

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, June 15, 2004 in the Men's Lounge, Clark Memorial Clubhouse, Clarkdale, Arizona

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, June 15, 2004 at 6:00 p.m. in the Men's Lounge, Clark Memorial Clubhouse, 19 North Ninth St., Clarkdale, Arizona.

Town Council:

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley
Councilmembers	Rex Williams
	Patricia Williams
	Frank Sa

Staff:

Town Attorney	Rob Pecharich
Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Administrative Assistant	Charlotte Hawken

Others in attendance: Georgia Sa.

CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:00 p.m. and noted that all Councilmembers were present.

By unanimous consent, the Council moved the meeting to the Planning Department Conference Room, North Ninth Street, Clarkdale, Arizona. The meeting reconvened in the Conference Room at 6:03 p.m.

PUBLIC COMMENT - There was none.

WORKSESSION - A **worksession to review and discuss the following topics**. The council first discussed the nature of a worksession, defining it as a loose discussion of topics with no action taken. There may be public input and there are written minutes of the meeting.

- a) **Town Manager's Employment Contract**. Discussion included the following issues:
 1. Chapter 3, Administration, of the Town Code, Paragraph G under Article 3-2, Officers, conflicts with the Town Manager's Employment Agreement, Item 3 about the necessity of reasons for removal. It was agreed that Town Clerk Driscoll would remove the words "and the reasons therefore" from the Town Code, Chapter 3, Administration, Article 3-2, Officers, Section 3-2-1, Town Manager, Paragraph G, Removal. She will submit the changed Section to Town Attorney Pecharich, who will forward it to the Council for approval.
 2. The agreement is effective until March 30, 2005, as stated in Item 5.
 3. Item 6 means that Town Manager Mabery will submit a memo to the Council in November regarding her employment intentions.
- b) **Council/Manager/Staff/Attorney Relationship**. Discussion included the following issues:
 1. Citizen or performance issues and problems should go to Town Manager Mabery.
 2. If Town Attorney Pecharich thinks he is not needed at a meeting after reviewing the agenda, he checks with the town manager or clerk and does not attend the meeting.
 3. At some meetings it is cost effective to take items he must attend first, so that he can leave the meeting early.
 4. Items and information for the agenda are due by Wednesday afternoon before the Tuesday meeting.
 5. Legally minutes must contain who made a motion, what the motion was and the votes on that motion. Town Attorney Pecharich suggested that the Council does not want the specifics of who said what, because having just an overview minimizes legal issues.

6. The Council sets policy and expects the manager to carry it out and that good communication is the key to making this work, while she balances carrying out the policy of the group with listening to individual council members.
 7. Because it can take a long time for directions to staff to be finalized, it was agreed that monthly status reports of projects in the works would make it easier for the council to reprioritize items.
 8. Council needs to be specific about any identified time lines when items are approved. It was noted that the manager's weekly email report could be used for some of the reporting.
- c) **Review of information presented at the June 11-12, 2004 Newly Elected Officials Program, including the Arizona Open Meeting Law, Executive Session requirements, conflict of Interest Laws, and Public Records Laws.** Discussion included the following issues:
1. It is the Mayor's job to provide political leadership.
 2. In a possible conflict-of-interest situation, consult with Town Attorney Pecharich beforehand so he can issue a written opinion on it.
 3. There is a difference between abstention and conflict-of-interest.
 4. At the beginning of an item, declare your conflict-of-interest and excuse yourself from the table. Declaring a conflict protects you legally.
 5. Personal bias exists for everyone and is usually a challenge.
 6. Making the public aware of your participation in organizations.
 7. Regarding non-profit organizations, if the Council is voting on allocating a federal grant, then the council member who is a board member of that organization must declare a conflict and after declaring a conflict, that member cannot influence the rest of the council or the staff.
 8. Any communication as a Council member is public.
 9. Once a public official answers a public email, it must be sent to the Town's public records email account at records.clarkdale.az.us. Public record emails are kept about six months.
 10. Contact the manager to disseminate information to the other Council members.
 11. A Council member can respond to criticism from the public during public comment, by saying, "Mr. Mayor, I'd like to respond," but should be careful to not get in a back and forth conversation.
 12. If any possible topic at a social or other occasion will come up on a future council agenda, it must be posted as a Council quorum being present and the members must not speak on issues they have yet to vote on.
 13. The only people who can read executive session minutes are those who had a right to be at the session.
- d) **Meeting and Worksession Procedures.** Discussion included the following issues:
1. Discussions at meetings between the public and the Council should be limited. The public could present their views, and then the Council should discuss the issues.
 2. Mayor Von Gausig requested that the form for public comment speakers not have the part listing for or against.
 3. Regarding meetings with large numbers of the public who want to speak, the mayor could ask for speakers only with new information or limit the speakers to a shorter speaking time.

4. Worksessions are between Council and staff, not between the council and public or other entities unless specified as such.
- e) **Mayor's Role.** Discussion included the following issues:
1. Mayor Von Gausig noted the many informal meetings he has with various people and that he is aware of the limits to what he can say. He can find others on the Council to stand in for him by calling them.
 2. Most items are not critical enough to be put on a meeting addendum.
 3. Items are due at town hall the Wednesday before a Tuesday meeting.
- f) **Board and Commission Application/Appointment Process.** Discussion included the following issues:
1. The Council agreed to schedule interviews with possible board members, to include the staff liaison to that board, a member of that board, and a Council member who has not been on that board.
 2. The appointment process cannot be streamlined because often they are political positions.
 3. The Council reviewed and agreed to changes on the application. The time commitment for the board or commission member needs to be addressed at the interview.
- g) **Communication/Interaction with Boards and Commissions.** Discussion included the following issues:
1. Should there be a Council liaison to the Planning Commission?
 2. Minutes of board meetings are not enough of a report to the Council. The Council would like regular reports from the staff liaison.
 3. The Council requested verbal quarterly reports from the Planning Commission chair at a Council meeting.
 4. The Council requested verbal annual reports from the other board chairs chair at a Council meeting halfway through the year from the annual joint meetings with those boards.
- h) **Communication/Interaction with the Public and the Media.** Discussion included the following issues:
1. Refer reporters' questions to the staff person who is informed on the topic.
 2. Refer resident complaints to Town Hall or to the form located on the Town Website.
 3. Be sympathetic but do not set policy when speaking to the public.
 4. Be aware when Council action is necessary.
 5. Never speak ill of town employees or policies.
 6. Tell media the following:
 - Why don't you tell me what you need to know and I'll get back to you.
 - Are you recording me?
 - There is no such thing as off the record.
 - That's a question for the Mayor. (Then call the Mayor and let him/her know.)

REGIONAL REPRESENTATIONNON COMMITTEES – Discussion and possible action to designate Council members to represent Clarkdale on the following regional committees:

- i) Coconino-Yavapai Resource Conservation District (COCOPAI)
Grants Administrator Elliot will attend and submit a written monthly report to the Council
- ii) Cottonwood Area Transit System (CATS)
Not needed.
- iii) East Mingus Land Adjustment Committee (EMLA)
Representative: Councilmember P. Williams
Alternate: Vice-Mayor Wiley
- iv) Northern Arizona Council of Governments (NACOG)
Representative: Vice-Mayor Wiley
Alternate: Councilmember P. Williams
- v) Northern Arizona Municipal Water Users Association (NAMWUA)
Representative: Mayor Von Gausig
Alternate: Councilmember R. Williams
- vi) Verde River Sub-Flow Adjudication Committee
Representative: Town Manager Mabery
Alternate: Mayor Von Gausig
- vii) Verde Valley Transportation Planning Organization (VVTPO)
Councilmember Sa
- viii) Yavapai County Water Advisory Committee (WAC)/Verde Valley Natural Resources Coordinator
Advisory Committee
Representative: Mayor Von Gausig
Alternate: Vice-Mayor Wiley

ADJOURNMENT - With no further business before the Council and by unanimous consent the meeting adjourned at 9:02 p.m.

APPROVE:

SUBMIT:

ATTEST:

Doug Von Gausig, Mayor

Charlotte Hawken, Admin. Assistant

Joyce Driscoll, Town Clerk