

**Minutes of a Special Session of the Common Council of the Town of Clarkdale
Held on Tuesday, December 9, 2008**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, December 9, 2008, at 5:00 PM. in the Men’s Lounge of the Clark Memorial Clubhouse, 19 North Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Jerry Wiley

Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:

Town Manager Gayle Mabery
Town Clerk Kathy Bainbridge
Community Development Director Sherry Bailey

Town Attorney Rob Pecharich

CALL TO ORDER

Mayor Von Gausig called the meeting to order at 5:00 P.M.

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment

EXECUTIVE SESSION - The Council may vote to discuss the following matters in executive session pursuant to A.R.S. § 38-43103:

A.R.S. § 38-43103(A) (1) - Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting; and

A.R.S. § 38-43103(A) (3) - Discussion or consultation for legal advice with the attorney of the public body; and

A.R.S. § 38-43103(A)(4) - Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body’s position regarding contracts that are the subject of negotiations.

The Executive Session will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

Without opposition, the Council recessed to Executive Session at 5:05 P.M. per A.R.S. § 38-43103(A) (1), A.R.S. § 38-43103(A) (3), and A.R.S. § 38-43103(A)(4) .

Town Attorney Pecharich informed Council that this was an Executive Session and all discussions are confidential and for legal advice. Mayor reminded councilmembers that this session is for legal advice only and that all discussions pertaining to the decision must take place in the public session per open meeting law.

TOWN MANAGER EVALUATION – Discussion regarding the evaluation of the Town Manager.

DEVELOPMENT AGREEMENT WITH CLARKDALE METALS – Discussion and consultation with the Town Attorney for legal advice relating to the Development Agreement with the Town of Clarkdale and Clarkdale Metals.

Without opposition, the Council adjourned the Executive Session at 5:45 p.m. and resumed the meeting in Open Session

ADJOURNMENT

Without any further business, the Council adjourned the Special Session at 5:46 p.m.

ADJOURNMENT

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk