



**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF CLARKDALE
MONDAY, AUGUST 22, 2022, AT 3:00 P.M.**

Members Present: Mayor Prud'homme-Bauer and Council Members Debbie Hunseder, Bill Regner, Lisa O'Neill and Marney Babbitt-Pierce

Other Municipal Officials Present: Susan Guthrie, Town Manager; Charity Brooks, Town Clerk

Audience: One member of the public was present

1. CALL TO ORDER – *Mayor Prud'homme-Bauer called the meeting to order at 3 p.m.*

2. PUBLIC COMMENT – *No public comment.*

3. REPORTS

Departmental Reports (*submitted with Council packet*) –

Summary of written Reports from Town Departments and Other Agencies:

- Building Permit Report
- Magistrate Court Report
- Water and Wastewater Report
- Police Department Report
- CAT/LYNX Transit Report
- Verde Valley Humane Society
- Special Event Liquor License Recommendation

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the Town Council at a work session or during New Business discussion. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

A. Approval of Minutes of the Common Council

Consider and act upon the draft minutes from the Town Council meeting held on Aug. 9, 2022.

B. Town Manager's Evaluation - Letter of Findings

Consider and act upon the Letter of Findings from the Town Manager's Performance Evaluation conducted on Aug. 9, 2022.

C. Resolution #1674 - Verde River @ Clarkdale Blue Trail Designation

Consider and act upon approving Resolution #1674, designating the Verde River @ Clarkdale as an official Blue Trail.

Action: Approve consent agenda items A-C as written:

Motion: Council Member Babbitt-Pierce

Second: Council Member Regner

Vote: Approved 5-0

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

5. NEW BUSINESS

A. RESOLUTION #1675 - ADOPTING THE OFFICIAL CANVASS OF THE AUG. 2, 2022 PRIMARY ELECTION

Discussion and possible action to approve Resolution #1675, adopting the official canvass for the Aug. 2, 2022 primary election.

Due to a conflict of interest, Council Member Lisa O'Neill recused herself from taking any action on this item and stepped away from the dais.

Action: Approve Resolution #1675, adopting the official canvass of the Aug. 2, 2022, Primary Election:

Motion: Vice Mayor Hunseder

Second: Council Member Babbitt-Pierce

Vote: Approved 4-0

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Recused
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

6. **POSSIBLE VOTE TO ENTER EXECUTIVE SESSION** – The Council may vote to discuss the following matters in executive session pursuant to A.R.S. § 38-431.03(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/or pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney or attorneys of the public body and/or Ariz. Rev. Stat. § 38-431.03(A)(4) for 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, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation and/or Ariz. Rev. Stat. § 38-431.03(A)(7) for discussion or consultation with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property:

A. Resignation of Andy Jolley as Town Prosecutor

Discussion regarding the resignation of Town Prosecutor, Andy Jolley.

B. Appointment of new Town Prosecutor

Discussion regarding the appointment of a new Town Prosecutor.

C. SBA Communications

Discussion regarding SBA Communications Cell Tower Land Easement - 45 years.

Action: Move to Executive Session to discuss items A-C as listed:

Motion: Council Member Babbitt-Pierce

Second: Council Member Regner

Vote: Approved 5-0

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

7. **RESUMPTION OF REGULAR MEETING - Immediately following the executive session, the Council will resume public session.**

Mayor Prud'homme-Bauer resumed the regular meeting at 3:34 p.m.

A. SBA Communications

Discussion and possible action regarding the SBA Communications Cell Tower Land Easement - 45 years.

Action: Approve SBA Agreement with recommendations provided by the attorney during executive session and authorize Susan Guthrie to sign the final agreement:

Motion: Council Member Babbitt-Pierce

Second: Council Member Regner

Vote: Approved 5-0

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

B. Acceptance of resignation of Town Prosecutor.

Discussion and possible action regarding the resignation of Andy Jolley as Town Prosecutor.

Action: Accept resignation from Town Prosecutor, Andy Jolley:

Motion: Council Member Regner

Second: Council Member Babbitt-Pierce

Vote: Approved 5-0

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

C. Appointment of new Town Prosecutor.

Discussion and possible action regarding the appointment of a new Town Prosecutor.

Action: Approval of new Town Prosecutor – Musgrove, Drutz, Kack & Flack, PC:

Motion: Vice Mayor Hunseder

Second: Council Member O'Neill

Vote: Approved 5-0

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

8. FUTURE AGENDA ITEMS

Town Council did not propose items to be placed on a future agenda.

9. ADJOURNMENT – Mayor Prud'homme-Bauer adjourned the meeting without objection at 3:41 p.m.

APPROVED:

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Robyn Prud'homme-Bauer, Mayor

ATTESTED/SUBMITTED:

DocuSigned by:

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Charity Brooks, Town Clerk

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 22nd day of August 2022. I further certify that meeting was duly called and held and that a quorum was present.

Date approved by City Council: Sept. 13, 2022

DocuSigned by:

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Charity Brooks, Town Clerk

