

**DRAFT ORDINANCE 2013-A391
AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
AMENDING TOWN CODE SECTION 3-2-1.C TOWN MANAGER – RESIDENCY**

TOWN CODE, SECTIONS 3-2-1.C IS HEREBY AMENDED AS FOLLOWS:

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

- A.** Office Established. The 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 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.
 - 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 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 law, state law, or Town ordinances.
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.

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 and zoning commission and all other commissions, boards or committees created by the Council. He shall cooperate to the fullest extent possible with the members of all commissions, boards, or 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.

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

Violations and Penalties. Violation of this [section] ordinance is declared to be a Class 1 misdemeanor, punishable by fines up to \$2,500 and 6 months in jail or to the limits as may be amended by State law.

Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-813 is accomplished.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 18th day of December 2013.

s/s Charles German

 Mayor Charles German

12-19-2013

 Date

ATTEST:

s/s Deborah Barber _____
Town Clerk Deborah Barber

12-19-2013 _____
Date

Approved as to form:

s/s William Sims _____
Town Attorney