

**MINUTES OF THE STUDY SESSION
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**THURSDAY, APRIL 12, 2012
6:00 PM**

The Town Council of the Town of Chino Valley, Arizona met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Thursday, April 12, 2012.

Mayor Marley called the meeting to order at 6:00 p.m.

Council Present: Mayor Chris Marley, Vice-Mayor Carl Tenney, and Councilmembers Mike Best, Darryl Croft, Dean Echols (left meeting at 6:33 p.m.), Linda Hatch, and Lon Turner.

Staff Present: Interim Town Manager Robert Smith, General Services Director Cecilia Watts, Town Engineer/Public Works Director Ron Gritman, Utilities Supervisor Chris Bartels, Utilities Tech Joe Grassi, and Town Clerk Jami Lewis (recorder).

- 2) Discussion regarding Chino Valley Town Council Rules of Procedure (Section 30.067 of the Town Code), including but not limited to Sections 5 and 6 thereof. (Mayor & Council)

(Council heard this item after item 3 but it is retained here for clarity.)

Councilmember Croft, whom Mayor Marley had asked to moderate this meeting, led Council through several discussions with regard to their meeting process and guidelines for contact with each other, Town staff, and the public. Topics discussed were as follows.

Ground Rules

Councilmember Croft suggested the following ground rules for Council meetings:

- | | |
|--------------------------|---|
| 1. Have an agenda | 6. One conversation at time |
| 2. Start and end on time | 7. Different opinions are welcome |
| 3. Cell phones off | 8. Challenge ideas, not individuals |
| 4. Everyone participates | 9. Disagree in private, unite in public |
| 5. Silence is agreement | 10. Follow up on action plans |

Council Meetings – How Long and How Often

Council discussed and concluded that:

- *Regular Meetings* – They did not desire to have separate study sessions and voting sessions for each regular meeting; they preferred to retain their current schedule.
- *Executive Sessions* – They preferred to hear from the attorney before discussing items. They should follow the same ground rules for decorum, but discussions could be less

structured than in open session. The Chair should not limit number of questions a person could ask at one time, but the Chair could stop any discussion that gets out of hand.

- *Study Sessions* –They preferred to hold longer study sessions less often, using study sessions for items needing a larger amount of time for presentation or discussion, or for multiple or “hot topic” items. Staff should place shorter, one-topic review and discussion items on regular meeting agendas.
- They needed to review the meeting packet, study the items, and contact staff, if necessary, before the meeting. Conversely, they could ask questions of staff during the meeting for the public’s benefit.
- They did not want to rush items through, but needed to stay on task during meetings.
- They needed adequate information from staff on their agendas.

Meeting Decorum

Council discussed and concluded that:

- The Chair will ask presenters for their preference as to questions being allowed during or only after their presentations.
- Council’s questions of presenters should not be limited, as Council had a duty to ask until the answers were clear.
- The public process for questions and comments was already defined in the Rules of Procedure.
- During discussions, the Chair will check with each side of the Council in turn for questions and comments, but Councilmembers could indicate that they had further questions or comments by raising their hands; those seated next to the Chair could let the Chair know that a fellow Councilmember had a hand raised.
- Councilmembers will nod to the Mayor to indicate that they were done with their questions or comments.

Councilmembers noted that they had received complaints from citizens about councilmembers and staff having side conversations during meetings.

Council/Staff/Public Relationships – “Governing bodies legislate; staff members operate.”

Council discussed the appropriate level of interaction between Councilmembers and others on issues not authorized by the Council and concluded that:

- *Town staff* – Council could speak to staff members to obtain information, but give no direction nor micro-manage. Otherwise, they must go through the town manager. Trust and mutual respect was the foundation of Council and staff relations.
- Council had no concerns at this time regarding staff’s response time to questions from Council and/or citizens.
- Council members should receive timely, and meaningful and factual information from staff. Regarding paperflow in Council packets, some preferred that staff prepare executive memos of two pages or less that addressed the essence of a matter and that backup material not be printed with the packet, while others preferred receiving the full printed packet. They all agreed upon having an option.

- *Other government officials* – Councilmembers must not speak for the Council or take a position that commits the Council, unless Council so directs it.
- *Candidates for office* – Personal politics should not be brought into official Council meetings.
- *Citizens* – Councilmembers could hear opinions and make suggestions or refer citizens to the town manager, but they should not make any promises. Councilmembers also had the right to step down from the dais and speak as citizens.
- *Town attorneys/consultants* – Councilmembers should be able to speak with town attorneys, but should consult with the mayor or manager before doing so, but are not required to do so under time or personnel sensitive issues when the mayor or manager cannot be reached. Regarding consultants, it depended upon the contract, but contacting them should only be if necessary, due to billable hours, and they might need to consult with the mayor or manager.
- *Council* – Regarding giving and receiving constructive feedback, Councilmembers should deal with personal issues between each other in private and follow the chain of command. They should also “praise in public, criticize in private” (Vince Lombardi).

Action Items

- Assign Councilmembers Croft, Hatch, and Turner to develop a code of conduct and bring it to Council on June 12 for review and discussion.
 - Staff will bring back alternatives for reducing the paper in the agenda packets.
 - Staff will print out the ground rules and post them in the Council conference room.
- 3) Discussion regarding Council-Town staff relationships, including but not limited to Section 31.20(G) of the Town Code. (Mayor & Council)

Interim Town Manager Robert Smith related that generally, Councils performed a municipality’s legislative work then passed it to the town manager to administrate it. The fuzziness came in in getting the work done. It could be helpful for Council to have its own policies for these matters. He then presented the following documents for possible review and discussion.

Town Code

- 31.01 and 31.02 – Council appointments and removal of certain officers.
- 31.20 – Town Manager responsibilities.
- 35.04 – Conduct in public office.

Proposed Council Policy

- *Council interaction with staff* – This provided for informal and causal interaction between Council and staff, as well as staff’s duty to inform their direct supervisor of such contact.
- *Personnel matters* – Councilmembers should refrain from becoming involved in personnel matters, with limited exceptions.
- *General administrative support* – Councilmembers had the freedom to task the Town Clerk’s office with general administrative support, but if the task was burdensome, they should check with the town manager. Also, it would be best to make requests of the clerk via email.

- *Council/Manager relationship* – Individual Councilmembers should not direct the manager; this must be done as a body. The manager should keep Council informed as to priorities.
- *Performance complaints* – Council should refer public complaints to the town manager, but if the manager is not responsive, Council should address the matter.

Proposed Core Values of Governance. These set forth how the Council and Town administration should work together. Values were proposed for Council, as well as for town manager and staff.

ICMA Code of Ethics. The Council needed some sort of code of ethics. Ideally, the manager and employees should operate under these ethics as well. The Town could enact such a code and have employees sign it upon hiring.

Legislative Discipline. As an example, this document provided rules for discipline for a member of the legislature. While the law referenced the lowest common denominator, ethics referenced a higher code of conduct.

Sample Code of Conduct and Ethics Policy. Flagstaff's policy was well thought out and could be a good starting point for Council to develop its own policy.

Mayor Marley stated that Councilmembers should review these documents and write down comments and questions, and Council would review them again later.

Council also suggested that Councilmember Turner, Councilmember Hatch, and Councilmember Croft draft a Code of Conduct and Ethics Policy and bring it back for further discussion.

Councilmember Echols left the meeting at 6:33 p.m.

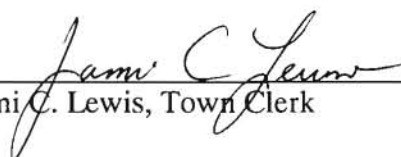
4) **ADJOURNMENT**

Councilmember Croft MOVED, seconded by Councilmember Best, to adjourn the meeting. The motion PASSED unanimously 7-0 at 8:13 p.m.



 Carl Tenney, Vice-Mayor

ATTEST:

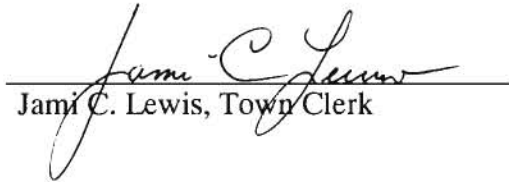


 Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 12th day of April, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of May, 2012.


Jami C. Lewis, Town Clerk