

**(Corrected) MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, AUGUST 7, 2024 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 Cris McPhail, Councilor Jackie Baker, Councilor Jesse Murdock and Councilor Robin Godwin are present.

Also Present

Town Manager Miranda Fisher, Town Attorney Trish Stuhan, Deputy Town Clerk Virginia Jones (via Zoom), Acting Town Clerk Jadie Edwards and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Councilor Murdock 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 – July 10, 2024 at 5:30 p.m.
- 2) Special Session – July 17, 2024 at 6:00 p.m..
- 3) Regular Session – July 17, 2024 at 6:30 p.m.

b) Set Next Meeting, Date and Time:

- 1) Special/Work Session – August 14, 2024 at 5:30 p.m.
- 2) Regular Session – August 21, 2024 at 6:30 p.m.

c) Consideration and possible approval for the Town Finance Director to make the attached budget adjustment labeled BAFY24-02 for the FY24 Budget Year, creating an operating transfer of \$15,128 from the General Fund to the Nonfederal Grants Fund and assigning the amount as State RICO expenses. Staff Resource: Finance Director Michael Showers

d) Consideration and possible approval of amendments to the Town's Salary Plan. Staff Resource: Human Resource Director Julia Kaiser.

- e) **Consideration and approval of Brownfields Grant Application from Arizona Department of Environmental Quality for the Brick Building at 546 S 1st Street.** Staff Resource: Stormwater Specialist Patty Mancini.
- f) **Consideration and approval of Brownfields Grant Application from Arizona Department of Environmental Quality for the Green Building at the Wastewater Treatment Plant.** Staff Resource: Stormwater Specialist Patty Mancini
- g) **Consideration and approval of the Cooperative Purchase Agreement with Cactus Asphalt for the FY25 Pavement Preservation Project.** Staff Resource: CIP Project Manager Martin Smith

Mayor Jenkins would like to pull item 4(d) and Councilor Escoffier Item 4(c) for further discussion.

Motion was made by Vice Mayor Moore to accept the consent agenda excluding Item 4(c) and 4(d). Second was made by Councilor Baker

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye

Vice Mayor Moore: aye

Mayor Jenkins: aye

Motion carried 7-0.

Item 4(d)- Mayor Jenkins is concerned with adding the Economic Development Division Manager position. She explained that Council approved this year's budget with no new hires, positions or payroll increases unless promotions or certification. This could be looked at again mid-year. The council also agreed any replacement positions would be re-evaluated by the manager before hiring. Mayor Jenkins explained the Economic Development Department needs a director and not a manager at this time because of declining state revenues there is an immediate need to develop alternative revenue sources which is the responsibility of a Director. Town Manager Miranda Fisher added context regarding adding the Economic Development Manager position, explaining the perception of Molly Davies roll in both of the Economic Development Director/Town Manager positions. She would like time to sort this out at a later time. Mayor Jenkins would also like to know more about the manager positions spread across the different pay groups.

Councilor Escoffier would also like to know about the classifications of the different managers and directors. Specifically, she questioned the Library Director position compared to other directors who are at a higher level. In response to comments from the Council, Manager Fisher said she would take some time to review the pay scales.

Motion was made by Vice Mayor Moore to approve the salary plan with the changes as discussed, excluding the Economic Development Manager position. Second was made by Councilor Escoffier.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye

Vice Mayor Moore: aye

Mayor Jenkins: aye

Motion carried 7-0.

Item 4(c)- Councilor Escoffier asked about the previously approved amount of \$13,000 and the amount of the adjustment is over \$15,000, but most importantly are there protocols in place to make sure the money is being spent correctly in the grant. Marshall Rowley explained money cannot be taken out of the RICO Fund unless he goes to the Chiefs to get approval. Manager Fisher explained that this will make the RICO Fund whole because the amount originally received by the Town is what must be returned.

Motion was made by Councilor Escoffier to approve Consent Agenda Item 4(c). Second was made by Councilor McPhail.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye

Vice Mayor Moore: aye

Mayor Jenkins: aye

5. **Call to the Public for 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))

Benny King- wanted to bring to the Council's attention that the Verd Ditch Company is piping the Verde Ditch from the marijuana place to Basha's. He said he and his neighbors are concerned about the changes that could come with this.

6. **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.

Councilor Godwin attended the Verde Valley Chamber Mixer that was hosted by the Yavapai Apache Nation at the Casino.

Councilor McPhail attended the Verde Valley Chamber Mixer and Teen Game Night.

Councilor Escoffier gave kudos to the Immediate Care in town, the staff was great. She also met with Greg Miranda, Camp Verde Bicycle Company, who is looking to open a mobile bike shop.

Councilor Murdock said the Camp Verde Unified School District started school today. Please be aware of school buses and children.

Mayor Jenkins attended her usual biweekly meetings; she participated in The Town Clerk interview process and Meet & Greet. She and the Manager toured the County offices and discussed future projects. Today started the 3-day Arizona Rural Policy Forum in Clarkdale.

Town Manager Miranda Fisher touched on a few topics-

- Officially formed the Technical Advisory Group for the General Plan. The 1st meeting will be Tuesday, August 13th.
- A Special Session is scheduled Wednesday, August 14th it will be regarding retail marijuana.
- Livestock Ordinance, the work group met July 25th. Ms. Fisher reviewed the meeting. The Ordinance is posted on the website and they want public comments.
- The position of Town Clerk was offered to Leigh Rhodes, she is set to start August 26th.
- The pool has been temporarily closed due to maintenance issues. Actively evaluating how to get it repaired as soon as possible.

Mayor Jenkins would like to move up Agenda Item 12 seeing that Yavapai Apache Nation Chairwomen Tonya Lewis is in attendance.

- 12. Discussion, consideration and possible approval or Resolution 2024-1147, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving the Yavapai-Apache Nation Water Rights Settlement Agreement among the United States of America, the State of Arizona, the Yavapai-Apache Nation, the Salt River Project Agricultural improvement and Power District, the Salt River Valley Water Users' Association, the Central Arizona Water Conservation District, the Town of Camp Verde, The Town of Clarkdale, and the City of Cottonwood and authorizing the Mayor to execute the Settlement Agreement and all documents necessary to carry out the Settlement Agreement. (Staff Resource: Town Manager Miranda Fisher)**

Town Manager Miranda Fisher gave an overview of the item. The agreement is a result of years-long negotiations spanning various Town Council Members, Mayors, Tribal Chairs and Tribal Council Members, and has been recommended for approval by the Town's water rights attorney.

The Agreement between the Town and the Yavapai-Apache Nation ("the Town's Agreement") is an attachment to the larger Settlement Agreement that is being introduced at the request of the Nation as legislation in the United States Congress. The Town's Agreement will settle water rights claims between the Town of Camp Verde and the Yavapai-Apache Nation. In addition to establishing recognized water budgets that allow for responsible growth and water usage, the Town's Agreement outlines processes that will ensure cooperation in the development of long-term water resources between the parties. Notably, the Town's Agreement is specific to claims between the Town and the Nation, and does not settle claims by individual property owners in Camp Verde that may have their own water rights claims pending in the Gila River Adjudication. The ultimate enactment of the Town's Agreement will be subject to Congressional approval of the Nation's larger Settlement Agreement. When approved by Congress and other parties, the larger Settlement Agreement will permanently resolve the Nation's water rights claims in the Verde River Watershed.

Yavapai Apache Nation Chairwomen Tonya Lewis introduced herself and gave a brief history of the importance of water and the Verde River to the Yavapai Apache Nation and to the Verde Valley as a whole. She spoke about the importance of this agreement in protecting water and the Verde River for future generations.

Mayor Jenkins, Council Members and Utilities Director Jeff Low (via ZOOM) thanked everyone who was involved in putting this agreement together.

Public Comment

Toni Gioia is in support of this agreement and thanked everyone involved with putting this agreement together.

Motion made by Councilor Baker to approve Resolution 2024-1147, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving the Yavapai Apache Nation Water Rights Settlement Agreement. Second was made by Councilor McPhail.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye

Vice Mayor Moore: aye

Mayor Jenkins: aye

Motion carried 7-0.

7. Special Announcements and Presentations:

• **Planning & Zoning Quarterly Report**

Planning and Zoning Commission Chair Drew Faiella presented the Planning and Zoning quarterly Report.

8. Discussion, consideration and possible adoption of Resolution 2024-1139, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving Use Permit 20240139, with conditions for Elizabeth and Monte Pierce for property generally located at the South end of Road Ranger Lane (APN 404-02-129A). Staff Resource: Planner Cory Mulcaire

Staff Comment

Planner Cory Mulcaire explained the applicant applied for a Use Permit to build a 60-unit RV Park on their property located at the South end of Road Ranger Lane (APN 404-02-129A). The staff is recommending adding conditions to the permit as well as the Planning and Zoning Commission is recommending additional conditions to the permit. The Council may have to wait until we redo the RV Park Ordinance to add length of stay restrictions.

Applicant Comment

Monty Pierce explained it is a 48-unit RV Park and not 60. He did a slide show presentation of the plans for the Council to review. Travis Brewer also talked about some items in the plan. Mayor Jenkins read through the additional conditions. The applicant is ok with the additional conditions with the exception of the "no long-term stay" condition. They would like to have 9 long-term spaces.

Town Attorney Trish Stuhan reviewed how the code would work and how changes could affect parks that are already established. She suggests amending the letter of intent changing the number of RV sites to 48 (not 60 that are listed in the letter) and adding the stipulations which are listed in the PowerPoint presentation.

Council Discussion

Vice Mayor Moore asked the applicant for clarification regarding the 9 long-term spaces requested including location of those spaces and the construction of a block wall to separate the RV park from residential neighbors. She noted the differences between what the Planning and Zoning Commission recommended for stipulations to the use permit and what staff is recommending for the stipulations. The Commission recommended water conserving plants and a water harvesting mechanism be included in the landscaping design and that 25% of the property be reserved for open space. It was noted that the property would have a landscaped buffer zone along the perimeter of the property. She also spoke about limiting long term stays at the RV park in order for the Town to collect the RV space rental sales tax, with Attorney Stuhan explaining that the Council could not add a stipulation for

this RV park that was not included in Town Code and not enforced upon other/existing RV parks.

Councilor Escoffier stated this is a good location for an RV park but she had some concerns. She questioned the applicant how they would determine if/when the septic system exceeds 3000 gallons per day, as stated in the recommended conditions, with the applicant replying they were aware they would be exceeding that amount per day and are already working to design an on-site wastewater treatment system. When asked about the impacts to Hwy. 260, Mr. Pierce said, if a traffic study and ADOT required a turn lane, they would comply. Upon a question from Councilor Escoffier, the applicants used the site plan PowerPoint slide to show where the main ingress/egress would be and where an emergency egress would be located.

Councilor Murdock reviewed the reasoning and process of the Use Permit and offered to make a motion.

Councilor Escoffier stated she had questions and concerns with the wording of the resolution itself. Specifically, she noted that the Letter of Intent referenced in the resolution and presented to Council as part of the approval listed a request for a 60 space RV park instead of the 48, the applicants were now asking for. In addition, the last Whereas listed in the resolution referenced a public hearing before the Town Council, yet the agenda did not state a public hearing was taking place for this item. She also noted that the third Whereas of the resolution was overly broad and was not specific to this particular request. Town Attorney Stuhan stated that a public hearing was advertised in the local newspaper and notice was sent to property owners per state law and recommended the Mayor conduct a public hearing. In regards to the third Whereas, she agreed it was general in nature and really didn't serve a purpose and could be removed.

Public Hearing open: 7:51 p.m.

Robert Corcorn said the neighborhood is against this plan; there are too many mobile home parks in the neighborhood. He also expressed concern about lighting for the RV park as there is a bright light in the trucking business yard that he believes does not meet the Town Code.

Public Hearing closed: 7:53 p.m.

Councilor Escoffier said she would feel better about this Resolution if it came back to Council with a corrected Letter of Intent to show the updated number of spaces and the third Whereas either removed from the resolution or made specific to this request. Town Attorney Stuhan explained the council could request it come back with the changes, or the changes could be stated in the motion.

Motion made by Councilor Murdock to adopt Resolution 2024-1139, a Resolution of the Mayor and Common Council of the Town of Camp Verde, with amendments to Resolution 2024-1139 to state: Property #APN 404-02-129A to accept staff

recommended conditions *Attachment D*, recommended conditions #1 The applicant shall comply with the requirements contained in an **updated** Letter of Intent to note 48 spaces and the bullet points outlined in the presentation to council and the Site Plan updated to note 48 spaces. Upon approving the Use Permit 20240139, with conditions for Elizabeth and Monte Pierce for property generally located at the South end of Road Ranger Lane (APN 404-02-129A). Second was made by Councilor Baker.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye

Vice Mayor Moore: aye

Mayor Jenkins: aye

Motion carried 7-0.

Meeting break: 8:00 p.m.

Meeting resume: 8:05 p.m.

9. **Discussion, consideration and possible adoption or Ordinance 2024-A495, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending the Planning and Zoning Ordinance Section 203.L – Use Districts – PAD (Planned Area Development).** Staff Resource: Planner Cory Mulcaire.

Planner Cory Mulcaire explained Town Council, along with the Planning and Zoning Commission held a Joint Work Session on April 22, 2023. From that session, staff was directed to update the Planned Area Development District (PAD). Ms. Mulcaire reviewed the changes. The Planning and Zoning Commission unanimously recommended approval of the draft PAD Ordinance, updating Section 203.L of the Planning and Zoning Ordinance. Community Development Director John Knight clarified there was some discussion about requirements.

Public hearing open: 8:13 p.m.

Public Hearing closed: 8:14 p.m.

Staff Comments

Town Attorney Trish Stuhan likes the changes made and recommends authorizing final changes made by the town attorney.

Motion made by Councilor McPhail to adopt Ordinance 2024-A495, with the final changes from Legal Counsel. Second was made by Councilor Baker.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye
Motion carried 7-0.

10. **Discussion, consideration and possible approval to purchase an HX30A Vacuum Excavator and Trailer and giving authority to the Town Finance Director to sign any and all necessary documents to secure a 5-year lease with US Bank in the amount of \$79,579.82 as per the attached quotes.** (Staff Resource: Utilities Director Jeff Low)

Utilities Director Jeff Low (via ZOOM) read through Finance Director Mike Showers comments, stating where the funds are coming from and what needs approved. Mr. Low continued and said the Vac Trailer is needed to provide a safer work environment while locating and working around other utilities, especially power and natural gas. Currently, Water Division staff are hand digging areas to find leaks. The Vac Trailer will reduce man hours and other equipment needs, reducing road closures and making for shorter water outages due to leaks. Staff is also planning to utilize the Vac Trailer to find potential utility conflicts for the Water Main Replacement Project design (Verde Village, Park Verde Estates and Fort Verde Caves areas). This will save significant funding.

Motion made by Vice Mayor Moore to approve the purchase of an HX30A Vacuum Excavator and trailer and giving authority to the Town Finance Director to sign any and all necessary documents to secure a 5-year lease with US Bank in the amount of \$79,579.82 as per the attached quotes. Second was made by Councilor McPhail.

Roll Call Vote:

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

Motion carried 7-0.

11. **Discussion, consideration and possible approval of Change Order 4 requested by Ligon Excavation for the Camp Verde Sports Complex Watermain Installation Project in the amount of \$27,567.64.** (Staff Resource: CIP Project Manager Martin Smith)

CIP Project Manager Martin Smith stated while excavating the proposed watermain at the sports complex the contractor has encountered several conflicts with existing utilities. Some of these conflicts were able to be resolved quickly, others have caused the contractor to incur extra expense in relocating the watermain to provide required clearances with the existing utilities. On the second day of construction the contractor encountered a 6" PVC reclaimed water lateral that was not shown

on the approved plans. This lateral was at the same elevation as the proposed watermain, causing the contractor to have to excavate deeper to get underneath the existing reclaimed water lateral while providing the required utility separation. While excavating the trench for the proposed watermain to cross Champion Trail the contractor discovered several conflicts with the existing 8" PVC reclaimed watermain, 6" PVC forcemain, and 8" PVC sewer. While the forcemain was shown in plan view on the plans, it was not shown on the profile and had a direct impact on the design of the proposed watermain. Due to these conflicts the contractor needed to deviate from the design of the proposed water main to get around the conflicts while providing the required separation from the existing utilities. Staff will exhaust the remaining Owner's Allowance to offset the effect of this change order; however, there is not enough funding in the allowance to completely cover these costs. Staff is requesting an additional \$17,487.26 to cover the cost of these changes. He has zeroed out the contingency in order to cover most of the cost. The revised budget will be uploaded to the website once it is complete.

Motion made by Councilor Godwin to approve Change Order 4 requested by Ligon Excavation for the Camp Verde Sports Complex Watermain Installation Project in the amount of \$27,567.64. Second was made by Vice Mayor Moore.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Godwin: aye

Councilor Escoffier: aye

Vice Mayor Moore: aye

Mayor Jenkins: aye

Motion carried 7-0.

13. Adjournment

Mayor Jenkins adjourned the meeting at 8:37 p.m.



Mayor Dee Jenkins



Attest: Town Clerk Virginia Jones

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 August 7, 2024. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 5 day of September, 2024.



Virginia Jones, Town Clerk