

MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 7, 2018 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 German called the meeting to order at 6:30 p.m.

2. Roll Call

Mayor Charles German, Vice Mayor Jessie Murdock, Councilor Robin Whatley, Councilor Dee Jenkins, Councilor Brad Gordon, Councilor Jackie Baker and Councilor Buck Buchanan were present.

Also Present

Town Manager Russ Martin, Finance Director Mike Showers, Community Development Director Carmen Howard, Town Clerk Judy Morgan, and Recording Secretary Jennifer Reed were present.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Consent Agenda.

a) Approval of the Minutes:

- 1) Regular Session – October 3, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, November 14, 2018 at 5:30 p.m. – Work Session-CANCELLED
- 2) Wednesday, November 21, 2018 at 6:30 p.m. – Regular Session– Meeting CANCELLED per Resolution 2018-994
- 3) Wednesday, November 28, 2018 at 6:30 p.m. – Council Hears P&Z Matters
- 4) Wednesday, December 5, 2018 at 6:30 p.m. – Regular Meeting

- c) Council to award Bid #18-131, in Fiscal Year 2018/19 for Asphalt Paving on Aultman Parkway to the Contractor: Asphalt Paving & Supply Inc., in the amount of \$106,666.66.**

Councilor Baker asked to pull Item 4c for questions/discussion.

Motion was made by Councilor Gordon to approve the consent agenda excluding Item 4c. Second was made by Councilor Whatley. Motion carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving.

4.c. Councilor Baker asked Public Works Director Ron Long about the motion date of FY17-18. Mr. Long said it should read FY18-19.

Councilor Baker asked about chip seal work completion, as many roads near her home are not done that were on the list to be done. Mr. Long explained they did all they could fit in, in the time frame the contractor had. Mr. Long said there were extra roads added to the list to be completed if time allowed, but the contractor had other commitments with start dates. Councilor Baker has had questions from the public regarding this. She asked if t paving old Highway 279 is being done since ADOT is completing Highway 260. Mr. Long spoke on the impact to access roads off Hwy 260, in this area. This paving is to support the heavy truck traffic. Councilor Baker asked if they are using the leftover funds from the chip seal project, to finish this project. Mr. Long confirmed and explained the amount of streets chosen was based on an estimate. They received such a good bid they had money left over, so they put many roads into the project.

Councilor Gordon asked if the contractor get all the linear feet done or is he coming back to finish up. Mr. Long said yes, the job was completed before the contractor left.

Public Comment was taken on 4c. Joe Butner spoke on the history of this project and it coming before the Council without the actual contract in the packet. He stated he felt that contract should be in the packet.

Mr. Long stated the contracts have never been in the Council packet because the contract isn't signed by the contractor until it has been awarded. The contract has already been cleared by the lawyer, he has reviewed it, we just haven't put them in the packet because it's not been signed yet. If this is something the Council wants, he suggested they can change this procedure.

Councilor Baker isn't happy with the amounts of money being considered and the work that got done.

Vice Mayor Murdock said a dollar amount was budgeted for various projects to complete paving and chip sealing, and she feels comfortable with the budgeted amount that was approved.

Motion was made by Vice Mayor Murdock to award Bid #18-131, in FY 18-19, for asphalt Paving of Old Hwy 279 and Aultman Parkway, to the Contractor: Asphalt Paving & Supply in the amount of \$106,666.66. Second was made by Councilor Gordon. **Motion** carried with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, and Buchanan approving. Councilor Baker voted against.

5. Special Announcements and presentations.

5.1 Promotional ceremony and badge presentation for the promotion of Steve McClure to the position of Sergeant with the Marshal's Office. [Staff Resource: Marshal Corey Rowley and Commander Brian Armstrong]

This Item was pulled from the agenda.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

Linda Buchanan- thanked Council for their conduct during the election season and thanked them for their service. She spoke on citizen input usually being negative rather than positive feedback. She spoke on expecting a response when submitting a correspondence to Council via emailed. She thinks a courtesy note should be sent to say the comments have been forwarded.

Cheri Wischmeyer- spoke on the high turnout of audience members at tonight's meeting and the need to offer more chairs for the public. She spoke regarding contracts; she would like to see the contracts in the packet and having more information available to the public.

7. Business. Legal action can be taken.

7.1 Review and possible approval of Courier Agreement with Yavapai County Free Library District (YCFLD). [Staff Resource: Kathy Hellman]

Kathy Hellman provided a PowerPoint Presentation and drew the Council's attention to the savings that this contract provides to all libraries in the network. She spoke on a new mobile app for their online catalog. The contract saves the Camp Verde Community Library \$4,073.72 annually. They were able to work out a new system "downstream" for the courier. It will have much more consistent delivery time and quicker turnaround.

Mayor German asked if we are good to go on the termination of the contract. Ms. Hellman stated the attorney wants to make sure, when the contract is in place that we have a copy of the insurance.

Councilor Jenkins stated the item on the screen isn't included the packet and would like a copy. Ms. Hellman stated she didn't have it in time for the packet but will get her a copy.

Motion was made by Vice Mayor Murdock to approve the Courier Agreement with Yavapai County Free Library District (YCFLD). Second was made by Councilor Whatley. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving.

7.2. 1-Year Review of Salt Mine Winery Use Permit. [Staff Resource: Carmen Howard]

Community Development Director Carmen Howard stated that she has a Use Permit for Salt Mine Winery that is up for its annual review. She stated there was a stiff condition placed on this Use Permit. Ms. Howard said there has been absolutely nothing but good things said about Salt Mine Winery. Ms. Howard spoke on the mission of her department to afford every citizen of Camp Verde the flexibility to engage in the pursuit of commerce through the private use of property, without being impeded upon, or impeding upon others. A use permit is powerful because it allows someone to engage in a use in an area that you are not normally allowed to do. There are other documents and codes that give them the authority to enforce the codes. Ms. Howard believes her department has demonstrated significant ability to enforce the town codes in an efficient and fair manner. She is asking Council to review Salt Mine Winery's Use Permit. The

original permit placed a restriction to the hours of operation to Saturday, Sunday and Holidays from 10am-4pm. The only method they have right now, to expand on those hours, is to go through the whole use permit process again. Therefore, she would like to remove those restrictions, allowing them to expand their hours of operation.

Councilor Whatley asked what the hours would change to. Ms. Howard would like the applicant to determine what works best for them.

Councilor Jenkins spoke on legalities and asked if it is setting a precedence to change something without going through the process. Ms. Howard explained that coming to the Council is the process, and they are coming back to them in a year's time. In the past decade, the town Council has been removing the time limit stipulations in the use permit process.

Mayor German reminded Council the applicant is under an obligation that if there is a complaint they must comply or lose their permit..

Councilor Baker asked if the applicant will suggest his hours of operations. Ms. Howard stated she believes the business owner would have the best idea of what works for his business. Therefore, allow him the flexibility to do that properly. There is another winery that has no limit to hours.

Applicant Comment- Chip Norton explained that initially, without having prior experience, he didn't know what everyone else is doing. He said most tasting rooms run from noon to 5pm or 6pm. He has gotten some comments from the public as to why they are only open on Saturdays and not Sundays. He thinks they would be more profitable if they are open on Sunday.

Councilor Baker asked what hours he would like to be open. Mr. Norton said he would like to have the option of being open on Fridays, Saturdays, and Sundays and having winter hours and summer hours.

Public Comment- Economic Development Director Steve Ayers spoke on the arbitrary manner way these permits have been doled out the last few years, which makes it very difficult to meet with someone and make investments. The permits have different rules and restrictions; we want to encourage them to stay. He suggested to the Council to grant the use permits as an open use permit, with the businesses regulate themselves. Have guidance, maybe a work session to create some kind of continuity as to how to standardize use-permits and only bring a use permit back if there are problems.

Ms. Howard asked to remove the time period stipulation and let them deal with it. They are the best stewards as to what works at their house.

Motion was made by Councilor Whatley to remove the conditions from Resolution 2017-982, Salt Mine Winery Use Permit 20170168. Second was made by Councilor Gordon. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving

7.3. Discussion, consideration and possible approval of an agreement to lease property generally described as land to the east of the current wastewater treatment plant on the property currently used for treatment as approximately, 1000 E State Route 260 to the Camp Verde Arena Association (CVAA). Including but not limited to use of Town-owned arena facility and financial investment in the initial phase(s) of the development of an arena and associated improvements on Town-owned property. [Staff Resource: Russ Martin]

Town Manager Russ Martin gave an overview: wants to focus attention on staff's recommendation; this group has organized quickly, effectively and with few resources; wants to give them some resources, to get to a point where they can be successful; fundamentally there is more development that needs to happen; need to develop good base foundation to work from while protecting the liabilities of the town. Staff wants to engage an engineer to get a set of grading drawings to prevent flooding; then attorney direction for legal soundness. A lease of public property will require the "public benefit", established through an Economic Study, and identifying its problems and solutions to those problems.

Camp Verde Arena Association President Mary Phelps spoke on efforts with the association and her personally to get this done. She believes the arena will bring revenue to Camp Verde. She gave a PowerPoint Presentation showing the proposed site. She reviewed the amenities the proposed rodeo grounds would have and a list of events that could come to Camp Verde to use the arena.

CVAA Secretary Daria Weir explained two arenas are needed for the schools to be able to use the grounds. Ms. Phelps went on to review the accomplishments of the association:

- Acquired their Corporation, they are now the Camp Verde Arena Association Corporation.
- Final stages of the IRS filing for a 501c3
- Finalized the bylaws
- Reviewed with Ron Long and Carmen Howard the site plan, the annexation by town because the property is in the County's jurisdiction
- Received the ADOT drainage report
- Surveys and maps were completed by Heritage Survey, who donated their time
- Developed partner relationships with community members
- Moved the arena to the site and did a complete inventory, which showed items were missing.
- She worked with Economic Development Director Steve Ayers.

Economic Development Director Steve Ayers- feels this is a huge driver for the Town and a “cool” idea. He suggests creating a Memorandum of Understanding (MOU) between CVAA and the Town. There are many unanswered questions and recommended slowing it down and building the process. He stated that he and Ms. Phelps will develop a MOU in 30 days and bring it back to Council to show what the financial picture would look like through phasing. By the first of the year he thinks he can get good estimates, will look into having Yavapai College conduct an Economic Impact Study, using the study to pursue grants.

Heritage Land Surveying and Mapping Jesse Sharp has done surveys on the property, including a Topographic Survey, exhibit drawings and is now working on the drainage report. He has offered to do the drainage and grading Pro-bono to help out the kids in the community.

Mary Phelps added that APS is willing to donate their time for the lighting and electrical side. They are working to get more donations and doing fundraisers to get the project done. They need an agreement, to put this in place; need financial help to move to the next stage. Tonight they ask for an agreement and financial help.

Members of the Public that spoke in support of the project:

- Kaylee Barker
- Jody White
- Reagen Warren
- Shayna Hawkins
- Casey Sealey
- Joe Butner

Other Comments from Members of the Public:

Zackary Wolfe spoke in support of giving the private sector a chance to fill this need, taking a conservative approach.

Linda Buchanan spoke in support of taking thoughtful and strategic course of action, completing critical steps first without committing public money. She suggested bringing the parks and recreation committee back for their feedback.

Manager of Jack Pot Ranch, Amy Finley spoke on their time and commitment to providing this service in Camp Verde and considering how this project would impact private arenas.

Cameron Gressly asked why this project couldn't be done privately, consider hiring a financial advisor put together a proposal, consider this project could stir resentment from private arena owners and burden the town with taxes.

Councilor Baker spoke on being inspired by CVAA and encouraged the committee to take proper steps. She recommended having a work session with CVAA to goal set. She is unclear about the 99-year lease, and knows the attorney has a real problem with that, it is being worked on to bring back to the Council. This will be a Public/Private Partnership to accomplish this kind of things. She is in support of the arena. State law doesn't allow the use of public money for any

private entity or individual (gift clause). Mr. Martin spoke on the gift clause and the need to add "where as's" to defend the use of public funds.

Mayor German confirmed with Ms. Phelps the MOU will be brought back in 30 days. He then asked Mr. Martin about "seed money" for the project. Mr. Martin spoke on setting cost structure, therefore needing seed money. Mr. Martin stated the \$80k is based on an engineer's reduced cost estimate. Mayor German suggested adding a "not to exceed" stipulation in the MOU and bring it back in 30 days. Ms. Phelps spoke on costs for the Economic Impact Study and replacement arena parts, therefore asking for \$200,000. Daria Weir spoke on having enough to cover expenses for those donating their time.

Economic Development Director Steve Ayers spoke on working on creating the MOU and asked the committee to provide a Phase I amount, where work can start on the project. Mr. Martin spoke on being uncomfortable with putting more than just a little money to get to that point, and he wants to make sure Council is engaged, saying the MOU allows them to get there more quickly while avoiding potential liabilities. He needs a dollar amount to work with to get to a clearer number. Staff based this on the \$200,000 that was in miscellaneous in CIP. This would be a use of reserve funding to backfill what was budgeted.

Mayor German stated the first step is the MOU Agreement, then they have a clearer projection of costs.

Councilor Gordon explained Council is limited on what they can spend unless there is a special session to redo the budget. They cannot spend money out of the budget unless it is coming out of a budgeted line item (another project). The MOU needs to be vague enough to make sure they are not pinned down to a specific number. This is a great idea and he would like to see them succeed but they need to go through the process. He asked again where exactly the \$80,000 is coming out of. Mr. Martin stated this will come from the Reserve Fund balance.

Councilor Gordon disagrees with using the Reserve Fund for this purpose. He would like to see someone come to the table with engineering and hydrology reports. Those are expensive and it is too much liability for the town to use its on-staff engineers.

Councilor Jenkins wanted to clarify the only money in the budget that is available is \$200,000. Mr. Martin explained it is from the reserves.

Ms. Phelps said the money they are asking for allows them to move smoothly and correctly until the next budget. Mr. Martin explained they will have other opportunities for assistance during this fiscal year. This is the first step to establishing what they need for this project.

Councilor Whatley thinks they are well on the way, and she has a problem with the money since it wasn't budgeted for and would use the Town's reserves. She would like to see them plan for it and come back during the next budget process. She asked Mr. Martin, how seed money works with the gift clause laws. Mr. Martin stated it would be the Town's development of our plan, on our property. This is why the MOU is critical to this phase, to get the legal documents in place.

Councilor Baker asked whether they could use some of the sports complex project funds for this project instead, with those funds replaced in later years with the returns from the arena revenues. Mr. Martin answered, yes it is a possibility but as there is no mention of this project in the sports complex funding documents it could be a violation of SCC Rules, since investors have invested in the project itself. This is not a conservative approach and Staff is avoiding using that money unless that is what it was planned for. The bond attorney will want to know if it structurally meets the requirement.

Camp Verde Arena Association Treasure, Charlotte Salsman is in favor of the arena. She said the Association can't accept money until they get their 501c3. The Town would be responsible for paying the bills upfront.

Councilor Whatley commented, in the packet one of the suggestions would be to take the money from the Camp Verde Sports Complex Fund. Ms. Whatley stated she will fight until her last breath to keep that from happening. We have worked for that Sports Complex for over a decade. The people of Camp Verde were promised those fields. If money were to be taken from this fund it would directly limit the amount available for park features in the proposed phase one of the improvements. This is not a viable solution.

Councilor Gordon is not in favor of taking money from park project either.

Mayor German would like to do the arena project right. They have investors for the sports park, and he doesn't want it to be perceived they are changing their direction, as well he doesn't want it to be challenged spending money for legal defense.

Vice Mayor Murdock spoke on the youth and building an incredible sports complex. She wants to be able to move forward with this (arena) and doesn't want progress to slow down. She wants to see it happen. She is ready to make a motion or direct staff.

Mayor German said he has been approached by people in the community to put it on the ballot in March. This will allow for more community input. Mayor German stated he would like them to move forward on the MOU only, tonight.

Vice Mayor Murdock said years ago the town was struggling. The community is feeling good now. There are investors coming in to town. When she votes on a budget, she doesn't look at it as a financial burden to the community, it is investments back into the citizens. These citizens are owed what they put into the system. At some point in time you have to pick something that starts the wheel of economics. She has expectations of the Town Manager, Economic Director and Finance Director to lead us in the way that the town should be going. They have the knowledge to do this. We may need to slow this down to do it the right way but hopes her fellow council members support her when she states she is in favor of the entire project.

Motion was made by Vice Mayor Murdock to direct staff, along with the town attorney, to continue to work with CVAA to formalize a design and accomplish the standards as required for the development of the land, following the

development review process while also establishing an economic study necessary to utilize additional funding, move to authorized funding not to exceed \$80,000.00 to acquire the design and fulfill the requirements necessary for development as well as the revised lease agreement. Second was made by Councilor Jenkins. Councilor Whatley stated this needs to be in the budget. **Motion** carried with Mayor German, Vice Mayor Murdock, Councilors Jenkins, Gordon, Baker and Buchanan approving. Councilor Whatley opposed.

Recess: 8:33pm

Resume: 8:43pm

7.4. Discussion, consideration and possible approval of changes and additions to the Comprehensive Economic Development Strategy (CEDS) for the Northern Arizona Council of Governments 2019 District Projects, Goals and Priorities that is submitted annually to the federal Economic Development Administration (EDA). [Staff Resource: Russ Martin, Steve Ayers]

Town Manager Russ Martin explained this is an annual conversation with NACOG. Mr. Martin, Mr. Ayers, and Councilor Baker have discussed recommending some additions and wanted Council's blessings to do so.

Councilor Gordon asked a question regarding the transportation section, that it covers everything that could be done relating to transportation. Mr. Martin explained that this is the minimum criteria for the application, being able to tie projects to the language.

Motion was made by Councilor Gordon to direct staff to submit to NACOG these changes to the 2019 Comprehensive Economic Development Strategy (CEDS). Second was made by Councilor Baker. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving

7.5. Discussion, consideration and possible approval of job description update for Economic Development (ED) Director and creation of an ED Projects Manager to include but not limited to possible changes to the job description and salary plans within the ED Office. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated for the ED Director position, the previous "Range" number was 73, and the new number is 90. The draft included, incorrectly reflects this old range number, although the wage amounts are correct. This is just an update to the job description, without any recommended change to the salary.

The second item is the creation of an ED Project Manager position (and job description), to create a more accurate description of what the position entails. This change requests a change to the salary for this position as well.

Motion was made by Councilor Jenkins to postpone discussion and approval on this item until the next regular meeting. Second was made by Councilor Baker.

Mayor German spoke on possible concerns that postponing this item may impede what is going on in the Economic Development Office. Economic Development Director Steve Ayers stated the individual is doing things that were not in the job description. There wasn't time to follow up on the agreements. Now the description is more of an accurate description. Project Managers typically make \$90-\$140 thousand a year. She has remarkable talent and is getting her certification. It is unfair to continue to pay her as an Administrative Person.

Councilor Jenkins wanted to clarify that this will change her classification and her pay. Steve's will have no monetary affect. Mr. Ayers stated there was some flexibility built into his budget to give a raise with the new job title, as Sebra has gotten some grants to offset budgeted amounts.

Motion carried with Mayor German, Councilors Jenkins, Baker and Buchanan approving. Councilor Whatley, Gordon and Vice Mayor Murdock voting against.

7.6. Discussion, consideration and possible approval of the DRAFT Citizen Complaint Form and Procedures followed by direction to Staff. [Staff Resource: Russ Martin, Carol Brown]

Motion was made by Councilor Jenkins to postpone this item for additional work. Second was made by Councilor Baker. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

Cheri Wischmeyer wanted to speak about the importance of getting information to the public. She spoke on wanting to be more involved in the analysis of what comes before the Council; fairness and consistency; and giving the public enough time to review the information in advance of the meeting.

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are the Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. 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 Baker- attended a NACOG Regional Meeting and will leave the notes with Clerk due to the lateness of the hour.

Councilor Gordon- attended Trunk or Treat.

Vice Mayor Murdock- attended Trunk or Treat. Great to see more businesses in the area participating.

Mayor German- attended Trunk or Treat.

Councilor Jenkins- attended Trunk or Treat. Applied for and was accepted to be on

the Yavapai County Workforce Development Board. She will represent Camp Verde because they were not represented. Her term is 2 years.

Councilor Whatley- attended Trunk or Treat. She received great compliments on the Wizard of OZ Themed decorations provided by the Clerk's Office.

Vice Mayor Murdock- Thursday, November 15th, there is an Intergovernmental Meeting in Jerome at 6pm. Town Manager Russ Martin gave a meet time for Council members wishing to carpool for the meeting.

10. 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.

Town Manager Russ Martin:

- "All Hands" Staff meeting will start at 7 a.m., with breakfast, Wednesday November 14th at the Library.
- Council Retreat is scheduled for Thursday, January 3rd 8 a.m. – 2 p.m. Field trip is included. He requested Council get topics for discussion to him ASAP. Explaining they will need these topics in advance so they can be agendized, in order for them to be discussed at the meeting.

11. Adjournment

Mayor adjourned the meeting at 9:13 p.m.


 Mayor Charles German

Attest:

 Town Clerk, Judy Morgan

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on November 7, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 5th day of December, 2018.


 Judy Morgan, Clerk