



**MINUTES OF SPECIAL MEETING OF THE COMMON COUNCIL OF YOUNGTOWN, AZ**  
**THURSDAY, August 27, 2009, TOWN HALL CONFERENCE ROOM, 12030 CLUBHOUSE**  
**SQUARE**

**Call to Order** Mayor LeVault called the meeting to order at 6:14 p.m.

**Roll Call** Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran,  
Councilmembers Margaret Chittenden, Dorena Mello, Shirley  
Oglesby and Susan MacKay

Council absent: Councilmember Judy Johnson, excused

Staff present: Town Manager Lloyce Robinson, Town Attorneys Michelle Swann,  
Stephanie M. Cerasano, and Sonya K. Boun, and Tom McMann,  
Litigations Specialist, Berkley Risk

**Business**

- A.** Call for motion to convene into Executive Session Pursuant to A.R.S. §§ 38-431.03(A)(3) and 38-431.03(A)(4) for the purpose of obtaining legal advice and/or for discussions or consultation with the Town Attorney and/or Town special counsel in order to consider Town's position and instruct its attorneys regarding the Town's position regarding settlement to resolve pending litigation with Richard Pina.

Councilmember MacKay made a motion to go into Executive Session; 2<sup>nd</sup> Councilmember Mello; Unanimous on a voice vote.

**Recess Special Meeting and Convene in Executive Session Pursuant at 6:18 p.m.**

**Adjourn Executive Session and reconvene Special Meeting at 7:05 p.m.**

Councilmember Chittenden remarked that she was glad the Town has personnel policies and procedures in place to protect all employees and the Town.

Councilmember Mello made a moved to approve the proposed Settlement Agreement between the Town and Richard Pina, but allowing the Town Manager to make changes to the Settlement Agreement as long as such changes did not obligate the Town to make any payment in excess of \$50,000, and granting the Town Manager the authority to execute all necessary documents. Council Member Oglesby seconded the motion, which passed unanimously on a voice vote.

**Adjournment.**

There being no further business, Council Member Chittenden moved to adjourn, which Vice Mayor Duran seconded.. The meeting adjourned at 7:15 p.m.

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**Michael LeVault, Mayor**

**Attest:**

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Letty Goldberg, Town Clerk

Minutes approved at September 10, 2009 Special Meeting.