

(Corrected) Minutes
SPECIAL SESSION
MAYOR and COMMON COUNCIL
Of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room 106
Tuesday, August 5, 2008
5:00 p.m.

APPROVED

1. **Call to Order:**

Mayor Gioia called the meeting to order at 5:00 p.m.

2. **Roll Call:**

Mayor Gioia, Vice Mayor Hauser arrived at 5:02 p.m., Councilor Kovacovich, Elmer, Garrison, Smith, and German were present.

Also Present: Town Manager Michael Scannell, Attorney William Sims, Town Clerk Deborah Barber, Administrative Assistant Sharon McCormick and Recording Secretary Virginia Jones.

3. **Discussion, consideration, and possible direction to staff and/or possible approval of Resolution 2008-751, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2003-568 and adopting the Town of Camp Verde Code of Conduct for Elected and Appointed Officials.** This item may include discussion, consideration, and/or direction to staff relative to the proposed Code of Conduct.

Items 4 and 5 were heard prior to item 3.

Council reviewed the proposed Code of Conduct for Elected and appointed officials and requested the following changes:

Page 2:

Bullet 2 needs to be reinserted

Bullet 8 should be removed.

Change the word 'power' to 'authority' under 'All Council Members'

Page 3:

Meeting Chair bullet 3 remove 'with advice. If requested, from the Town Attorney who acts as an advisory parliamentarian.

Former Council members: insert the word 'for' whom they are speaking and delete the rest of the sentence.

Page 4:

Change time limit to 3 minutes.

Page 5:

Travel Expenses will read 'Town of Camp Verde Financial Operations Guide as may be amended.

Remove 'use formal titles'

Council discussed out of state travel for Council and staff and would like included in the Financial Operations Guide.

On a motion by Hauser, seconded by Garrison, Council approved a daily amount of \$37.00 per diem for travel meal expenses.

On a motion by Hauser, seconded by Elmer, Council agreed to leave the mileage as is and not to exceed the IRS rate.

On a motion by Garrison, seconded by Smith, Council requested all out of state travel for Council and Staff be approved by Council prior to the trip for Town business. Vote 4-3 with Hauser, Gioia and Elmer opposing.

Page 7

Council Conduct with Town Staff: Bullet #1, in the last sentence change the word 'poor' to 'inappropriate' and define 'inappropriate' in the glossary.

Bullet #2: should read 'should be directed only to the Town Manager, Town Clerk or Department heads or his designee.'

On a motion by Garrison, seconded by Elmer Council unanimously agreed to change 3-2-1E of the Town Code to read 'with the consent of the manager.'

Page 13

Bullet #2 will read 'The Mayor is the official spokesperson for the Town.'
Correct the spelling of the word 'ethics.'

Council questioned about inappropriate behavior by board or commission members, and if there should be a paper trail. The Mayor stated there had been a previous incident regarding a staff member and he conferred with the Manager. It was in the best interest of the Town not to document. Sims reminded Council that every item that is written becomes public record.

Filing Complaints: It was agreed that Attorney Sims will construct the verbiage for third party review and bring back to Council noting there are times when he cannot investigate complaints because he works for the Council. In the past, complaints were difficult to manage because no one was willing to sign a sworn statement

Page 15

Bullet #3, Council would like the last sentence deleted.

Regarding the last paragraph in discussing if mayor is individual who is being challenged, Attorney Sims will re-write the paragraph.

Page 16

#16 list sanctions. Attorney will be bringing back

Page 17

Bullet #2 change the word 'by' to 'my.'

Page 18

Council would like to add definition for 'inappropriate'

Public input

Nancy Floyd stated she would like to know what is 'inappropriate behavior.'

4. **Discussion, consideration, and possible direction to staff and/or possible approval of the proposed changes to the Town Code.** This item may include discussion of items relative to the Town Code, including, but not limited to correction of typographical errors, administrative duties, business licenses, Roberts Rules of Order, term limits, travel restrictions, per diem and travel rates and a review of local and state regulations concerning procurement and restricted payments to Council members.

Mayor Gioia turned the meeting over to Town Clerk Deborah Barber who explained that Council previously discussed the changes in Chapter 9 in May and the changes included in the document are a result of the prior meeting. Council questioned how staff would inform the public and Barber explained staff would be doing Public Service Announcements, posting in prominent places throughout the Town and agreed with Council that working with the Chamber of Commerce and placing an announcement in their monthly newsletter would help get the information out.

Barber noted the main change would be that all persons conducting business within the Town Limits would be required to have a business license. Barber explained the current code states 'A

person actively conducting any business subject to taxation under Chapter 8.....' and that verbiage would be deleted.

Council noted that some communities have signs located at each boundary of the Town, indicating a business license is required to conduct any type business within the Town limits and stated they would be in favor of posting such signs.

Council questioned if inspections of businesses would be a hardship on the Community Development department and it was noted that they were the department that added the language allowing the inspections. Attorney Sims stated the initial purpose of a business license was to allow jurisdictions to enforce tax collection, many cities and Towns use the license as a way to protect the community by allowing inspections of the business to ensure they comply with building codes and fire codes. Sims stated the language could be changed to "May require a physical inspection." Council requested the Marshal, who is the enforcement official for Business Licenses to bring back a report as to how he would phase in the enforcement of obtaining a business license.

Council agreed they did not want the insertion of the new paragraph in section 9-3-3 included and requested the entire paragraph be deleted.

Council questioned staff regarding the business license application and requested the application be updated to include all parcels affected and used by the business, including storage. Attorney Sims stated that each parcel would have to be in compliance, or the license would be revoked or not issued, and agreed each parcel should be included on the application.

PUBLIC INPUT:

Amber Polo stated she would like to see the definition of 'business' included in Article 9-1 and 9-3.

Council agreed the addition of definition of 'business' would be helpful.

Council directed staff to bring back changes for Chapter 9, including changes in the application form and bring back to Council within a month.

Section 11-1-6 Parks-Alcohol Use.

On a motion by German, seconded by Smith Council requested staff reinstate the deleted section of 11-1-6 with the exception of "if the beer is not going to be sold, but distributed as part of a private function, only a Town permit is required" and add the word 'wine'. Vote was 6-1 with Garrison opposed.

Public Input:

Nancy Floyd stated you do not have to have alcohol at the events, we need to be the role models for our children.

11-1-7 Signs and banners:

On a motion by Hauser, seconded by Elmer Council agreed to leave Section 11-1-7 as is and insert a coma after the word Council. The vote was 6-1 with Smith opposing.

Public Input:

Nancy Floyd recommended referring to the Planning & Zoning Ordinance regarding signs and banners.

On a motion by German, seconded by Smith all out of state travel for Council and staff will have prior approval by Council if traveling on Town Business. Motion passed with a 6-1 vote, Elmer opposed.

5. **Discussion, consideration, and possible approval of Resolution 2008-753, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting fees for Town Services.**

Mayor Gioia called a recess at 7:13 p.m. The meeting was called back to order at 7:23 p.m.

Council reviewed the changes for the Library fees and because they were unable to determine what changes, if any, were made and they were unable to make a decision.

Council reviewed the Administration fee Schedule. Staff explained the Town currently has a \$10.00 fee for Business License Applications, and renewals, with Casual Licenses currently cost \$10.00 per day. Staff noted they have done a cost analysis to determine how much it does cost the Town to process the application and bottom line, with the current fee; the taxpayers are footing the bill for the business owners. Council questioned the need to charge an additional \$5.00 per each storage unit, or apartment in a complex. Attorney Sims recommended removing that fee until he could research the legality of the additional charge.

Council questioned staff regarding the fee for liquor license applications and staff informed Council the Town currently does not charge a fee, however the process is very time consuming and again the general public is footing the bill for the business owner. Staff noted the fees are not to make money, but to cover the expenses incurred by processing the paperwork that is required by the State.

On a motion by German, seconded by Garrison, Council unanimously requested the Liquor License Permit for a one time Special event be set at \$50.00.

Public input: There were no public comments.

Council reviewed the Court Fees and indicated there were no changes.

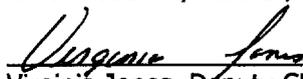
Council reviewed the fees for the Parks and Recreation Department and requested the item be brought back to Council when a representative from that department would be available to explain what changes had been made.

On a motion by German, seconded by Hauser, Council unanimously approved Resolution 2008-753, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, and adopting fees for Town Services that were reviewed by Council and agreed upon, with the changes requested. Council reviewed, commented and approved Office of the Town Clerk, and Court Fees.

Public Input: There were no comments from the public.

6. **Adjournment**

On a motion by Hauser, seconded by Kovacovich council adjourned the meeting at 9:37 p.m.

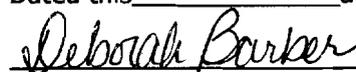


Virginia Jones, Deputy Clerk

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 the 5th day of August, 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 2 day of Sept 2008



Deborah Barber, Town Clerk