

**TOWN COUNCIL OF DEWEY-HUMBOLDT  
REGULAR MEETING NOTICE**

**Tuesday, June 6, 2017, 6:30 P.M.**

**COUNCIL REGULAR MEETING  
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL  
DEWEY-HUMBOLDT, ARIZONA**

**AGENDA**

1. **Call To Order.** Mayor Nolan called the meeting to order at 6:31 p.m.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Councilmember Hamilton led.
  - 2.2. **Invocation.** Given by Councilmember Timmons.
3. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor Mark McBrady, and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

None
5. **Town Manager's Report.** Update on Current Events. No legal actions can be taken. Town Manager Kimball reported to Council that the flagpole is bent and maintenance will take place next week.

**5.1. Public Safety Quarterly Reports – 1<sup>st</sup> Quarter 2017.**

**5.1.1. Yavapai County Sheriff's Office report presented by Lt. Raiss.**

Lt. Raiss gave an overview of the statistics with 800 calls for the Town, consisting of 526 citizen call-ins; 220 traffic stops with 70 tickets issued. There were 31 arrests including criminal speed; assault; drug-related; disorderly conduct; warrant arrests; etc. There were 25 alarm calls due to alarm problems, typically, they are due to bad sensors, not necessarily a specific alarm company. These false alarms are typically residential, not as many commercial. There was a reportedly low burglary/theft rate and are typically crimes of opportunity i.e. unlocked cars, etc... Under Animal Control statistics there was only one ticket issued; they are doing a lot of education and warnings. Eight animals were transferred to the pound.

Councilmember Treadway asked about dog impounds and subsequent euthanasia. Lt. Raiss explained that the Yavapai Humane Society is a no-kill center. If the owner is not found, adoptions are arranged. The owners, if located, pay the fees.

Councilmember Timmons and Councilmember Hughes thanked Lt. Raiss for the Department's work commending the low numbers and his report. Lt. Raiss spoke of a change in staff noting the new incoming Sergeant, John Johnson. He intended to be present at this meeting tonight, but was fielded out to another part of the County.

**5.1.2. Central Arizona Fire & Medical Authority report presented by Rick Chase.**

Fire Marshall (FM) Rick Chase gave an overview of his quarterly report. He noted that his district now covers a larger area, which caused an increase to the numbers. EMS calls for

the D-H area the First Quarter were 77; this number compared to the district remains low and over time is consistent and steady. There was one fire in the Blue Hills area in March. FM Chase spoke of the Stage 1 Fire Restrictions being in place at this time, as well as other districts in the region. Town Manager Kimball indicated that she would see that restrictions are posted.

Only one hazmat/illegal burning-type call. FM Chase was not sure on the specifics of this call. FM Chase also noted that they would assist people in changing out smoke alarm batteries, if requested. He noted 11 Good Intent calls during the first quarter, i.e. false alarms, controlled burning, etc. Total dispatches during the First Quarter were at 106 compared to 2,712 for the district.

Councilmember Timmons spoke of a program called Rural Metro where people paid an annual fee that provided coverage although they were out of the district. FM Chase spoke of people outside their district being able to contract with them, wherein, they pay the rate that is equal to a taxpayer within the district and obtain coverage. He also shared that Lifeline Ambulance has the same type of program for ambulance runs. FM Chase then spoke on the Public Service Calls coming in at 16 for the quarter.

Councilmember Hamilton asked for a definition of a Police Assist. FM Chase gave an example of traffic accidents or domestic calls, as a backup, wherein the Police are the First Responders and the CAFMA are assisting.

FM Chase spoke on a project of getting a water source in the Upper Blue Hills area. It will be a slow process but work is progressing on acquiring a piece of property. He noted that Councilmember Wendt and the Town have been a big help on this project. They are planning on a 20K gallon water tank with the approval of neighbors.

Mayor Nolan asked if the tax rate was going to raise. FM Chase did acknowledge that he did believe there would be a small raise, but did not know the exact number, but believed it to be low on a state average.

### **5.1.3. Magistrate Court report presented by Judge Catherine Kelley.**

Judge Kelley gave her quarterly report and explained the reason for the difference in the Court's numbers and the Sherriff's numbers; it is based on when paperwork is filed. There were 11 criminal citations with 440 public contacts. About 50% of individuals paying on fines are actually doing so online.

There was one "almost" Code Enforcement Hearing. Things were worked out when everyone appeared together in Court and there was all-around communication, therefore, the actual hearing was not necessary.

Judge Kelley spoke of a nationwide trend for Judges to be more aware of not keeping someone in jail for the wrong reasons and having a closer look at whether someone truly needs to be incarcerated. Councilmember Wendt asked where people are incarcerated if they are arrested in the D-H area. Judge Kelley answered either Prescott or Camp Verde.

## **5.2. Firewise Board Activities Report and request for Council direction on notifying the residents of upcoming events.** Report given by Vickie Wendt.

Ms. Wendt gave an overview of the Firewise Board. She noted that after the April 19<sup>th</sup> meeting wherein the Council approved approaching the BLM on the right-of-way, she and another Firewise member went door to door, they were able to locate a person who was willing to consider giving an easement and she put him in touch with Fire Marshall Chase. Ms. Wendt spoke of their discussion of fundraising ideas to support CAFMA in materials to get the water access in the Blue Hills. She spoke of the recent Newsletter not having any Firewise information or updates and does not think that should be the case and would like monthly articles. She spoke of the grant process for the Firewise grant money and is awaiting the Town's Memorandum of Understanding from PAWUIC. She also mentioned the upcoming Volunteer of the Year banquet and the possibility of tagging on a Firewise ice cream social event. She spoke of a possible project in collaboration with the local Boy Scout Troop in assisting with the distribution and placement of reflective address numbers. Ms. Wendt noted that this fall after Firewise season is over there are three spots reserved with PAWUIC for volunteer Firewise abatement training. There are two volunteers that have stepped forward, leaving one opening for the training. Firewise is working in conjunction with the Town's Fall Clean-up September 6 – 9<sup>th</sup>, a program for yard clippings and brush. They will also participate in the Agua Fria Festival and have a booth there for education of the community in Firewise.

Councilmember Hamilton asked for an update on the Memorandum of Understanding regarding the BLM project. Town Manager Kimball said this issue is moving forward and scheduled on the June 20, 2017, Council Meeting.

There was discussion about how to expand and speed up the abatement grant program. Ms. Wendt spoke of needing Town assistance on some of the projects. She spoke of the timeline involved with the abatement grant program and that, if the funds are not used, they will be lost. She did speak of more funds being available next year.

Town Manager Kimball addressed some of Ms. Wendt's concerns. TM Kimball supported that Firewise was never officially a program with designated Town-staffing. This is a community-driven program and when Town staff receives information from the Committee it will be published in the Newsletter. She also explained about the deadlines regarding the Newsletter publication and mailing. An ongoing Newsletter article is doable, with Council's approval.

There was Council discussion of the possibility of other Council Members providing the monthly Newsletter article or having Community Planner Steven Brown work on it. Ms. Wendt spoke of needing assistance, the continued use of the Council Chambers for Firewise meetings, and a Staff member to continue to play a small role by taking notes and the Newsletter involvement. She noted it does take some Town Staff hours, but it is not overwhelming.

Councilmember Hamilton spoke of this beginning to appear a conflict, as Ms. Wendt wants Town-involvement through resources and Staff. Council at the inception decided it was going to be a community organization. Ms. Wendt stated she is against making Firewise a Town committee, as it would tie her hands. She can get more done and more quickly as a citizen committee. She advised CM Hamilton against trying to wean the Firewise committee off the Town and the support of the Staff. It would be a big mistake. She spoke of supporting CAFMA as being much more important than putting a road down Old Black Canyon Highway.

Councilmember Timmons inquired about the Newsletter deadlines. Town Clerk Morgan noted that it is generally the 15<sup>th</sup> of the month, but the calendar sometimes shortens this time frame. Town Manager Kimball asked Council direction about writing upcoming articles for the Newsletter. She spoke of not being aware that Staff was expected to be responsible for the article. TM Kimball said that Staff are here to do what Council wants them to do. She mentioned Mayor Nolan's CAARF that Ms. Wendt be appointed as a Town Council liaison. She noted the importance of the Firewise committee to community safety. She noted, if Ms. Wendt were appointed as liaison, she could come and inform the Council on a regular basis.

Councilmember Timmons spoke of preparing an article and getting it to the Newsletter editor by Friday. She inquired as to the additional cost of adding pages. TM Kimball reminded the Mayor that the Newsletter cost is not the subject matter of this agenda item. She noted that a Newsletter article should come from the committee, not a Council Member. With Council direction, TM Kimball, can have an article added for Firewise.

There was further Council discussion regarding the perceived demand of a Staff member's hours to help the Firewise committee with the grant and other projects; the viewpoint that you have to treat all community organizations fairly and the need for a process, to help clarify guidelines for Staff; using snippets of Council meeting minutes to be used for Newsletter ads; the reason that paid ads are not received for the Newsletter and that it is wrong if you are paying to get your viewpoint printed; the difference between Town committees and community committees; and more caution regarding using Town Staff to support a community organization.

Ms. Wendt spoke of being told in October 2016, when she began the Firewise journey, that she was told there would be Town support. She cannot do this herself and summarized that maybe someone else would be better suited to take it over and see if he could do the job as well. She spoke of the ultimate goal of the Firewise committee and she expects to continue to receive the support she was promised last October.

Councilmember Hamilton spoke of the Firewise Committee needing to eventually become independent and the conflict that is present. He spoke of not having a problem with the initial Town support, but the Town needs to set guidelines.

Ms. Wendt spoke of Firewise being a nine-month old committee that still needs Staff support. There may be a need for one to two years of assistance. She appreciates Councilmember Timmons offering to write the newsletter article, but CM Timmons does not know the particulars of the grant. You need to have someone who knows the details, such as CP Brown and TM Kimball. Ms. Wendt said that she is not a writer, her skill is implementation. The processes will be developed as they go along.

Councilmember Hughes asked if Firewise was mentioned previously in the Newsletter, this was confirmed. He said simple, it was there before and it can be there in the future. He recommended moving on with the agenda.

Mayor Nolan spoke of this getting off-topic and, if it requires further discussion, it needs to be put on a CAARF for another meeting.

## **6. Consent Agenda.**

**6.1. Minutes.** Minutes from the April 4, 2017 Regular Council Meeting, April 11, 2017 Special Meeting, and April 18, 2018 Regular Council Meeting.

Councilmember Treadway made a motion to approve the minutes from April 4, 2017 Regular Council Meeting, April 11, 2017 Special Meeting, and April 18, 2018 Regular Council Meeting, seconded by Councilmember Hughes.

Vice Mayor McBrady noted that the heading of the April 4, 2017, meeting had two errors. Town Clerk Morgan said the changes would be made administratively.

The motion, with the mentioned corrections, was passed unanimously.

## **7. Comments from the Public (on non-agendized items only).** None

**8. Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

### **8.1. Presentation on the Town’s new website and possible direction for going live.**

Town Manager Kimball gave an overview of this agenda item. The old website was out of date per state requirements and needed an update. Temporary Staff Debbie Oberle cleaned up the new website and made it presentable.

Ms. Oberle introduced herself and noted that she was a D-H resident. She gave an overview of the different sections of the new website and explained that it is not live yet, but will be shortly. Ms. Oberle inquired if there were any questions.

Councilmember Wendt asked if there could be Firewise information provided under the Community Events or Emergency Service sections. Ms. Oberle said this could be accomplished with Council directive.

Councilmember Hamilton asked who on Staff is responsible for the website. Ms. Oberle said that she has been responsible for the basic shell, but the Town Council information will fall to the Town Clerk. Anyone on Staff can update, if needed. TM Kimball explained that many Staff members have been trained on the website but going forward the Town Clerk will be webmaster. Ms. Oberle explained that the old website is still up; Council needs to decide when to go live.

Councilmember Timmons inquired if this could be viewed by an app on cellphone. Ms. Oberle clarified that it is geared for that.

Councilmember Hamilton asked if the Council could have access under “Boards/Commissions”. Ms. Oberle showed the different ways to access Council information.

Town Manager Kimball informed Council that the new website would go live within a few days.

Councilmember Hamilton made a motion to bring the new website live as soon as staff can do it, seconded by Councilmember Wendt.

Councilmember Wendt asked again if Firewise information could be added to the site. There was Council consensus for this to occur.

There was discussion regarding a Town Facebook page and Ms. Oberle and TM Kimball gave a status report on this matter stressing the need for careful research in regard to editing and monitoring capabilities. TM Kimball reminded Mayor Nolan that the evolvment of this discussion was not agendized.

Councilmember Treadway left the dais at 8:27 p.m.

Town Clerk reminded Mayor Nolan there was a motion on the floor. Mayor Nolan called for the vote. Councilmember Treadway returned to the dais at 8:29 p.m. and cast his vote as well. The motion passed unanimously.

## **8.2. Town Code Section 31.17 Appointments for Boards, Committees and Commission. Removing Background Check, modifying interview wording and discussion of application submittal deadline options.**

Mayor Nolan asked Town Clerk to give an overview on this item.

Town Clerk Morgan spoke of this being discussed at the April 11, 2017, and what she heard was that Council wanted to delete the current background and interview wording from the Town code, to think about additional language regarding cut-off for the applications and also rather than the Chair conducting interviews on his own in advance of the Council meeting would actually participate at the interview that the Council does at a Council meeting. Those were the three revisions she looked at and she presented a draft with the first revision; presented Code language where the third revision was already covered, however, she was not sure how they wanted to handle the application deadline. She provided options to Council and asked for direction.

There was Council discussion about possible options for the Code change, ranging from setting a reasonable deadline; eliminating the deadline for applications; following the same timelines for meeting agenda cut-offs; to allowing last minute committee applications. There were opinions not in favor of last minute applications and opinions that with Council having eliminated the vetting process, last minute applications should no longer be an issue.

Councilmember Hamilton spoke of this being three parts and made a motion to approve the draft Ordinance 31.17 Appointments that removes the first part regarding the background check. Councilmember Hughes clarified that this was not three parts, but one, and not ready for action. Town Manger Kimball confirmed this, and that the Attorney had not reviewed this yet, and it was not ready for action. She cited that Council could give direction to bring the Ordinance back for action at another time. Councilmember Hamilton's motion did not receive a second.

Councilmember Hamilton made a second motion that Staff bring this back, we do not need to address the other problem, just address this problem and if the other becomes a problem, we will address it at another time, seconded by Councilmember Timmons.

Councilmember Wendt clarified that they are going to be approving the removal of the background checks but hold on the decision of a possible deadline. Councilmember Hamilton confirmed this.

Mayor Nolan noted there was a motion on the floor to direct staff to bring this back in an Ordinance, get it to the attorney, and bring it back. Mayor called for the vote and the motion carried unanimously.

**9. Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.

**9.1. Council adoption of the Fiscal Year 2017-2018 Tentative Budget.**

Mayor Nolan introduced the agenda item and asked for any questions. Councilmember Hamilton noted an incorrect date and Town Manager Kimball acknowledged the correction would be made. Councilmember Hamilton asked if there was money in the budget for a consultant for the General Plan project. TM Kimball noted that it was included on Page 51 under 10-465-5001 in the amount of \$28K.

Councilmember Hamilton made a motion to approve the tentative budget, seconded by Councilmember Wendt. The motion passed unanimously.

TM Kimball noted a new estimate for HURF. She will make those adjustments. The IGAs for the Library and the Lease should be finalized by the next meeting. The final adoptions will be scheduled for the July 18, 2017, meeting and will give time to make final updates and provide the State sheet.

Mayor Nolan called for the vote and the motion carried unanimously.

**9.2. To have council appoint Ms. Wendt as official council liaison to the Firewise Board.**  
[CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF. He recommends that Ms. Wendt be appointed to continue overseeing the Firewise activities and he thinks it makes sense to have Council appoint her officially with the expectation of the liaison to report Firewise activities regularly to Council and to request financial or staff support at the time of the reports.

Councilmember Timmons made a motion to appoint Councilmember Wendt as the liaison to the Firewise Board and Council Representative, seconded by Vice Mayor McBrady.

Councilmember Hamilton spoke of when the Town was formed there were a lot of committees formed such as Planning & Zoning, Environmental, Water, etc... Everything but P & Z had a Council-liaison and it did not work. The committee looked to the liaison to lead it and it was not a free-flowing thing, and it just did not work well. He believes there was an Ordinance passed that there would be no liaisons for Town committees. Firewise is not a Town committee, so this does not apply, but what is happening is Ms. Wendt is proposing would make this a semi-Town committee. He feels it confuses the issue of what is a Town-run vs. a Community-run organization.

Councilmember Timmons said as a Community Member as well as a Council Member she wants to be apprised of any safety or Firewise issues. She wants to assign space in one meeting per month where Ms. Wendt can update Council. In turn, Staff could alleviate any issues if there is something they need to know, or may put information in the Newsletter or on the website. CM Timmons was confused about CM Hamilton's issue with this.

Councilmember Hamilton said there should not be a liaison at all. If Ms. Wendt needs to update Council, she can turn in a CAARF at anytime to get it on the agenda where it can be discussed. She cannot give direction to Town Staff, but she can talk to them about Firewise, just like anyone else talks with the Town Manager. He does not want the impression that this is a Town committee. This is Firewise's committee, not the Town's. The Town will continue their support but at some time, Firewise has to get on their own.

Councilmember Wendt spoke of quarterly reports being sufficient. She then explained to CM Hamilton that this appointment would legitimize her when she attends other functions in the Emergency Response community.

Councilmember Timmons spoke of not agreeing with that, as Ms. Wendt serves as a community member on Firewise, not a Council Member, so she is not sure this situation requires legitimization. She can see both points but is having a bit of an argument for both and is not sure, where you would draw the line.

Councilmember Hamilton appreciates Council participation in community events but noted that the community always sees you as a Council Member, whether you disclaim it or not. You can say you are off the record, but the community does not always see it that way.

Councilmember Wendt extended an invitation to each of her fellow Council Members to go with her door to door to place 97 doorknockers to be placed and she extended an invitation to other Council Members to assist her.

Councilmember Treadway spoke of the liaison not representing Council. Ms. Wendt agreed that she would represent herself as an individual. She is clear at all functions about this. Whether she is PAWUIC, a state function, or a simple Firewise meeting she ensures that they understand she is not acting as a Council Member. All this does is legitimize her that when she goes places she is the liaison representing this Council.

Mayor Nolan explained his purpose for his CAARF. Appointing Ms. Wendt as liaison would give her the power and authority to discuss the issues she wants with Staff for an extended period of time. It is beneficial for Staff to know they can discuss issues with Ms. Wendt and utilize the Staff's time effectively. This is the appropriate way to go about this.

Councilmember Timmons asked if the Firewise volunteers are allowed to speak with Town Staff. TM Kimball addressed a town code that says Council Members cannot take up more than an hour of Staff's time. CM Timmons confirmed that Ms. Wendt is coming in as a Firewise member, not as a Council Member. This was confusing to CM Timmons and she inquired if there would be time constraints on the time that Ms. Wendt could use up regarding Firewise.

Councilmember Hamilton spoke of this proposed liaison position having more power than the Town committees do. They do not have the power to do this. He believes more power is being given to a non-Town committee, than a Town committee.

Councilmember Timmons asked for clarification on the difference between a liaison and a committee chair. CM Hamilton explained that usually recommendations are forwarded to the entire Council. There is not a liaison appointed to Town committees. CM Timmons asked if Ms. Wendt were not a liaison, but turned in a quarterly report on a CAARF would that be okay. CM

Hamilton confirmed this. She noted that Ms. Wendt says she wants to be legitimized, but then said that when she goes she does not represent the Council. CM Hamilton said if Ms. Wendt represents the Council, then in a way the Council is running Firewise. He does not see an upside to this.

Vice Mayor McBrady spoke of Staff helping all the committees. He noted the importance of the Firewise committee. He sees this as just elevating Firewise to being an important group. He recommended that Staff take minutes for the Firewise meetings.

Councilmember Timmons asked if she could make a motion. Town Clerk Morgan restated the motion that was already on the floor: To approve appointing Ms. Wendt as official Council liaison to the Firewise board.

Ms. Wendt reminded Council of the time she has invested volunteering for Firewise. She will continue to do so, regardless, if she is appointed liaison or not. In order to get the job done she needs Town Staff time, not a lot of it, but she needs the authority to get the job done.

A roll call vote was taken and failed by a 4-3 margin, with Councilmember Hamilton, Councilmember Hughes, Councilmember Timmons and Councilmember Treadway voting against.

Councilmember Timmons made a motion to invite Ms. Wendt to make a quarterly report regarding Firewise for the Council to stay informed. Councilmember Hamilton recommended amending the motion that whoever is in charge of Firewise make the report. Councilmember Hughes clarified that whoever is in charge of Firewise will give the report, seconding the amended motion. Councilmember Timmons clarified her motion as: To appoint the lead person on the Firewise Committee to give a quarterly report on keeping the Town Council informed. Town Manager Kimball asked Councilmember Timmons if this would include financial and staffing support. Councilmember Timmons re-amended her motion to include financial support. Town Manager Kimball asked for clarification. Town Clerk Judy Morgan restated the motion: To invite the lead Firewise Committee representative to make a quarterly report on Firewise for the Council to stay informed, as well as requesting financial and staffing requests of the Town, seconded by Councilmember Hughes. The motion passed unanimously.

Councilmember Hughes explained his reason for voting against the initial motion, sharing that he thought the outcome of this needed to be held in check and could have had an impact on any other committee that comes along. He spoke of his appreciation for Ms. Wendt's efforts in regard to Firewise.

Councilmember Timmons spoke of having issue with the initial motion's wording.

Ms. Wendt stressed that she needs Staff assistance. Sometimes there are three or four members present at Firewise meetings and last month there were 19. She cannot do this by herself. She informed the Mayor that she would be needing legal assistance hours for a fundraiser event.

Councilmember Timmons spoke of all now being in agreement.

**10. Public Hearing Agenda.** None.

**11. Adjourn.** The meeting was adjourned at 9:24 p.m.