



**AGENDA
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, APRIL 19, 2023 AT 5:30 P.M.**

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/86248411899?pwd=LzR6eTdPallacHRENfZvRUU3Z1RDZz09>

One Tap Mobile: 1-669-444-9171 or 1-669-900-9128

Meeting ID: 862 4841 1899

Passcode: 295027

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

1. Call to Order

2. Roll Call. Council Members Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins

3. Pledge of Allegiance

4. Review, Discussion and Possible Direction to staff regarding possible changes to chapters one (1), two (2), three (3) and four (4) of the Town Code. Staff Resource: Cindy Pemberton

5. Adjournment

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bashas on 04/13/2023 at 4:00 p.m.

Cindy Pemberton

Cindy Pemberton, Town Clerk

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021.

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Agenda Item Submission Form – Section I

Meeting Date: April 19, 2023

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session/Council Discussion

Requesting Department: Town Clerk

Staff Resource/Contact Person: Cindy Pemberton

Agenda Title (be exact: Review, Discussion and Possible Direction to staff regarding possible changes to chapters one (1), two (2), three (3) and four (4) of the Town Code. Staff Resource: Cindy Pemberton

List Attached Documents: Copy of Town Code Chapter One (1) Thru Four (4)

Estimated Presentation Time: 45 Minutes

Estimated Discussion Time: 45 Minutes

Reviews Completed by:

Department Head: _____ Town Attorney Comments: N/A

Finance Department N/A
 Fiscal Impact: None
 Budget Code: _____ Amount Remaining: _____
 Comments:

Background Information: Staff has been working on updating the Town Code. A Group of employees from each department worked together to identify errors. We are now asking for Council to look at the content to make sure the Code reflects Council intentions.

Recommended Action (Motion): Direction to staff.

Instructions to the Clerk:

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TOWN OF CAMP VERDE TOWN CODE

CHAPTER 1 GENERAL

ARTICLE 1-1

HOW CODE DESIGNATED AND CITED (1996-A116) (2006-A332)

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the Town of Camp Verde, Arizona," and may be so cited. Such code may also be cited as the "Camp Verde Town Code."

ARTICLE 1-2

CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the Town unless such construction would be inconsistent with either the obvious intent of the Council, the context of this code or the ordinances of the Town.

ARTICLE 1-3

DEFINITIONS

SECTION 1-3-1 GENERAL RULE REGARDING DEFINITIONS

All words and phrases shall be construed and understood according to the common and approved use of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

SECTION 1-3-2 DEFINITIONS (2021-A460)

Acts by Agents. When an act is required to be done which may by law be done by an agent as the principal, such requirements shall be construed to include all such acts when done by an authorized agent.

And, Or. "And" may be read "or," and "or" may be read "and," if the sense requires it.

Code. When the word "code" is used, it shall mean the Town Code of the Town of Camp Verde, Arizona unless the context indicates otherwise.

Council. When the word "Council" is used, it shall mean the Town Council of the Town of Camp Verde.

County. When the word "county" is used, it shall mean Yavapai County, Arizona unless the context clearly indicates otherwise.

Day. "Day" is the period of time between any midnight and the midnight following.

Daytime, Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

Department, Board, Commission, Office, Officer or Employee. Whenever any "department, board, commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer or employee of the Town unless the context indicates otherwise.

Gender: Singular and Plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.

Joint Authority. All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

Month. "Month" means a calendar month.

Oath. "Oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Open Space. land owned and/or managed by the Town or other government agency for the purpose of public access or public recreation or for preservation of scenic, cultural or natural resource values. Open Space includes trails and waterways passing through or adjacent to public land. FOR THE PURPOSE OF THIS SECTION, OPEN SPACE DOES NOT INCLUDE DESIGNATED PARKING AREAS.

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Owner. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.

Person. The word "person" includes a corporation, company, partnership, association or society as well as a natural person.

Personal Property. The term "personal property" includes every species of property, except real property as defined in this section.

Preceding, Following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes lands, tenements and hereditament and personal property.

Real Property. The term "real property" includes lands, tenements and hereditament.

Shall, May. "Shall" is mandatory and "may" is permissive.

Signature or Subscription by Mark. "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

State. Whenever "state" is referenced, it shall mean the State of Arizona unless the context clearly requires otherwise.

Tenant or Occupant. The word "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

Tenses. The present tense includes the past and future tenses, and the future includes the present.

Time: Computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.

Time: Reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

Town. When the word "Town" is used, it shall mean the Town of Camp Verde, Yavapai County, Arizona, except as otherwise provided. The words "in the Town" or "within the Town" shall mean and include all territory over which the Town has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.

Week. A week consists of seven consecutive days.

Trails. a trail, lane, path, or other publicly owned right-of-way, that because of its scenic value, access to publicly owned open space, or because of its topographical nature, has as its primary purpose recreational use of the trail itself.

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Waterways. perennial rivers and streams, located within the Town limits, to include the Verde River, Oak Creek, wet Beaver Creek, and West Clear Creek.

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Writing. The term "writing" means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.

Year. "Year" means a calendar year unless otherwise provided.

ARTICLE 1-4

REFERENCE TO CHAPTERS, ARTICLES, OR SECTIONS:

SECTION 1-4-1 ADDITIONAL RULES OF CONSTRUCTION

In addition to the rules of construction specified in Articles 1-2 and 1-3, the rules set forth in this Article shall be observed in the construction of this code.

SECTION 1-4-2 REFERENCES TO THIS CODE

All references to chapters, articles, or sections are to the chapters, articles, and sections of this code unless otherwise specified.

SECTION 1-4-3 CONFLICTING PROVISIONS--DIFFERENT CHAPTERS

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

SECTION 1-4-4 CONFLICTING PROVISIONS--SAME CHAPTER

If conflicting provisions are found in different sections of the same chapter, the provisions of the section that is last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

ARTICLE 1-5

SECTION HEADINGS

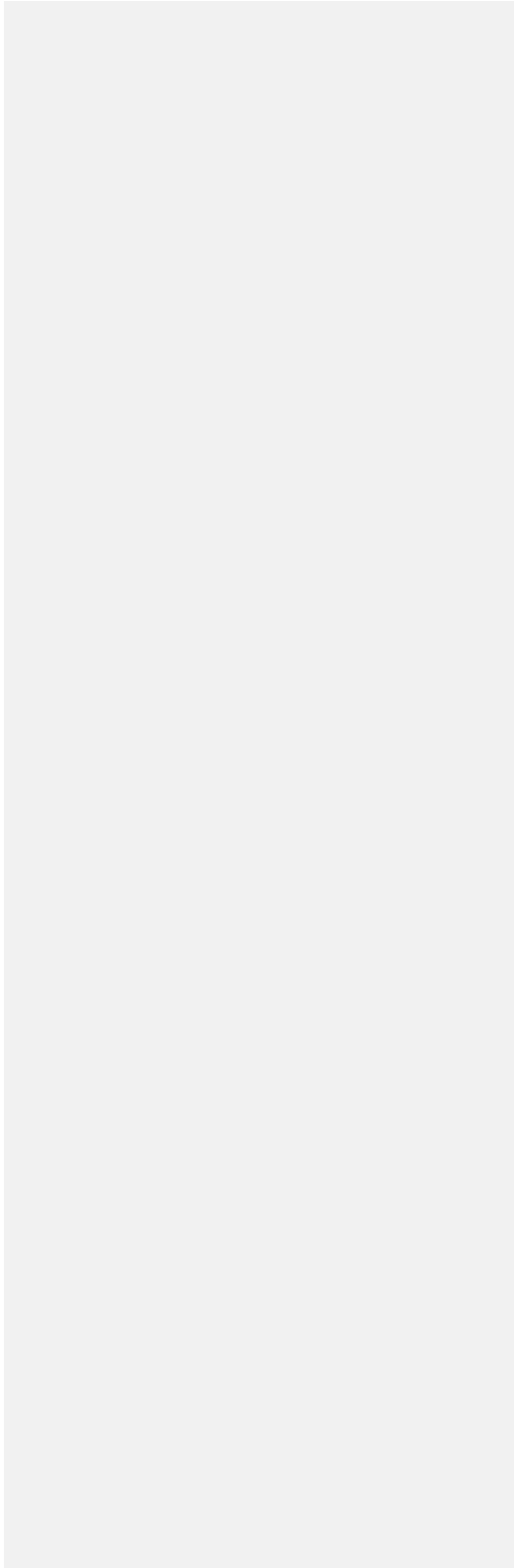
Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and do not constitute part of the law.

ARTICLE 1-6

EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

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ARTICLE 1-7

SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and, if any provision of this code is held unconstitutional for any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

ARTICLE 1-8

PENALTY

- A. Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B. Each day that a violation continues shall be a separate offense punishable as herein described.

ARTICLE 1-9

REPEAL OF EXISTING ORDINANCES

SECTION 1-9-1 EFFECTIVE DATE OF REPEAL

All ~~ordinances-Ordinances~~ of the Town listed in the adopting Resolution, except those specially exempted, now in force and effect are hereby repealed effective at twelve o'clock noon on November 1, 1996 but all rights, duties, and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

SECTION 1-9-2 ORDINANCES EXEMPT FROM REPEAL

The adoption and enactment of this code shall not be construed to repeal or in any way to modify or affect:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications, road abandonment's, or zoning.
- B. Any ~~ordinance-Ordinance~~ making an appropriation.
- C. Any ~~ordinance-Ordinance~~ affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statute of limitations in force at the time this code becomes effective.
- E. The continued existence and operation of any department, agency, commission or office heretofore legally established or held.
- F. Any bond of any public officer.
- G. Any taxes, fees, assessments or other charges incurred or imposed.
- H. Any ~~ordinances-Ordinances~~ authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

ARTICLE 1-10

EFFECTIVE DATE OF CODE (2006-A332)

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force 30 days after approval and fully executed document, ~~on and after twelve o'clock noon on May 18, 2011,~~ except that where a later effective date is provided it shall prevail.

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CHAPTER 2
MAYOR AND COUNCIL

ARTICLE 2-1

COUNCIL

SECTION 2-1-1 ELECTED OFFICERS (2008-A355)

- The elected officers of the Town shall be a Mayor and six (6) Council members. The Mayor and Council members shall constitute the Council and shall continue in office until assumption of duties of office by their duly elected successors.
- The term of office of the Mayor shall be two (2) years.
- Council members shall serve four-year staggered terms as provided by ARS § 9-232.02, as may be amended, with three (3) members in each class.

SECTION 2-1-2 CORPORATE POWERS (2008-A355)

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order or motion.

SECTION 2-1-3 ASSUMPTION OF OFFICE (2008-A355) (2016-A415) (2019-A444) (2020-A456)

In the event that any offices up for election are filled in the Primary Election, those members of the Council Elected at that time shall assume the duties of office at the first ~~regular~~ Regular meeting of the Council in November, following the date of the General Election. In the event that all Offices are not filled in the Primary Election, and a General Election is to be held in November, all members of the Council shall assume the duties of office at the first Regular Meeting of the Council in December next following the date of the General Election at which any remaining Council Members were elected. If a Council candidate, including Mayor, receives a majority of all votes cast at a primary election, then pursuant to ARS § 9-821.01, as may be amended, such candidate shall be declared elected to the office, but effective as of the date of the general election, to be seated as set forth herein.

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SECTION 2-1-4 VACANCIES IN COUNCIL (2008-A355) (2009-A362) (2009-A364) (2012-A381)

If a vacancy occurs more than thirty (30) days before the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall, within sixty (60) days of the vacancy, fill the appointment until the next regularly scheduled Town Council election. If the vacancy occurs thirty (30) days or less prior to the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall fill the

vacancy for the unexpired term of the office being filled. A person who has been elected to fill the remainder of an unexpired term of a vacant office may take the oath of office and begin the remainder of the term of office at any time after the canvass of the election. The vacancy shall not reduce any Council quorum requirements.

SECTION 2-1-5 OATH OF OFFICE (2008-A355)

Immediately before assumption of the duties of office, the Mayor and each Council member shall, in public, take and subscribe to the ~~oath~~ Oath of ~~office~~ Office.

ARTICLE 2-2

MAYOR (2008-A355) (2010-A370)

SECTION 2-2-1 DIRECT ELECTION OF MAYOR (2004-A270) (2008-A355)

- A. The Mayor shall be directly elected by the people pursuant to ARS § 9-821.01. If a candidate receives a majority of all votes cast at a primary election, he or she shall be declared Mayor effective as of the date of the general election, and no general election shall be held for that position.
- B. The term of the Mayor shall be for two (2) years. In every election one of the declared vacancies on the Council shall be reserved for the election of the Mayor.
- C. A candidate may not run for both Mayor and Council member at the same election, a seated Council member whose term is not expiring may not run for the office of Mayor. A Mayor whose term is expiring is permitted to run for the office of Mayor or Council member.

SECTION 2-2-2 VICE-MAYOR (2008-A355) (2016-A415)

The Council shall select a Vice Mayor, after the official canvass is certified and approved following the date of the General Election, who shall serve for a two-year (2) term at the pleasure of the Council. The Vice Mayor shall assume the duties of the Mayor in the absence, disqualification, incapacitation or resignation of the Mayor.

SECTION 2-2-3 ACTING MAYOR (2001-A210) (2008-A355)

In the absence or disability of both the Mayor and Vice Mayor, the ~~mayer~~ Mayor or Vice Mayor will designate one of the current Council members to serve as acting Mayor who shall have all the powers, duties, and responsibilities of the Mayor during such absence or disability. In the event, the Town Council objects to any such designation, the Council may vote in a public meeting called pursuant to the provisions of this code, to override the ~~mayer's~~ Mayor's designation and select an alternative person to serve as Acting Mayor.

SECTION 2-2-4 POWERS AND DUTIES OF THE MAYOR (2008-A355) (2019-A443)

The Mayor shall be the Chief Elected Official who is the Chief Executive Officer of the Town; except as to the administrative duties delegated to the Manager, or other department heads, and in accordance with the procedures set forth in the code and applicable portions of any personnel manual adopted by the Town.

- A. The Mayor shall be the ~~chairperson~~Chairperson of the Council and preside over its meetings and its agenda. The Mayor may make and second motions and shall have a voice and vote in all its proceedings.
- B. The Mayor shall execute and authenticate by his/~~her~~ signature such instruments as the Council or any statutes, ordinances, or this code shall require.
- C. The Mayor and members of the Council may make such recommendations and suggestions to the Council, as they may consider proper.
- D. The Mayor may, by ~~proclamation~~Proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the Town. After declaration of such emergency, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:
 1. Imposition of a curfew in all or any portion of the Town.
 2. Ordering the closing of any business.
 3. Closing to public access any public building, street, or other public place.
 4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- E. The Mayor shall perform such other duties required by state statute and this code as well as those duties required as the Elected Official who is chief executive officer of the Town.
- F. At the first meeting in January of each year, or as soon as practicable, Council may adopt a Policy Statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they affect the Town's interests and require an immediate response.

SECTION 2-2-5 ABSENCE OF MAYOR (2008-A355) (2010-A370)

The Mayor shall not absent himself/~~herself~~ from the Town for a greater period than SEVEN consecutive days without the consent of Council. In addition, the Mayor shall leave emergency contact numbers with the Town Clerk during the absence.

SECTION 2-2-6 FAILURE TO SIGN DOCUMENTS (2008-A355)

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five consecutive working days, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his absence, an acting Mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

ARTICLE 2-3

COUNCIL PROCEDURES (2002-A218)(2008-A355)

SECTION 2-3-1 REGULAR MEETINGS/HOURS OF OPERATION (2003-A262) (2005-A311) (2005-A314) (2008-A355) (2012-A385)(2019-A449)

Regular Council Meetings.

The Town Council will hold regular meetings at 6:30 p.m. on the first and third Wednesday of the month at the ~~Town Hall Council Chambers complex~~ on Main Street for general business, Planning & Zoning Matters, and ~~public Public hearings-Hearings~~ as may be required by law, with the second and fourth Wednesday set aside for ~~work Work sessionsSessions~~, or Special Sessions as needed. A ~~work Work sessionSession~~, in lieu of or in conjunction with a ~~regular Regular~~ meeting, may be called. If a ~~regular Regular~~ meeting is cancelled, such as near a holiday, notice of the cancellation shall be posted.

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Hours of Operation/Meeting Dates and Times.

At the first meeting in ~~JanuaryDecember~~, or as soon as practicable, Council shall set by ~~resolutionResolution~~, the hours of operation for all Town Offices, and setting next meeting dates and times for Council, Commissions, and Committees meetings for the coming year. This action does not preclude Council from making adjustments as needed during the year.

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SECTION 2-3-2 SPECIAL MEETINGS AND TIMES AND PLACES OF SPECIAL MEETINGS

(2008-A355)(2010-A370)

- A. The Mayor, after public vote of the Council to schedule a ~~special Special session-Session~~ within the jurisdiction of the Town, shall direct staff to schedule a ~~special Special session-Session~~ of the Council, to begin at a time and place designated in the motion. In addition, the Mayor or Vice Mayor if the mayor is absent pursuant to Section 2-2-5, and the Town Manager may jointly schedule a ~~special Special~~ session to be held at a time and in appropriate facilities within the Town limits when an urgent and/or unforeseen event or matter arises between regularly scheduled meetings after confirmation of the availability of a quorum. Special Meetings shall be posted in the same manner as ~~regular Regular meetings-Meetings~~ by the Town Clerk.
- B. Notices and ~~agendas-Agendas~~ will be posted for the ~~special Special sessions-Sessions~~ as required by law.
- ~~C. Special sessions Sessions herein will not be scheduled away from Town Hall if the agenda Agenda involves public hearings on controversial topics likely to interest citizens of the Town in general rather than a particular neighborhood.~~

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SECTION 2-3-3 POSTING OF NOTICES (2008-A355)

- A. Notice of Council ~~meetings-Meetings~~ and ~~agendas-Agendas~~ shall be posted at Town Hall, the local grocery store at Outpost Mall, and on the Town's website. Other public notices, such as public meetings of commissions, committees, or boards, bidding, holidays, auctions, and zoning matters, will be posted at Town Hall only, but shall also be posted on the Town's website. Locations for posting may be changed by Council ~~resolutionResolution~~.
- B. All notices shall contain a statement of posting signed by the Town Clerk or a designated representative showing the date and time of posting.
- C. Posting of Alternate Meeting Locations. In addition to the locations and content specified by 2-3-3 (Posting of Notices), ~~the Town Manager or Mayor may request that a meeting or public hearing, which may attract a large audience, or need special presentation facilities, be scheduled for the gymnasium, school auditorium, or alternate site suitable for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations and the meeting may be called to order at the site without first being called to order at the Town Hall Council Chamber. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.~~

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SECTION 2-3-4 MEETINGS TO BE PUBLIC (2008-A355)

All proceedings of the Council shall be open to the public, except that upon approval by a majority vote of the Council, the Council may meet in a closed ~~executive~~ Executive session ~~session~~ pursuant to the provisions of state law.

The Town Manager or Mayor may request that a meeting or public hearing, which may attract a large audience, or need special presentation facilities, be scheduled for the gymnasium, school auditorium, or alternate site suitable for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations and the meeting may be called to order at the site without first being called to order at the Town Hall Council Chamber. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.

SECTION 2-3-5 QUORUM (2008-A355)

No action shall be taken unless a quorum is present. Four or more Council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to compel the attendance of absent members. In any meeting where a quorum is present, **it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, resolution, ordinance, or other business on the agenda.**

Commented [CP4]: This provision is stricter than State law requires and warrants Councils consideration

SECTION 2-3-6 PREPARATION OF AGENDA (2002-A255) (2008-A355)

A. Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an ~~agenda~~ Agenda, whichever is earlier, the Clerk shall collect all written reports, communications, ~~ordinances~~ Ordinances, ~~resolutions~~ Resolutions, contracts and other documents to be submitted to the Council, prepare an ~~agenda~~ Agenda in consultation with the Manager, Mayor, and no more than two (2) Council members of the Council according to the order of business and furnish each Council member, the Mayor and the ~~Attorney~~ Attorney with a copy of the agenda ~~and other necessary reports and materials together with a copy of the minutes of the last preceding Council meeting.~~ From time to time, addenda and late additions to the agenda are required and may be authorized by the Manager and Mayor due to extenuating circumstances beyond the control of the person requesting the addendum or late addition.

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All Council members are authorized to place item(s) on the agenda. Agenda item requests are to be submitted in written form to the Clerk. If the number of scheduled agenda items prevents the scheduling of a requested agenda item, the Mayor (with the consent of the requesting Council member) may schedule the requested item to be heard at the next meeting of the Council.

B. The Town may use a consent agenda to address routine matters coming before the Council.

SECTION 2-3-7 ORDER OF BUSINESS (2008-A355)

The business of the Council shall be the following items, not necessarily in that order:

- A. Call to Order: The Mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Vice Mayor shall call the Council to order. In the absence of both the Mayor and Vice Mayor, the ~~clerk~~ Clerk shall call the Council to order and an acting Mayor shall be selected to chair the meeting. Upon the arrival of the Mayor or the Vice Mayor, the Vice Mayor or the acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public are addressed to the ~~chair~~ Mayor and Council.
- B. Pledge of Allegiance.
- C. Roll Call. Before proceeding with the business of the Council, the ~~clerk~~ Clerk or the ~~clerk's~~ Clerk's designee shall record the roll of the members and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.
- D. Consent Agenda: (Routine business, meeting dates, disbursements, and ~~resolutions~~ Resolutions). ~~Unless a member of the Council requests a reading of the minutes of the Council meeting.~~ The minutes of the preceding meeting shall be considered approved if correct, and errors rectified if any exist.

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- E. Call to the Public. The Council on items designated for public input may hear petitions, remonstrances, communications, comments or suggestions from citizens present. All such remarks shall be addressed to the Council as a whole, and not to any member thereof, or the staff. Such remarks shall be limited to three (3) minutes. No person other than the individual speaking shall enter into the discussion without ~~the~~ permission of the presiding officer. There will also be a Call to the Public for items NOT on the agenda. Council may direct staff to follow up on the item with a report or placement on an upcoming agenda.
- F. Ordinances/Resolutions/Other ~~Actions~~ ~~actions~~ ~~Requiring~~ ~~requiring~~ Council ~~Approval~~ ~~approval~~. The Council shall consider any ~~ordinances~~ ~~Ordinances~~ or ~~resolutions~~ ~~Resolutions~~ or other actions requiring Council approval as may be listed on the agenda.
- G. Reports by Officers. Town ~~officials~~ ~~Officials~~ and ~~committees~~ ~~Committees/Commissions/Boards~~ shall present any reports required by the Council.
- H. Information and Updates.
- I. Adjournment. The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.

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SECTION 2-3-7.1 MANAGEMENT OF MEETINGS (2008-A355) (2008-A358) (2022-A475)

- A. Where practicable, ~~executive~~ ~~Executive sessions~~ ~~Sessions~~ will be held prior to the ~~regular~~ ~~Regular~~ business meetings, as opposed to during or following a meeting.
- B. Meetings will conclude at 10:00 p.m, or prior to 10:00 p.m. the Mayor shall call for a vote of the Council to allow the meeting to continue past the deadline.
- C. If an item is opened for public input, the public may address the item one time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as ~~contract~~ ~~Contract~~ awards and approvals, ~~proclamations~~ ~~Proclamations~~, etc. may be placed on the Consent Agenda.
- E. ~~Previously approved items, such as budgeted items do not require further Council action and will not be placed on an agenda.~~
- F. All presentations are limited to ten (10) minutes for the presentation and discussion period.

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SECTION 2-3-8 VOTING (2008-A355)

- A. The Mayor shall vote as a member of the Council.
- B. ~~If requested by a Council member, Per ARS 38-431.01~~ the minutes shall show the ayes and nays of any question to be taken. Council ~~members~~ ~~Members~~ wishing to abstain for a conflict of interest shall state such on the record prior to any discussion or vote on the item and shall file a written declaration with the Clerk as soon as possible following the meeting. Any other abstention must be declared at the time of the calling for a vote, or a silence will be recorded as an affirmative vote. The Mayor, or ~~chairman~~ ~~Designee~~ of the meeting will announce on the record whether the motion passed or failed.

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SECTION 2-3-9 DECLARATION OF VACANCY (2008-A355)

The office of any Council member is deemed vacant pursuant to ARS § 38-291, as may be amended, if such member fails to discharge the duties of his or her office for three (3) consecutive months, including failure to attend Council meetings unless otherwise authorized by the Council.

ARTICLE 2-4

ORDINANCES, RESOLUTIONS AND CONTRACTS

SECTION 2-4-1 PRIOR APPROVAL

All ~~ordinances~~Ordinances, ~~resolutions~~Resolutions, and contract documents shall, before presentation to the Council, have been reviewed as to form by the attorney and shall, when there are substantive matters of administration involved, be referred to the person who is charged with the administration of the matters. Such person shall have an opportunity to present his objections, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

SECTION 2-4-2 INTRODUCTION

Ordinances, ~~resolutions~~Resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the ~~attorney~~Attorney or the ~~manager~~Manager may present ~~ordinances~~Ordinances, ~~resolutions~~Resolutions and other matters or subjects to the Council, and any member of the Council may assume sponsorship thereof by moving that such ~~ordinance~~Ordinance, ~~resolution~~Resolution, matter or subject be adopted; otherwise, they shall not be considered.

SECTION 2-4-3 READING OF PROPOSED ORDINANCE

Ordinances shall be read before adoption, but may be read by title only, if the Council is in possession of printed copies of said ~~ordinance~~Ordinance. A member of the Council may request that the ~~ordinance~~Ordinance under consideration be read in full.

SECTION 2-4-4 REQUIREMENTS FOR AN ORDINANCE

Each ~~ordinance~~Ordinance shall have one subject only, the nature of which is clearly expressed in the title. Whenever possible, each ~~ordinance~~Ordinance shall be introduced as an amendment to this code or to an existing ~~ordinance~~Ordinance and, in such case, the title of the sections to be amended shall be included in the ordinance.

SECTION 2-4-5 EFFECTIVE DATE OF ORDINANCES

- A. No ~~ordinance~~Ordinance, ~~resolution~~Resolution, or ~~franchise~~Franchise shall become operative until thirty ~~(30)~~ days after its passage by the Council and ~~full execution and signature by the Attorney, Mayor and Clerk~~execution by the Mayor, except measures permitted by law to be adopted as an emergency that are necessary for the immediate preservation of the peace, health or safety of the Town, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately operative, and unless it is approved by the affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays.
- B. In addition to the provisions of subsection A of this section, the ~~clerk~~Clerk shall certify the ~~minutes~~Minutes of any Council meeting at which an ~~ordinance~~Ordinance, ~~resolution~~Resolution or ~~franchise~~Franchise, except an emergency measure, is passed. The thirty-day period specified in subsection A shall be calculated from the date of passage by the Council, execution by the Mayor, and approval as to form by the Town Attorney, and a copy available to the public pursuant to ARS 19-142.C, as may be amended.

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CHAPTER 3
ADMINISTRATION

ARTICLE 3-1

OFFICERS IN GENERAL

SECTION 3-1-1 RESIDENCY (2013-A390)

Residency within Town limits for ~~department~~ ~~Department heads~~ ~~Heads~~ or other personnel may be required for certain positions as reflected in the advertising for the position. To satisfy the residency requirements, persons are required to establish residency within the Town of Camp Verde ~~Town limits or the 86322- zip code area~~ within 120 days of the date of hire. There are no exceptions to this requirement. The residency requirements for the Town Manager is set forth in Section 3-2-1 of the Town Code, and residency requirement for the Town Marshal is set forth in Section 3-2-4 of the Town Code.

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SECTION 3-1-2 DUAL POSITIONS (2007-A346)

The provisions below distinguish between two (2) positions that are appointed and reviewed by the Council (Town Manager and Town Attorney), and other department heads that are under review and control of the Town Manager, who may terminate them for cause, but who do not have the severance offer of Section 3-1-3.B. In the event that a person has a dual position, such as Town Manager/Community Development Director, he or she will have the review and termination rights associated with the higher-level position, but in the event the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3.B.

SECTION 3-1-3 REMOVAL PROVISIONS (2000-A160) (2007-A346)

A. **Removal for Cause.** (2000-A160) (2007-A346)

The Town Manager and the Town Attorney will be reviewed by the Town Council using procedures that may be adopted by motion of the Council and may be removed from their positions for cause. All other department heads and classified employees report to the Town Manager and may be removed for cause. "Removal for Cause" includes failure to receive satisfactory performance reviews, violation of adopted work rules in the Personnel Handbook, violation of drug policies, conviction of a criminal offense involving moral turpitude, loss of any professional license or other qualification necessary for the position, and failure to fulfill tasks assigned by the job description.

B. **Termination Other than For Cause.** (2006-A160) (2007-A346)

The Town Manager, Town Attorney (if employed by the Town), may be removed by the Council other than for cause, by offering severance pay of six (6) months' salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by ARS §9-239.C, as may be amended.

C. ~~A manager~~ ~~Manager~~ ~~or department~~ ~~Department~~ ~~head~~ shall provide the Council with thirty (30) days' written notice of intention to resign his/her position. ~~Department heads shall provide Town Manager with thirty (30) days written notice.~~

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ARTICLE 3-2

OFFICERS (2000-A160)(2001-A211) (2007-A346) (2008-A355) (2010-A370)

Pursuant to ARS §9-237, as may be amended, in addition to the ~~common~~ Common Council, The Officers ~~Of of~~ The Town Include ~~The the~~ Town Clerk, ~~Town Marshal, Director of Public Works,~~ Town Engineer, and Town Manager, Town Attorney, and other officers (department heads) deemed necessary by the ~~common~~ Common Council, who shall be appointed as provided by ordinance of the Town. ~~In the temporary absence of the Town Manager, the Town Manager shall appoint a temporary replacement pursuant to Section 3-2-1.1a. In the temporary absence of an officer other than the Town Manager the Town Manager may appoint a temporary replacement.~~

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SECTION 3-2-1 TOWN MANAGER (2000-A160) (2001-A211) (2008-A355)(2013-A391)

- A. Office Established. The ~~office~~ Office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. ~~Prior to January 2014, the Town Manager shall be a resident of the Town, unless such requirement is waived by the Council. After January 2014, The Town Manager is required to establish residency within the Town limits of the Town of Camp Verde or the 86322 Zip Code area within 120 days of the date of hire. There are no exceptions to this requirement.~~
- D. Powers and Duties of Town Manager. The Town Manager is the administrative head of the government of the Town under the direction and control of the Council, except as otherwise provided in this Article. He shall be responsible for the efficient administration of all the affairs of the Town that are under his control. In addition to his general powers as administrative head and not as a limitation thereon, it shall be his duty and he shall have the following powers:
 1. Law Enforcement. To see that all laws and ~~ordinances~~ Ordinances of the Town and all franchises, contracts, permits, and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council. The Council shall then give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
 2. Authority Over Employees. To control, order and give direction to all heads of departments (other than Council-appointed officers) and to subordinate officers and employees of the Town under his jurisdiction through their department heads.
 3. Power of Appointment and Removal. To appoint, remove, promote, and demote any and all officers and employees of the Town, except the Town Attorney and the Town Magistrate, all of whom shall be appointed by the Council. As to these officers, he shall recommend appointment and removal to the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations, and state statutes.
 4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions, or units under his direction as may be indicated in the interest of efficient, effective, and economical conduct of the Town's business.
 5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he deems necessary.

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6. Attendance at Council Meetings. To attend all meetings of the Council unless the Mayor excuses him individually or unless the Council excuses him, except when his removal is under consideration, in which case the Town Manager's attendance at a meeting shall be governed by the Arizona Open Meeting Law (A.R.S. § 38-431 *et seq.*, as may be amended). He may present recommendations relative to each item on the agenda for approval, rejection, or modification by the Council, and prepare the agenda as provided in Section 2-3-6.A.
7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.
8. Budget. To prepare and submit a proposed annual budget and a proposed annual salary plan to the Council.
9. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the ~~manager-Manager~~ to investigate all complaints in relation to matters concerning the administration of the Town government. If the investigation involves the conduct of a person reporting directly to the Council (the Town Manager or Town Attorney) the Mayor and Vice-Mayor shall designate a person to conduct the investigation. If the Mayor and Vice Mayor cannot agree on such designation, the matter shall be referred to the Council.
10. Public Buildings. To exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the Council.
11. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with ~~federal-Federal~~ law, ~~state-State~~ law, or Town ~~ordinancesOrdinances~~.
12. Salary Schedule. To recommend to the Council, a standard schedule of pay for each appointive office and position in Town service, including minimum, intermediate and maximum rates. To authorize the payment of overtime, pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with rates and salaries enacted by the Council.
13. Documents. To sign contracts for budgeted items and other documents that are necessary to conduct the business and affairs of the Town per the Town Policy and Operations Guide.
14. Communication: The Town Manager shall strive to keep the Town Council adequately and equally informed on issues of importance within the Town. The Town Manager will engage in discussions with the Town Council in order to solicit their preferences for methods of communication.
- ~~13-15. Monthly Reports. The clerk shall prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.~~

E. Internal Relations.

1. Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council, nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.
- F. Attendance at Commission Meetings. The Town Manager may attend any and all meetings of the ~~planning Planning~~ and ~~zoning-Zoning~~ ~~commission-Commission~~ and all other ~~commissionsCommissions~~, ~~boards-Boards~~ or ~~committees-Committees~~ created by the Council. He shall cooperate to the fullest extent possible with the members of all ~~commissionsCommissions~~, ~~boardsBoards~~, or ~~committees-Committees~~ appointed by the Council.
- G. Other Departments. The Town Manager may, with the concurrence of the Council, establish other departments (in addition to the departments set forth in this Code) to conduct the business and affairs of the Town.

~~Before appointing a person to fill the positions of Town Clerk, Town Marshal, Director of Public Works, Town Engineer or any other department Department head Head position, the Town Manager shall solicit input from no more than three persons serving on the Council.~~

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H. ~~With regard to officers and employees appointed by the Town Manager, neither the Council nor any of its members shall direct or request the appointment of any person to, or his/her removal or suspension from, such office by the Town Manager or any of his subordinates, or in any manner take part in the appointment or removal of such officers and employees in the administrative services of the Town.~~

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The Town Manager may, in his/her sole discretion, invite individual members of the Town Council to participate as members of interview panels for Department Director positions. ~~Members of the Town Council serving in this capacity shall provide input as would any other interview panel member, but shall not direct or request the Town Manager to select a specific candidate~~

Commented [CP9]: Town Manager Recommendation

SECTION 3-2-1. ~~1~~ACTING TOWN MANAGER (2010-A370)

In the absence of the Town Manager from his office, or upon the disability of the Town Manager, or in the event the position has been vacated by either the resignation of the Manager or the termination of his contract by action of the Town Council, the Acting Town Manager shall be appointed as follows:

A. ~~For a temporary absence or disability of the Town Manager, the Town Marshal will serve as Acting Town Manager. If the Town Marshal is not available, the Town Clerk will serve as Acting Manager. The Town Manager shall appoint a qualified employee of the Town to perform his/her duties during routine absences such as vacation, sick leave, training, other temporary absences or disability. Such appointment shall not exceed a period of thirty (30) days.~~

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B. ~~For a vacancy in the position, the Acting Town Manager shall be appointed by resolution of the Council, which may also resolve to keep the position vacant until filled by later selection and contract.~~ If the Town Manager will be absent for more than thirty (30) days, is suspended by the Council, or if there is a vacancy in the office of the Town Manager, The Council shall appoint a qualified Action Town Manager to serve until the Town Manager returns, the suspension ceases, or until another Town Manager is appointed and qualifies, as the case may be.

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C. The Acting Town Manager shall have the duties and responsibilities of the Town Manager as established by this code, ordinance or statute, except that he shall not without prior approval of the Council:

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1. Incur any unbudgeted indebtedness on behalf of the Town.
2. Discharge any Town employee except for extreme cause.
3. Substantially change duties and authorities assigned to other staff members.

D. ~~The Acting Town Manager may assign, in writing, temporary duties to other staff members for a period not to exceed twenty working days.~~

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SECTION 3-2-2 TOWN CLERK (2000-A160)

A. Office Established. The Office of the Town Clerk is hereby established. The Town Clerk shall be appointed by the Town Manager on the basis of ability and shall hold office pursuant to Section 3-1-3.A of this code. The Town Clerk shall also be Treasurer of the Town.

B. Duties.

1. Records. The ~~clerk-Clerk~~ shall keep a true and correct record of all business transacted by the Council and any other records that either pertain to the business of the Town or that the Council directs. The ~~clerk-Clerk~~ shall number, plainly label, and file separately in a suitable manner all ~~resolutionsResolutions, noticesNotices, deedsDeeds, surveysSurveys, leasesLeases~~, paid and unpaid vouchers, inventories, letters, orders, and other documents of ~~whatever nature~~, required by State Statute.
2. Public Inspection of Records. The ~~clerk-Clerk~~ shall keep convenient for public inspection all public reports and public documents under the control of the clerk, as provided by ~~state-State statuteStatute~~.
3. Monthly Reports. The clerk shall ~~prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council~~.
4. Minutes. The clerk shall prepare or cause to be prepared all minutes of Council proceedings and ensure their correctness and accuracy.
5. Ordinances, Resolutions, Budgets and Notices. The ~~clerk-Clerk~~ shall process, record, file, publish and, if required by ~~state-State statuteStatute~~, post all ~~ordinancesOrdinances, resolutionsResolutions, budgetsBudgets~~, and notices that may be passed by the Council.
6. Election Official. The clerk shall be the Town election official and perform those duties required by state statute, ~~and as directed by the Council~~.
7. Licenses. The clerk shall issue or cause to be issued all licenses that may be prescribed by ~~state-State statuteStatute~~, Town ~~ordinanceOrdinance~~, or this ~~codeCode~~.
8. Administrative Duties. The clerk shall perform those administrative responsibilities and duties that are conferred upon the ~~clerk-Clerk~~ by the ~~Council Manager~~ in addition to those specified in Arizona Revised Statutes, Town ~~ordinancesOrdinances~~, and this ~~codeCode~~.

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SECTION 3-2-3 FINANCE DIRECTOR (2000-A160) (2007-A346)

- A. Office Established. (2007-A346)
The office of the Finance Director is hereby established. The Finance Director shall be appointed by the Town Manager on the basis of ability.
- B. Duties of Finance Director.
The Finance Director shall receive and safely keep all monies that come to the Town and pay out the same as authorized by the Council or the Manager as authorized by the Council. The Finance Director shall keep a separate record and account of each different fund provided by the Council, apportion the monies received among the different funds prescribed by the Council, and keep a complete set of books showing every money transaction of the Town, the state of each fund, from what source the money in each fund is derived, and for what purpose expended. The Director shall make monthly reports to the Council of all receipts and disbursements, and the balance in each fund.
- C. Expenditure Control and Purchasing.
The Finance Director is authorized to approve requests to expend funds, but only as authorized in a Council-approved budget and the Town of Camp Verde Policy and Operations guide.

SECTION 3-2-4 TOWN MARSHAL (2013-A392)

- A. Office Established. The office of the Town Marshal is hereby established. The Town Marshal shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this ~~codeCode~~. ~~Prior to January 2014, the Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council. After January 2014, the Town Marshal is required to establish residency within the Town of Camp Verde Town limits or the 86322 Zip Code area within 120 days of the date of hire. There are no exceptions to this requirement.~~

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- B. Powers and Duties. The Town Marshal is the ~~administrative~~ ~~Administrative head~~ ~~Head~~ of the ~~police~~ ~~Police~~ ~~department~~ ~~Department~~ of the Town under the direction and control of the Town Manager. He shall perform such duties as may be required of him by law and as the Town Manager may deem necessary.

SECTION 3-2-5 DIRECTOR OF COMMUNITY DEVELOPMENT (2008-A355)

- A. Office Established. The Office of Director of Community Development is hereby established. The Director of Community Development shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code.
- B. Powers and Duties.
 - 1. Be the ~~zoning~~ ~~Zoning administrator~~ ~~Administrator~~ pursuant to ARS § 9-462.05 and the ~~code~~ ~~Code~~ ~~enforcement~~ ~~Enforcement officer~~ ~~Officer~~ as may be amended, to enforce the zoning regulations of the Town of Camp Verde, either directly or through their designee(s) advise of Town policy and violations, help to determine enforcement priorities, and train and supervise the inspectors.

SECTION 3-2-6 **DIRECTOR OF PUBLIC WORKS/ENGINEER**

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- A. Office Established. The office of Director of Public Works/Engineer is hereby established. The Director of Public Works/Engineer shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code.
- B. Powers and Duties. The Director of Public Works/Engineer is the administrative head of the public works department under the direction and control of the manager. In such position, the Director of Public Works/Engineer shall:
 - 1. Supervise the operations division which shall have charge of and supervision over the care, maintenance and construction of all streets, sidewalks, alleys and public ways; the construction, operation and maintenance of all storm water and sanitary sewers and all street gutters, drains, drainage ways, improvement districts, waste water treatment, airports, easements and appurtenances thereto under Town jurisdiction; the care, maintenance and construction of all public buildings, lands and parkways; the operation, maintenance and construction of all other public works projects and improvements within the jurisdiction of the Town.
 - 2. Direct preparation of improvement districts and coordinates work and studies for improvement projects.
 - 3. Direct abandonments and acquisition of right-of-way for public improvements such as streets, alleys, sewers and drainage ways.
 - 4. Review and approve plans, permits, and specifications for Town construction contracts; direct and advise inspectors of construction projects under his jurisdiction; interpret construction plans and specifications.

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SECTION 3-2-7 TOWN ATTORNEY (2002-A220) (2016-A416)

- A. Office Established. The office of Town Attorney is hereby established. The Town Attorney shall be appointed by a majority vote of the Council on the basis of ability and shall hold office pursuant to Sections 3-1-3.A and 3-1-3.B of this code.
- B. Powers and Duties.
 - 1. The Town Attorney is the administrative head of the legal department under the direction and control of the Council.

2. The Town Attorney shall act as the ~~legal~~Legal counselor~~Counselor~~ and advisor of the Council and other Town officials. The Town Attorney shall give his opinion in writing when requested. Major issues should be subject to Council review and majority direction. Any request made by and individual Council Member, that is estimated by the Town Attorney to exceed two (2) hours to complete will be considered a major issue that should be placed on the agenda.
3. If there is a legal issue concerning an agenda item, the Town Attorney may be requested by the Mayor, after direction by the Council, to provide a written opinion to Council, call for a vote for an Executive Session, or to discuss the matter with the interested Council Member in private, rather than give impromptu opinions during the meeting. The Town Manager may also request a formal written opinion in advance of a meeting regarding minor issues. This would not prevent the Attorney from responding to questions on procedures, or explaining the provisions of forms or documents related to the agenda items.
4. The Town Attorney shall draft and/or review deeds, contracts, conveyances, ordinances, resolutions, and other legal instruments when required. Major issues should be subject to Council review and majority direction. Any request that is estimated by the Town Attorney to exceed two (2) hours to complete will be considered a major issue that should be placed on the agenda.
5. The Town Attorney shall approve or disapprove as to form, in writing, all documents submitted to the Town Attorney.
6. The Town Attorney shall return, within ten days, all ~~ordinances~~Ordinances and ~~resolutions~~Resolutions submitted to him for consideration, with the Town Attorney's approval or disapproval as to form noted thereon, together with his reasons therefore if disapproved.
7. The Town Attorney shall handle or monitor all suits, actions, or causes where the Town is a party and report to the Council, when required, the condition of any suit or action to which the Town is a party. ~~Any contract or consulting attorney or legal representative shall report to the Town Attorney who will act as liaison to the Council.~~ No individual Council Member shall be allowed to directly contact contract ~~attorneys~~Attorneys who must report to the Town Attorney. When the Town Attorney is a contract attorney, each individual Council Member (Other than the Mayor) must coordinate any contact with the contract ~~attorney~~Attorney through the Town Manager, unless the contact involves a possible charge against the Town Manager or a conflict of interest of the Town Manager, in which case the individual Council Member must coordinate any contact with the contract Town Attorney through the Mayor. In the event of conflict of interest or unavailability, the Town Manager shall be liaison to that specific item.

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ARTICLE 3-3 (RESERVED FOR FUTURE USE)

ARTICLE 3-4

FINANCIAL POLICIES

SECTION 3-4-1 BUDGET POLICY

The Town of Camp Verde has a responsibility to its citizens to carefully account for public funds, manage the finances wisely, and plan for adequate funding of services that are desired by the public. The budget policy, as outlined in the Financial Operations Guide, provides guidance for preparing the Town of Camp Verde's annual budget (all funds) as well as adoption, implementation, and monitoring of the budget.

SECTION 3-4-1.1 BUDGET PHILOSOPHY

The Town of Camp Verde's budget philosophy includes funding the service delivery system using the resources provided through current revenue collection while planning for future needs through capital funding and maintenance.

SECTION 3-4-1.2 BALANCED BUDGET

Arizona law (Title 42 Arizona Revised Statutes) requires the Town Council to annually adopt a balanced budget. The Town of Camp Verde will develop a balanced budget where projected revenues meet or exceed projected expenditures. In the event that projected revenues are not adequate to sustain the service delivery system desired by the Town's citizens, a draw on fund balance may be authorized by the Town Council. In addition, the Town will not use one-time (non-recurring) revenues to fund continuing (recurring) expenditures.

CHAPTER 4
BOARDS, COMMISSIONS AND COMMITTEES

ARTICLE 4-1

MEMBERSHIP (2000-A164) (2003-A260) (2003-A261) (2019-A448)

- A. Membership and Organization. Each board and commission shall be made up of seven members appointed by the Council in accordance with the procedures contained in subsection B of this Article, with the exception of the Boards of Adjustments and Appeals which will be made up of Five (5) Members. The organization of boards and commissions shall include a chairperson, and vice-chairperson who are elected from the membership in accordance with Article 4-2.
- B. Selection of New Members. (2000-A164) (2002-A231) (2003-A261)
Prior to the expiration of terms or when a vacancy occurs for board and commission members, the Town Clerk shall call for letters of interest from the general public. Such letters shall be filed with the Town Clerk in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate resolution or ordinance that created the board or commission. The Council may establish any other requirements at the time such appointments are sought for the purpose of aiding the Council in completing the selection process. Any member of a ~~board-Board~~ or ~~commission-Commission~~ appointed by the Council shall reside within the corporate limits of the Town. However, Council may waive the residency requirement with good cause, except for appointments to the Planning and Zoning Commission, Board of Appeals and Board of Adjustments. If a member holding a position relocates outside of the Town limits, other than within 90 days from the end of the appointed term, he or she shall resign from the board or commission. (Rev. 2004 by Ord 2003-A261)
- C. Terms of Members. (2000-A164) (2003-A260)

All members are appointed to ~~boards-Boards~~ and ~~commissions-Commissions~~ to three (3) year terms, selection will be made in December, and the term that begins on January 1 of the year such appointment is made. Members may be re-appointed to additional terms. Such terms are to be staggered so that the terms of no more than three (3) members shall expire in any given year.

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- D. **Removal.** Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.
- E. **Vacancy –** The Town Clerk shall be notified of any vacancies and advertise for letters of interest to fill the remaining term. Terms, Appointment and Oath of Office shall go into effect upon Council approval.

ARTICLE 4-2

ORGANIZATION (2008-A355) (2008-A360)

- A. **First Meeting.** Each ~~board-Board~~ and ~~commission-Commission~~, during its first meeting of the month of January of each calendar year, shall:
 - 1. **Elect a Chairperson.** The board or commission shall accept nominations from its membership for a chairperson. Such nominations shall be made, and seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board or commission.
 - 2. **Elect a Vice-Chairperson.** The board or commission shall accept nominations from its membership for a vice-chairperson. Such nominations shall be made, and seconded, and selection of one vice-chairperson shall result upon a majority vote of the full membership of the board or commission.
 - 3. **Set the Regular Meeting Schedule.** The Council shall establish regular meeting dates and times and regular meeting place by resolution in January of each year. Commissions may schedule special meetings and work sessions subject to approval of the Town Manager.
- B. **Duties of Officers/Members.** (2008-A355)

The duties and powers of the various officers and members of the boards and commissions are as follows:

- 1. **Chairperson.** The ~~chairperson-Chairperson~~ shall preside at all meetings and hearings of the board or commission, decide all points of order or procedure, and perform any duties required by law, ordinance or the requirements established in this chapter. The term of the ~~chairperson-Chairperson~~ shall be one (1) year, unless reelected to succeeding terms by a majority vote of the membership. The chairperson shall be responsible for becoming familiar with and adhering to the provisions of the open meeting law. The chairperson shall also become familiar with the basic provisions of Roberts Rules of Order, and although general informality in such rules of order may prevail, shall adhere to such rules in the conduct of meetings where emotional content of the subject matter or the conflict of personalities may otherwise interfere with the orderly conduct of business. The ~~chairperson-Chairperson~~ may, to the extent necessary, work with the ~~department-Department head-Head~~ assigned to the ~~board-Board or commission-Commission~~ to assist with special needs, requirements for assistance from the staff, reviewing monthly budget reports and preparation of agendas. The chairperson will determine whether he/she, staff liaison, or designee, will provide a written report to the Mayor and Council summarizing the ~~board-Board or commission-Commission~~ activities during the prior quarter, identifying upcoming activities and reviewing any problems, concerns or proposals. Such reports are to be submitted to the Town Clerk for distribution to the Council. Meetings may be scheduled with Council as needed and/or on a regular quarterly basis. In addition, the chairperson shall sign all minutes and resolutions of the board or commission.

2. Vice-Chairperson. The vice-chairperson shall have the responsibility of assuming all of the duties and responsibilities of the chairperson in the event that the chairperson should be absent or the position vacant. Additional duties or activities may be assigned by the chairperson upon majority approval of the board or commission as determined necessary.

ARTICLE 4-3

MEETINGS (2008-A355) (2009-A360)

- A. Agendas and Minutes. Each board and commission's supporting department shall provide for the posting of agendas and the preparation and approval of minutes for all meetings. The following minimums shall apply to agendas and minutes:
1. Agendas. Agendas shall be posted on the Town Hall bulletin board a minimum of twenty-four hours in advance of all regular, special, and work session meetings of the board or commission and in other locations as deemed necessary.
 - a. Format. The order of the agenda items may be arranged according to the format approved by the board or commission and additional items may be added. The agenda format shall include at least the following:
 - 1) Name of ~~board-Board~~ or ~~commission-Commission~~
 - 2) Date, time, and place of meeting with a statement that the meeting place is handicapped accessible
 - 3) Call to order
 - 4) Roll call
 - 5) Discussion and possible action on the following items
 - 6) Consent agenda
 - 7) Approval of the minutes
 - 8) Call to the public
 - 9) New business
 - 10) Set next meeting, time and date
 - 11) Adjournment
 - b. Call to the Public. The "Call to the Public" item shall allow for public input on items either on the agenda or other items that may reasonably affect the board or commission. The board or commission may call for non-agenda item input at this time if appropriate input is allowed during all discussion items. The open meeting law prohibits the board or commission from discussing or making decisions on non-agenda items, however, the board or commission may choose to delegate Town staff to handle the issue or place the item for discussion on a future agenda.
 - c. Special or Work Sessions. The ~~board-Board~~ or ~~commission-Commission~~ may, upon majority vote and approval of the Town Manager, ~~or Department Head~~, set a ~~special-Special meeting-Meeting~~ or ~~work-Work session-Session~~. In addition, if determined necessary by the affected department head, a special meeting or work session may be called upon discussion with the chairperson.
 - d. Agenda Packets. Upon completion of agenda posting and preparation of attachments to the ~~agenda-Agenda~~, copies of the agenda and any attachments shall be made available to the members of the board or commission in the manner deemed appropriate by the department head. ~~Copies of the complete agenda packets shall be placed in the front reception area of Town Hall for disbursal to interested members of the public a minimum of twenty four hours in advance of the meeting.~~

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e. Agenda Items. The department head, depending upon the format of the board or commission, shall determine the content of the agenda discussion items. If determined prudent for the board or commission, the chairperson may set the agenda with concurrence from the department head. Such procedures are determined necessary to ensure that the business of the board or commission is conducted in a timely manner. Should a member wish to place an item on the agenda, the member may request such at the next regular meeting of the board or Commission. In the case of conflicts, items may be brought to the board or commission for a vote to consider whether or not the item should be agendized. In the case of the planning and zoning commission and the board of adjustments and appeals, all current applications which require review of the board or commission must be agendized in accordance with state law and may not be removed from the agenda until a vote on the matter has occurred.

2. Minutes. The Town Manager will provide for secretarial/ recording services for the ~~Board or commissions~~ Commissions. Digital recording ~~of work sessions~~ is preferred, but if not possible, detailed minutes shall be taken by hand by the ~~secretary or recording secretary~~ Recording Secretary assigned by the ~~department~~ Department head ~~Head~~. The following procedures shall be followed:

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a. Approval. Minutes of the previous meeting(s) shall be presented at the most reasonable date following the meeting, usually the next meeting of the ~~board~~ Board or ~~commission~~ Commission. Such minutes shall be reviewed and approved by a majority vote of the ~~board~~ Board or ~~commission~~ Commission.

b. Filing. Upon approval of ~~minutes~~ Minutes, the signed original shall be provided to the Town Clerk within two (2) working days for Council and ten (10) working days for commissions of approval. In addition, the affected department shall maintain copies for public review.

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c. Disbursal. Within three (3) working days of a meeting, the draft minutes ~~or recording of the meeting~~ shall be posted to the Town's webpage. ~~Within two (2) working days following the approval, the final copy of the minutes shall be posted to the Town's webpage.~~ Copies of minutes may be released and appropriate copy fees charged to the requesting party in accordance with Town Council policy. Note: ARS 38-431.01 states when they must be posted and available.

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d. Content. Minutes shall contain, at minimum, the date, time, and place of the meeting, the members of the public body recorded as either present or absent, a general description of the matters considered, an accurate description of all legal actions proposed, discussed, or taken, and the names of members that propose each motion. The minutes shall also include the names of persons ~~as given~~, making statements or presenting materials to the public body and a reference to the legal action about which they made statements or presented material. If a roll call vote is conducted, the name and vote of all members shall be listed. The minutes shall be as complete as possible with emphasis on discussion to determine the reason(s) for the board or commission's action on an item.

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B. Voting Procedures, Quorums and Abstentions. The action of any board or commission shall be taken by a vote of the membership. Voting procedures shall be in accordance with basic Robert's Rules of Order to the extent practicable and in accordance with the Town ~~Of of~~ Camp Verde Policies And Operations Guide Best Practices and shall include the minimum:

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1. Motion. A ~~member~~ Member of the ~~board~~ Board or ~~commission~~ Commission may make a motion, and such motion shall only take place after the introduction of an agenda item. If an agenda item is listed as a public hearing, such motion shall not take place until the public hearing has been called and closed.
2. Second. A motion must receive a second from a member of the board or commission. Once a second is received, additional discussion may take place on the item before the vote is taken. If a motion is not seconded, the motion dies.

3. Voting. The ~~chairperson~~ Chairperson shall call for a vote upon completion of a motion, second, and any discussion. Such vote shall consist of votes in favor, votes in opposition, or abstentions. For a motion to pass, a minimum of four (4) votes shall be in favor of the motion. If less than four votes are received in favor, the motion is then considered to be a vote of denial of the motion. Items may be tabled or referred to a later agenda if it is determined, by majority vote, that such decision would best be rendered upon receiving more information or if requested by the applicant. Tabled or delaying of ~~agenda~~ Agenda items should be based upon a definitive time frame and reason. Such should only be considered when necessary or if the applicant is absent or requests a delay.
4. Quorum. A majority of the membership of the ~~board~~ Board or ~~commission~~ Commission ~~(four)~~ (4) is considered a quorum. If a quorum is present, the meeting shall commence and voting may occur. An affirmative vote shall be unanimous if only four members are present.
5. Abstentions/Conflict of Interest. (2008-A355). If a member of a ~~board~~ Board or ~~commission~~ Commission determines that they have a conflict of interest, ~~they shall remove themselves from the meeting room and not take part in either the discussion or the vote.~~ Such conflict should be stated prior to the item being introduced or just after introduction but prior to discussion. A *Conflict of Interest Disclosure Memorandum* form must be completed, signed, and submitted to the Clerk's Office for each conflict that is declared. A member may abstain from voting on an item even if a conflict of interest is not present; however, this is not a preferred action.

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ARTICLE 4-4

GENERAL DUTIES AND REQUIREMENTS

All boards and commissions are established by a separate document that conveys the specific duties and powers of the group. The following general duties and requirements apply to all members of boards and commissions.

- A. The ~~board~~ Board or ~~commission~~ Commission must operate under the statutory requirements of the Arizona Revised Statutes. Upon appointment to a ~~board~~ Board or ~~commission~~ Commission, ~~The Town Clerk~~, ~~such member shall obtain~~ provide information regarding ~~open~~ Open meeting Meeting Law and shall become familiar and abide by all statutory requirements. All members of a ~~board~~ Board or ~~commission~~ Commission are to be provided with copies of this ~~chapter~~ Chapter upon appointment and shall become familiar with the duties and requirements of this ~~chapter~~ Chapter and other ~~ordinances~~ Ordinances, ~~resolutions~~ Resolutions, or information affecting the board or commission and the general subject matter/department which they discuss.
- B. Actions of a ~~board~~ Board or ~~commission~~ Commission are recommendations only, and final action shall be taken by the Council upon items involving financial matters or other items affecting the duties of the staff or creation of new rules and regulations in accordance with ~~state~~ State law. The decisions of the ~~board~~ Board of ~~adjustments~~ Adjustments and ~~appeals~~ Appeals are final unless appealed to ~~superior~~ Superior court Court.
- C. A subcommittee of members of the ~~board~~ Board or ~~commission~~ Commission may meet to discuss special projects as long as such subcommittee is less than a majority of members, such special subcommittee may be assigned only from the membership and shall not be construed to allow for appointment of non-members to any special committee or group unless approved by the Council in advance of such action.
- ~~D.~~ Boards and ~~commissions~~ Commissions should review the proposed budget of the affected department where appropriate. Such review should provide general guidance to the department. No formal changes to the proposed budget can be made without the department head's approval. Should conflicts arise, such may be referred to the Town Manager in writing, if deemed appropriate.
- E. Boards and ~~commissions~~ Commissions shall annually review, as necessary, the ~~operating~~ Operating policies Policies and ~~procedures~~ Procedures for that activity within their purview. Changes deemed appropriate by the ~~board~~ Board or ~~commission~~ Commission shall be forwarded, in writing, to the ~~department~~ Department head Head and Town Manager and may be provided for consideration by the Mayor and Council if necessary.

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- F. Boards and ~~commissions-Commissions~~ shall annually, if necessary, conduct a review of the facilities to include buildings, grounds or any other real property or facilities operated by the Town that are within their purview. A report of the review shall be issued for consideration by the department head and Town Manager and referred to the Council if necessary for formal consideration.
- G. A ~~development-Development plan-Plan~~ may be developed by the board or commission regarding the department activities that they are empowered to act upon. Such plan should be forward-thinking (five years) and include considerations for the facilities, staffing, equipment, materials, and other items. The board or commission shall submit such report to the department head and Town Manager for review for final consideration.
- H. ~~Members of boards and commissions are hereby encouraged to interact with persons serving in similar capacities in other communities as well as those regional and state officials whose duties include an advisory capacity to them. The purpose of this chapter is not to encumber each of the boards and commissions with specific duties and responsibilities as to interfere with the opportunity for expression of imagination and creativity. Rather, it is the intent of this chapter to assure the orderly and timely conduct of the business of boards and commissions. Structured activity, procedures, and policies are needed to ensure that the work of the board or commission is worthwhile, productive, and successful.~~
- I. A ~~board-Board~~ or ~~commission-Commission~~ may vote to consider a request for scheduling a joint ~~work-Work session-Session~~ with the Council. Such request may be made in writing after approval of the ~~board-Board~~ or ~~commission-Commission~~ and shall include a description of the reason(s) for the meeting. Such request shall then be presented to the Town Manager for consideration of the Council. The Council may also request joint work sessions with any board or commission and may set any items for discussion at such meeting.
- J. All powers and authorities of the Town are reserved to the Mayor and Council, except to the extent that they are specifically delegated to various members of the ~~staff-Staff~~ or ~~board-Board~~ or ~~commission-Commission~~ by the Mayor and Council or by statute. Boards and ~~commissions-Commissions~~ serve in an advisory capacity, ~~except Board of Adjustment and Appeals~~. Notwithstanding such reservation, the following powers and authorities are delegated to the ~~boards-Boards~~ or ~~commissions-Commissions~~:
1. Each ~~board-Board~~ or ~~commission-Commission~~ shall have the power and the express authority to review those matters specifically assigned to it by ~~ordinance-Ordinance~~ or ~~statute-Statute~~. They shall have the power and authority to issue reports and to discuss such reports with the ~~manager-Manager~~ and the Council and to hold any necessary public forums required to assist them in the development of any such reports. Said public forums may include discussion with the press, discussions with the public in general, special meetings and public hearings. In no case, however, shall a ~~board-Board~~ or ~~commission-Commission~~ have the power or authority to enter into a contract or to obligate the Town to expend funds. Any such contract or obligation of funds shall be undertaken by request submitted to the Town Manager. Such request shall be responded to, in writing, either positively or negatively within thirty days of receipt of such request by the Town Manager.
 2. ~~Pursuant to ARS 38-431.03~~ Executive sessions, ~~as may be allowed pursuant to ARS 38-431.03, as may be amended,~~ to discuss legal matters or property acquisition, shall be requested by the ~~chairman~~ ~~Chairman and scheduled jointly with the Council.~~

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ARTICLE 4-5

COMMITTEES (2004-A289)

The Council may appoint temporary *ad hoc* ~~committees-Committees~~ for limited purposes. All ~~committees-Committees~~ are required to follow the procedures for meetings as set forth in Article 4-3. ~~A quorum for all ad hoc committees will consist of four (4) members present at any meeting.~~

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