



## MINUTES OF WORK SESSION OF THE COMMON COUNCIL OF YOUNGTOWN, AZ

THURSDAY, April 2, 2009, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order** Mayor LeVault called the meeting to order at 7:03 p.m.
2. **Roll Call** Council present: Mayor Michael LeVault, Councilmembers Margaret Chittenden, Dorena Mello and Susan MacKay. Council absent: Vice Mayor Jacob Duran, Councilmembers Lucille Rethford and Shirley Oglesby.  
Staff present: Town Manager Lloyce Robinson, Town Attorney Michelle Swann, Lt. Duren Robertson, Public Works Manager Mark Hannah, Finance Officer Jackie Hoffman and Town Clerk Letty Goldberg.
3. **Business**
  - A. Recognition of Anita Russell former First Lady of Youngtown (LEVAULT/ROBINSON)  
Mayor LeVault
    - This evening we are honoring former Youngtown First Lady Anita Russell. Her late husband, Mayor Eugene Russell came to the Council by appointment in 1998 and served as Vice Mayor. He served as Mayor from June 1999 to June 2001. Mayor Russell died the summer of 2006. Anita Russell was not stranger to Town government. She served as the Town Clerk of Bisbee, Arizona for nine years. They moved to Youngtown in 1989. Anita is leaving Youngtown to move to California to be closer to her children.

Town Manager Robinson

    - Anita let us know that she didn't want a stuffy old plaque. So to honor her, we have a candy dispenser filled with m&m's that are inscribed "YT Loves" on one side, and "Anita" on the other. Also we have a t-shirt/night shirt for Anita that says "Youngtown Loves Anita". We hope that she will think of all of us when she wears it.
    - Town Clerk Goldberg is going to lead us all in a cheer for Anita. Every one needs to pick up a pompom.
    - Cheering ensued.
  - B. Discussion Re: Approval of Ordinance 09-02 amending the code of Youngtown, Arizona, Title 2 Administration and Personnel, Chapter 2.12 Town Officers Generally, by amending Sections 2.12.010 Officers, and 2.12.130 Town Manager, all related to retention and supervision of job duties for town clerk and town manager; providing by repeal of conflicting ordinance; providing for severability; and providing penalties (ROBINSON).  
Town Manager Robinson
    - We brought to Council an ordinance that consisted of several changes in the same part of the code and were requested to separate the three elements of change.
    - The first part is on the Regular Agenda for this evening. The second part is changing the town clerk to reporting to the Town Manager instead of the Council. I believe that this was an error when the Town Manager position was created and that the intention was for the Town Clerk to report to the Town Manager. The previous Town Manager hired the Town Clerk without confirmation of the Mayor and Council. When I returned to Youngtown, I read the code and brought the appointment of Town Clerk Letty Goldberg to the Council for confirmation. Under the existing code, if there were a problem with the Clerk's work, the Town Manager would have to make recommendation to Council regarding action or discipline. The Town Manager also serves as the Town's Personnel Officer.

- Currently the Town Manager, Town Attorney, Town Engineer, Municipal Court Judge, and the Town Clerk are hired by the Council. However, all but the Clerk have contracts. Town Clerk Goldberg and I work well together and I believe that the Town Clerk should report to the Town Manager for the wellbeing of the Town.

**Town Clerk Goldberg**

- I admit I have mixed feelings. The Town Manager and I have been working well together but one of my thoughts was I report to the Town Manager only she has to be unhappy with my performance, but if I report to Council, it would take four of you to remove me from my position.
- I did some research which you have in your Council book that covers most of the Northwest Valley. The trend appears to be toward the Clerk reporting to the Town Manager without confirmation by the Council. Of those contacted for this survey, only one Council-appointed Clerk has a contract.

**Councilmember MacKay**

- In Carefree which is comparable to Youngtown, the Clerk is under the Manager rather than the Council.

**Councilmember Chittenden**

- I don't know. Police Chief doesn't have a contract. I don't think the Town Manager should run the Police Department. Before we change the code, I would like to have Councilmember Rethford's advice.

**Councilmember Mello**

- Town Manager would make recommendations for discipline to Council. Concerned about Elections office. What are the statutory requirements?

**Town Attorney Swann**

- According to Arizona Revised Statutes, Town Councils have the option of appointing the Town Clerk or giving that responsibility to the Town Manager. The Town Clerk and the Town Engineer are the only positions established by statute.

**Mayor LeVault**

- Consensus is to return this item to a future work session for more information and further discussion.

**C. Discussion Re: Approval of Ordinance 09-03 amending the code of Youngtown, Arizona, Title 2 Administration and Personnel, Chapter 2.12 Town Officers Generally, by amending Section 2.12.110 Building Official, to vest the powers of the building official, building code inspection, and code compliance officer in the office of the public works manager rather than town manager; providing by repeal of conflicting ordinance; and providing for severability (ROBINSON).**

**Town Manager Robinson**

- Prior to creation of the Town Manager position, the Building Official was the Public Works Director who supervised the Building Code Inspector. I think the Public Works Manager should be the Building Official. That person would have more expertise to serve in this capacity than the Town Manager. The Town Manager doesn't supervise the Building Code Inspector. This function needs technical expertise.

**Daphne Green, Town Resident**

- Town Council sets policy; Town Manager runs the Town. Town should only have one manager. Title should be Public Works Director, not Public Works Manager.

**Town Manager Robinson**

- Director was changed to Manager because we did not need that level.

**Councilmember Chittenden**

- It makes sense to me to have Public Works Manager signing as Building Official rather than Town Manager.

**Mayor LeVault**

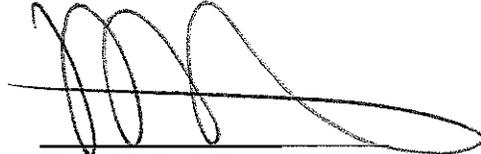
- Return this item to the April 16 Regular Agenda.

4. **Public Comments**  
None.

**Regular Council Meeting:** Thursday, April 2, 2009 immediately following Work Session.

**Adjournment.**

**Motion to adjourn – Councilmember Mello  
Second – Councilmember Chittenden  
Meeting adjourned at 7:55 p.m.**



**Michael LeVault, Mayor**

**Attest:**



**Letty Goldberg, Town Clerk**

**Minutes approved at the April 16, 2009 Regular Meeting.**