

**(Corrected) MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, APRIL 19, 2023, at 5:30 P.M.**

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

1. Call to Order

Mayor Jenkins called the meeting to order at 5:30 p.m.

2. Roll Call

Mayor Dee Jenkins, Vice Mayor Marie Moore, Councilor Wendy Escoffier, Councilor Jesse Murdock (arrived at 5:36pm), Councilor Jackie Baker and Councilor Cris McPhail are all present. Councilor Robin Godwin is absent.

Also Present

Interim Town Manager Gayle Mabery, Town Attorney Stuhan, Town Clerk Cindy Pemberton, Deputy Town Clerk Virginia Jones and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Councilor Baker led the Pledge.

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

Town Clerk Cindy Pemberton gave a little history of the Town Code. She explained that recommendations are being brought before Council by a Town Code committee created by the Town Clerk include staff department to identify content change and errors. Ms. Pemberton said it's the idea to look at the content to make sure the Code reflects Council intentions.

Ms. Pemberton went through some of the changes made to Chapters 1-4.

- Pg. 10, **Effective Date of Code**, staff is recommending striking the effective date of May 18, 2011. That date is no longer pertinent.
- Pg. 10, **Section 2-1-3 Assumption of Office**. Staff is recommending members take their seats at the beginning of the agenda. Council members talked about outgoing members being present for and voting on "old business" then seating incoming members. There needs to be a distinction between "old business" and "new business". **Direction to staff:** Town Attorney will speak with the Elections Attorney in her office for clarification as to when to seat in coming members.
- Mayor Jenkins would like to make a correction on Pg. 11, **Section 2-2-3 Acting Mayor**, add "or Vice Mayor" to the last sentence. It should read, "to override the Mayor's or Vice Mayor designation and select an alternative person to serve as Acting Mayor."
- Pg. 13, **Section 2-3-1 Regular Meetings/Hours of Operation, Hours of Operation/Meeting Dates and Times**, it currently says the first meeting in January. Ms. Pemberton is suggesting to change this to December or delete it entirely as some municipalities don't operate this way.

Vice Mayor Moore and Councilor Escoffier are in agreement to delete it all together, why approve it if you aren't changing anything.

- Pg. 13, **Section 2-3-2 Special Meetings and Times and Places of Special Meetings**, staff is recommending that Special Sessions are *not* to be scheduled away from Town Hall because it created a bit of contradiction in a later paragraph does allow to move the Council to alternate locations.
- Pg. 13, staff is also recommending moving "C", the highlighted portion at the bottom of page 13, to **Section 2-3-4 Meetings to be Public**, it was more appropriate to be placed there as opposed to posting of notices. Council members discussed posting locations. Attorney cautioned about listing several different posting locations in Town Code as this could jeopardize the meeting if that particular space was not available/accessible. She suggests adding language, "and such other locations as directed". Discussion regarding legal posting obligations verses practiced locations. Council would like to continue to post the agenda at Town Hall and online but also continue to post at Basha's and add the library. The same should apply for Boards and Commissions.
- Pg. 15, **Section 2-3-5 Quorum**, the Town's voting requirements are greater than state law. State law defines a Quorum as a majority, but Town code states "shall take a majority vote of the entire Council or a minimum of four to enact any measure." You can go above state requirements, this is a policy decision. Councilor McPhail prefers a majority. Council wants to know what other cities do. Attorney recommends not to go above state law. Consensus was determined by Council to leave it the way it is.
- Pg. 15, **Section 2-3-6 Preparation of Agenda**, strike through the last sentence in "A", this has not been a past practice and would be giving an advantage over the other members not present at the agenda meeting. *The consensus is to take it out.*
- Pg. 15, **Section 2-3-7 Order of Business-**
 - D. **Consent Agenda-** consensus is to remove, second sentence of "D", the reading of minutes.
 - C. **Roll Call-** Attorney Stuhan will work with wording, it is not correct as written.
 - E. **Call to the Public-** Mayor Jenkins would like it to read "Call to the Public *for items not on the agenda*"
- Pg. 16, **Section 2-3-7.1 Management of Meetings**,
 - B- Capitalize "T" in "The Mayor..." change "shall" to "may".
 - strikethrough "E" of *previously approved items*
- Pg. 16, **2-3-8 Voting-**
 - B- strikethrough if requested by a Council Member, asking that you adhere to the state statute on requirement in the minutes; it is required to state the ayes and nays on the minutes.
 - **Entire Chapter 2-** is related to the Mayor and Council and not the Commission & Boards. Requesting a strikethrough on "Chairman" and add "designee".
 - **Abstaining-** Council discussed the different ways of abstaining and the meaning of each. Councilor Murdock thinks it should not count as a vote and to strike the sentence. Councilor Murdock wants it fully declared; an abstention is a null/void vote.
 - **Conflict of Interest-** Mayor Jenkins asked if the person who has a conflict of interest needs to leave room or just step away from the dais. Clarify proper procedures. Attorney Stuhan recommended, a declaration of conflict and leave the dais. They don't need to leave the room.
- Pg. 18, **Section 3-2-1 Town Manager, C Eligibility-** 120 days may be too narrow, consider changing it to 180 days to establish residency due to housing market. Vice Mayor Moore cannot

exceed a year in her opinion. They may put in to request for more time with legitimate reason. Councilor Baker take out "no exceptions", they can at least come to Council to present their exception.

- Pg. 17, **Section 2-4-5 Effective Date of Ordinance, A-** Should read, "An Ordinance, Resolution, or Franchise shall become operative until thirty days after its passage by the Council"

Because of time restraints the meeting was adjourned and Ms. Pemberton has noted the recommended changes thus far. She will bring back before Council to continue on with the last two chapters.

5. Adjournment

Mayor Jenkins adjourned the meeting at 6:30 p.m.



Mayor Dee Jenkins



Attest: Town Clerk Cindy Pemberton

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on April 19, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 9th day of May, 2023.



Cindy Pemberton, Town Clerk