

## ORDINANCE NO. 2000-A160

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ESTABLISHING POLICY FOR NON-CLASSIFIED EMPLOYEES, AND MODIFYING THE EXISTING TOWN CODE, EMPLOYMENT CONTRACTS, AND PERSONNEL HANDBOOK

WHEREAS, it is in the best interests of the Town to attract and retain highly qualified and motivated persons for key staff positions, minimize employee turnover and training, and provide consistent policy implementation with staff decisions and the general public, and

WHEREAS, sections of the existing Town Code, Personnel Handbook, and employment contracts are inconsistent, and should be revised so that they are supportable in Arizona law and achieve the above goals of the Town,

*NOW, THEREFORE, be it ordained by the Common Council of the Town of Camp Verde:*

- 1. Existing Employment Contracts.** All existing employment contracts between the Town of Camp Verde and non-classified employees, with the exception of the Town Magistrate and Town Engineer, *have been rescinded in favor of the following provisions pursuant to a "Mutual Termination of Contract" previously executed by the contract holders.*
- 2. Dual Positions.** The provisions below distinguish between three positions that are appointed and reviewed by the Council (Town Manager, Town Attorney, and Treasurer/Finance Director), and other department heads that are under the 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 that the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3.B.
- 3. Amendments to Town Code.** The Town Code of Camp Verde (adopted by Ordinance 96-A116 on September 18, 1996) is hereby amended as follows:
  - Section 3-1-3.A is deleted and replaced with the following language:  
*"A. **Removal for Cause.** The Town Manager, Town Attorney, and Treasurer/Finance Director 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, or non-classified employees, report to the Town Manager, and may be removed for cause. "Removal for cause" includes failure to have*

*satisfactory performance reviews, violation of adopted work rules in the Personnel Handbook, violation of the 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."*

- Section 3-1-3.B is deleted and replaced with the following language:  
*"B. **Termination Other Than For Cause.** The Town Manager, Town Attorney, and Treasurer/Finance Director, may be removed by the Council other than for cause, by offering severance pay of 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 (2000)."*
- Section 3-2-1.G.3 (Powers and Duties of Town Manager), first sentence is deleted and replaced with the following language:  
*"Power of Appointment and Removal. To appoint, remove, promote and demote any and all officers and employees of the Town, except the Town Treasurer/Finance Director, the Town Attorney, and the Town Magistrate, all of whom shall be appointed by the Council."*
- Section 3-2-2.A (Town Clerk) is deleted and replaced with the following language:  
*"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 (as amended 2000)."*
- Section 3-2-2.D.6 (Duties as Treasurer) is deleted and the remaining subsections are re-numbered accordingly. The duties of Treasurer are now assumed by the Treasurer/Finance Director under the following provisions added as new Section 3-2-7 (Treasurer/Finance Director):  
*"A. Office Established. The office of the Treasurer/Finance Director is hereby established. The Town Treasurer/Finance Director shall be appointed by the majority vote of the Council on the basis of ability, and shall hold office pursuant to Section 3-1-3.A and 3-1-3.B (as amended 2000)."*  
*B. Acting Treasurer/Finance Director.*
  1. *In the absence of the Town Treasurer/Finance Director, the deputy Town Treasurer/Finance Director shall be the acting Treasurer/Finance Director, and, if not available, then the Town Manager.*
  2. *The acting Town Treasurer/Finance Director shall have the duties and responsibilities as established by law, this code, or ordinance.*

- C. Vacancy in Office. *In the event of a vacancy in the office of Town Treasurer/Finance Director, such as that created by termination, resignation, or death, the Town Manager may assign the powers and duties to staff until the position is filled.*
- D. Duties of Treasurer/Finance Director. *The Treasurer/Finance Director shall receive and safely keep all monies that come to the Town, and pay out the same when authorized by the Council, or the manager as authorized by the Council. The Treasurer/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. He shall make monthly reports to the Council of all receipts and disbursements, and the balance in each fund."*

- Sections 3-2-3.A and 3-2-3.C (Town Marshal) are deleted and replaced with the following language:

*"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 code (as amended 2000).*

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- C. Powers and Duties. *The Town Marshal is the administrative head of the police 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 3-2-4.A (Director of Community Development) is deleted and replaced with the following language:

*"A. Office Established. The office of the 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 (as amended 2000)."*

- Sections 3-2-5.A and 3-2-5.C (Director of Public Works) are deleted and replaced with the following language:

*"A. Office Established. The office of Director of Public Works is hereby established. The Director of Public Works 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 (as amended 2000).*

.....

C. Powers and Duties. *The Director of Public Works is the administrative head of the public works department under the direction and control of the Town Manager."*

- Section 3-2-6.A (Town Attorney) is deleted and replaced with the following language:  
*"A. Office Established. The office of Town Attorney is hereby established. The Town Attorney shall be appointed by the 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 (as amended 2000)."*

4. **Amendments to Personnel Handbook.** The Personnel Handbook of the Town of Camp Verde (adopted November 15, 1995) is amended as follows:

- Sections 3(a)i and 3(a)iii (Unclassified Employees) are deleted and replaced with the following language:  
*"(a) Unclassified Service. Employees in the unclassified service include the following:*
  - i. Town officers appointed by the Town Council, such as the Town Manager, Town Attorney, and Treasurer/Finance Director, all of whom serve at the pleasure of the Town Council per Sections 3-1-3.A and 3-1-3.B of the Town Code (as amended 2000).*
  - ii. ...*
  - iii. Department heads, all of whom serve at the pleasure of the Town Manager per Section 3-1-3.A of the Town Code (as amended 2000)"*
- The first sentence following Section 3(a)iv is deleted and replaced with the following language: *"The employment of an unclassified employee can be terminated by the employee or by the Town at any time pursuant to Section 3-1-3 of the Town Code (as amended 2000)."*
- Section 12 (Work Rules) is expanded to include the "Good Government Practices" adopted in Resolution 2000-433.
- The first sentence of Section 10 (Performance Evaluations) is deleted and replaced with the following language: *"Employee performance evaluations will be completed twice during any probationary period, and at least annually thereafter."*

Passed and adopted this 16<sup>th</sup> day of August, 2000:

Brenda Hauser, Vice Mayor

Brenda Hauser

Attest:

Deborah Barber

Town Clerk

Approved as to form:

[Signature]

Town Attorney

[Signature]

Please Publish: August 30th and September 6th

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