAL OF AN APPLICATION FOR JOSHUA ALLEN HORTON, FOR A TEMPORARY EXTENSION OF PREMISES/PATIO LIQUOR PERMIT FOR LOW PLACES, LLC FOR 564 S. MAIN STREET ON NOVEMBER 2nd, 3rd, 4th AND 5th FOR THE TURQUOISE CIRCUIT BLOCK PARTY.

Councilor Baker requested to pull Item 4c Approval of Town of Camp Verde Code of the West. On a Motion by Vice Mayor Moore, seconded by Council Escoffier, Council moved to approve items 4A, 4B, and 4D of the consent agenda as read.

Roll Call Vote:

Councilor Baker: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: absent
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye
Motion carried 6-0.

Regarding Item 4c Approval of Town of Camp Verde Code of the West, Councilor Baker stated this document will require more work for staff. She doesn't think there is a need for another document on the books of the Town of Camp Verde that says any more than *"treat others as you want to be treated"*.

Councilor Escoffier thinks it is a better document. She suggested a few revisions:

- In the 1st paragraph, the first sentence that lists values, delete the word religion.
- On page 21 of the packet, there are a couple lines that repeat itself.
- A member of the public would also like to add Canadian Geese under the title of *'Wildlife'* because they make a lot of noise.
- Add Graves Propane under *"Propane"*.

She also added she is having trouble supporting this being adopted by the Council because it is not a policy function, financial requirement, or A.R.S requirement. She does not want to add responsibilities to staff who will have to update businesses as they come in.

Vice Mayor Moore wanted clarification. This item has already been approved once, and today's item would be to approve just the revisions. Town Clerk Cindy Pemberton stated some Councilors are under the impression that the document hadn't been approved. Yet, others believe it had. Councilor Escoffier read the motion from the minutes of September 20, 2023; *"On a motion from Vice Mayor Moore, seconded by Councilor Murdock, Council moved to direct the Town Manager to work on the revision of the Code of the West to return to Council for review and adoption, in a timely manner"*.

Public Comment:

David Grondin- one particular item is missing in the Town of Camp Verde Code of the West which is *the respect, the recognition, and the acknowledgement of the Indigenous People*. They should be in the code.

On a motion by Councilor McPhail, seconded by Vice Mayor Moore, Council moved to accept the revisions, adopt The Code of the West, and authorize staff to continue to update the document as needed.

Roll Call Vote:

Councilor Baker: nay
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: absent
Councilor Escoffier: nay
Vice Mayor Moore: aye
Mayor Jenkins: aye
Motion carried 4-2.

- 5. Call to the Public or items not on the Agenda. (Please complete Request to Speak Card and turn it 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))

Richard Carter- Received a letter from the U.S. Forest Service regarding losing access to Lost River Road. If the road is shut down no emergency personnel will be able to get in. Town Manager Soltis said the shutting down of the road doesn't have anything to do with The Town of Camp Verde but with the Forest Service and Yavapai Apache Nation. It is a private road.

Pauli Lyon- in continuation of losing access to Lost River Road, the letter said they have 90 days to choose an alternative route. Two of the contacts listed haven't responded. They don't know what's going on or who to talk to. He asks, did the Town really know about the land swap. Mr. Lyon requested that this matter be placed on a future agenda for Council to address.

J. W. Smith- spoke regarding the land swap with the Yavapai Apache Nation and the US Forest Service. He believes the Town of Camp Verde should object to the land swap because it will isolate a whole community. Access to river would be lost. The community needs to be informed as to what is happening. With this swap he will have to drive through the Reservation to get to his property. They have until the 23rd to make a comment to the Forest Service, he would like the Town to comment. He will leave his phone number if you have questions. Town Clerk Cindy Pemberton said Mr. Smith has provided the Clerk's Office with copies of his documents.

Susan Fisher- spoke about Zoning Violation Fees. She spoke on this before to implore grace from the Council. Fees should only be imposed after a warning. Public will forget Zoning Ordinances. The Zoning Department and Council would be better off if they give more grace to the public.

6. Special Announcements and presentations

- **Court Operational Review Evaluation Report/Court Update.** Staff Resource: Veronica Pineda

Judge Gary Horton presented information regarding the Court's recent Court Operational Evaluation & Review. All documents were given to Council before meeting. This is a thorough review of the happenings in the Municipal Court. The report indicates they are serving justice well. He is still concerned about his court entrance not being secure. His staff and himself are exposed to the public before they have passed through security. He also mentioned his contract is just about up. He sent a contract proposal to the Town Manager; he would like to stay but will need to know before the 15th of December, 2023.

- **Presentation and Discussion of Third Quarter 2023 Parks and Recreation Commission report.** Staff Resource: Mike Marshall

Parks and Recreation Director Mike Marshall presented the Third Quarter of 2023 Parks and Recreation Commission Report and introduced Commission Chair Grondin and Vice Chair Faulkner. They are present if there are questions.

Vice Mayor Moore wanted a more detailed report about Cornfest: Details about the event, if they recommend any changes, and if there was any feedback from the public. She also wants to know about Fort Verde Days; immediately after the event has occurred. Mr. Marshall said information is coming. This is the Parks and Recreation *Commission* report not the Parks and Recreation Division Report. This report is also restricted to the 3rd Quarter. Town Manager Soltis suggested placing an item on the next agenda, as an "After Action Report", on those two specific events.

Councilor Baker would like to hear from the Commissioners. Chairman Grondin introduced himself and Vice Chair Faulkner. He explained they are slowly getting to know the physicality of the Town Amenities. As that happens, they will be able to give recommendations to Council. The Commission feels their focus should be on future developments of the park and recreational amenities. They did recommend to Council that they should prioritize at the Sports Complex to develop the tennis/pickleball courts and disc golf. They also feel the Commission needs to know what is being built and what the budget is. He also suggested hiring a grant writer to develop future amenities.

- **Verde Youth Action Alliance (VYAA) Presentation on Youth League of Cities and Towns Summit.** Staff Resource: Nicole Metz-Andrews and Zach Garcia

Zach Garcia introduced Verde Youth Action Alliance (VYAA) Co-Coordinator Melanie Ciapara Rios and Secretary Trinity Ellison who gave an oral presentation on their experience at the 2023's League of Cities and Towns Youth Summit. They mentioned that after surveying teens in the community, they

would like to see either a Recreation center or a movie theater added to the community.

- **Long Range Planning Update, Community Development Department.** Staff Resource: BJ Ratlief

Town Planner BJ Ratlief updated Council on Long Range Planning for the Community Development Department. The Animal Work Group had begun to meet and she read the names of those serving in the group.

Mayor Jenkins asked about the General Plan; it should not be delayed. Ms. Ratlief explained it was talked about but there were no funds available. Mayor Jenkins wanted to confirm that Section 305 was prioritized, to be done sooner than the rest of the ordinances. Ms. Ratlief said yes.

Vice Mayor Moore inquired about the \$80,000 budgeted for the General Plan Update. Community Development Director John Knight said the money was promised, but because they thought they could wait. The money might have been redistributed elsewhere. He was unsure.

Finance Director Mike Showers said there was discussion about postponing the General Plan for a year and the funds will show up in Fiscal Year 2025. Town Clerk Cindy Pemberton suggested she could check the summary index report on this topic to identify if any action was taken regarding the \$80,000. Councilor McPhail thought she remembered they were going to use State Windfall Money (the one time use money) Mayor Jenkins said staff will do some research and bring information back to the Council. Ms. Ratlief wanted to add a note saying that Chino Valley and Wickenburg are in the same process and have spent \$300,000+ on their General Plans.

Councilor Escoffier asked about the Dark Sky Ordinance. Ms. Ratlief said an update will come from the Economic Development Department, but we are in compliance. Councilor Baker thought there was a timeframe to have everyone in compliance. Ms. Ratlief explained the Town's infrastructure had to be in compliance within ten years, which was achieved. Now they are working on the commercial side of it. Next will be the education to the residents. Ms. Ratlief gave an update on the process of the Dark Sky Ordinance.

Councilor Baker asks what do we need for the General Plan that going to cost that kind of money they are talking about. Ms. Ratlief explained it is gathering the analysis, the GIS and maps, and then putting the information all together.

Vice Mayor Moore if this is something we need to do to have our General Plan be what we need it to be for the next ten years, then she wants to support staff in getting this done but also being able to do their everyday jobs.

Councilor Escoffier said that with the Town owning the Water and Sewer Companies, plus all the growth, working on the General Plan will be more than just edits.

Meeting break: 7:52 p.m.
Meeting resume: 7:57p.m.

7. Discussion, Consideration and Possible Approval of the FY25 Budget Calendar. Staff Resource: Mike Showers

Finance Manager Mike Showers reviewed the proposed FY25 Budget Calendar. He explained he'd like to get started a bit early this year. He would like to leave the process the same as last year while the new Town Manager Mr. Soltis gets familiar with the budget and then will fine tune the process along the way.

Councilors looked at their calendars and discussed dates they would not be able to join specific meetings. After some discussion, the only date that will need to be switched would be December 15th. Council would like to reschedule the December 15th Meeting to January 10th from 4:00 p.m.-7:30 p.m.

Councilor Murdock would like a hybrid version of the Strategic Plan and stick with some serious commitments. Make sure there is follow through with specific projects.

Councilor Escoffier thinks Council needs more of a Strategic Plan Review of what we have already put forth for our five-year plan.

On a Motion made by Vice Mayor Moore, seconded by Councilor McPhail, Council moved to approve the Revised Proposed Budget Calendar for FY25 with the one date change from December 15, 2023 to January 10, 2024 starting at 4:00pm.

Roll Call Vote:

Councilor Baker: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: absent
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye
Motion carried 6-0

8. DISCUSSION/APPROVAL/DISAPPROVAL AUTHORIZING THE TOWN ATTORNEY (PIERCE COLEMAN, PLLC) TO PURSUE A CONSTRUCTION DEFECT LAWSUIT AGAINST SOUTHWESTERN ENVIRONMENTAL CONSULTANTS, INC. ("SEC") AND KRISHAN GINIGE, IN HIS CAPACITY AS A PROFESSIONAL ENGINEER AND PRESIDENT OF SEC.

Vice Mayor Moore said in light of information received, she requested to go into Executive Session for more discussion.

On a motion made by Vice Mayor Moore, seconded by Councilor Escoffier, Council moved to enter into Executive Session.

Roll Call Vote:

Councilor Baker: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: absent
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye

Motion carried 6-0

*Adjourn into Executive Session: 8:34 p.m.
Reconvened into Regular Session: 9:09 p.m.*

On a Motion made by Council McPhail, seconded by Councilor Escoffier, Council moved to approve authorizing the Town Attorney (Pierce Coleman, PLLC) to pursue a construction defect lawsuit against Southwestern Environmental Consultants, Inc. (SEC) and Krishan Ginige, and proceed.

Roll Call Vote:

Councilor Baker: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: absent
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye

Motion carried 6-0

9. **Summary of Current Events.** The Town Council and the Town Manager may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will not propose, discuss, deliberate or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda. Summaries may include 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.

Council discussed current events including but not limited to: the Yavapai Apache Nation water meeting; the Yavapai College Governing Board; Fort Verde Days rodeo and parade and routine meetings.

Council discussed upcoming events include Lions Club eye care clinic on October 28, 2023; Turquoise Circuit Block party beginning on Thursday November 2, 2023; Game Con Saturday after Thanksgiving in November, Community Outreach for the Fort Verde Tour and to have two events per annual; MATFORCE seeking teenagers to serve on the Yavapai County Youth Council and Spanish speakers for their bureau; and the Halloween Trunk or treat on October 31, 2023

Town Manager Soltis discussed the Fort Verde day's events, a flyover the Verde river, the relocation of library books and a new process where all citizens concerns may be directed to the Towns website.

10. Adjournment

Mayor Jenkins adjourned the meeting at 9:29 p.m.



Mayor Dee Jenkins

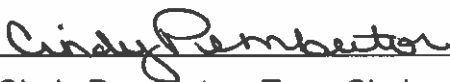


Attest: Town Clerk Cindy Pemberton

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 18, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 8th day of November, 2023.



Cindy Pemberton, Town Clerk