

**TOWN COUNCIL OF DEWEY-HUMBOLDT
STUDY SESSION & SPECIAL MEETING NOTICE**

Tuesday, February 13, 2018, 2:00 P.M.

**STUDY SESSION & SPECIAL MEETING
2735 S. HWY 69**

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

AGENDA SUMMARY

1. **Call To Order.** Mayor Nolan called the meeting to order at 2:00 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Doug Treadway, Victoria Wendt, and Mayor Terry Nolan were present. Councilmember Amy Timmons arrived at 2:02 p.m. Vice Mayor John Hughes was absent.
3. **Study Session.** No legal action to be taken.

3.1. Building Permit Biannual (July 1, 2017 to December 31, 2017) Report.

Town Manager Wilson introduced Ed Hanks, Public Works Director, Steven Brown, Community Planner and Mickey Moore, Town Accountant. He explained that Don Roberts, Building Official, was off due to a medical issue. TM Wilson spoke of the Staff handling their tasks well despite the transition of Town Managers and that he was proud of their work. He noted that each department's report was included in the packet and if there were any questions they would be funneled to the appropriate department.

3.2. Public Works Department Biannual (July 1, 2017 to December 31, 2017) Report.

This item was addressed under Agenda Item 3.1. There were no Council questions.

3.3. Code Enforcement Biannual (July 1, 2017 to December 31, 2017) Report.

This item was addressed under Agenda Item 3.1. There were no Council questions.

3.4. Finance Department Biannual (July 1, 2017 to December 31, 2017) Report.

Councilmember Wendt asked Accountant Moore about a line item in the budget regarding franchise fees. Accountant Moore explained that there are monthly franchise fees received from Cable One. CM Wendt asked for clarification on the Neighborhood Outreach budget item. Accountant Moore clarified this consists of Dumpster Days, Firewise, etc... CM Wendt noted an item labeled "impact fees" and was under the impression the Town did not have impact fees. Accountant Moore stated this was correct. This line item was impact fees collected in the past that would require reclassification during the next budget audit. CM Wendt also asked about assets on page 36 of 73, under "Grants Receivable", if this was the outstanding PAWUIC grant they were waiting on. Accountant Moore clarified that this figure was the combined total for both PAWUIC and Flood Control.

3.5. Arizona Department of Transportation (ADOT) Staff will present ADOT's proposals for the ingress and egress at the proposed Giant Gas Station located at the intersection of State Highways 69 and 169. ADOT will also entertain questions and comments from the Mayor, Town Council and Public related to the issues of ingress and egress for the proposed development and matters associated to traffic and circulation at this intersection.

Town Manager Wilson gave an overview of this agenda item noting that ADOT representatives were present to answer questions. Recently a developer came forward and submitted an application to construct a Giant Service Station at the corner of Highways 69 and 169. This

property came through from the County with zoning appropriate for this purpose. This zoning has not changed since the Town incorporated, it has the zoning that would permit commercial use such as the gas station and restaurant. The developer had the necessary access and zoning for the proposed development on the property. He simply needed to submit applications for what he was putting on the site. Because of the uniqueness of the convergence of the two state routes, the ingress and egress and all of the circulation elements, with the exception of the Old Black Canyon piece of highway, is under the control of the state, Arizona Department of Transportation. The Town Staff handled administratively the processing of the submission of the application and then connected with Flood Control, then contacted ADOT and brought them in to handle the relationships of the state highway. ADOT has been working with the developer. ADOT is here today to discuss the specific ingress and egress on this site and to discuss the maximum buildout of this intersection and the traffic needs 20 – 40 years in the future. TM Wilson introduced Andy Roth of ADOT who was filling in for Alvin Stump who had a family emergency. TM Wilson pointed out that Council and audience had a color map of the intersection.

Mr. Roth pointed out the intersection on the overhead map. The encroachment permit that will be issued to the developer will be the absolute last thing they will get from ADOT when they are ready to build and the plans have been approved. They have been meeting with the developers to assist them with meeting all ADOT's requirements. ADOT does not have the authority to stop a development from going in. ADOT can only approve or disapprove accesses or grant what they would consider reasonable access. For most state routes, if there is a local street or county road that can be used, they would prefer that, before they grant access to a state highway. He discussed the current accesses at this intersection. The developer will be extending the right turn bay to be a right turn into the property only. Right turn only on Highway 69, no left turns off of Highway 69 or access back on to 69 from that site. The right turn bay will extend 600 feet and allow for a right turn into their driveway, as well as a right turn on Highway 169. On Highway 169 the improvements to be made will be an additional right turn bay onto Old Black Canyon Highway; one through lane northbound; on 169 southbound/westbound you will have a dedicated right turn bay onto 69; a dedicated through lane; and a dedicated left turn bay onto 69 southbound and on Old Black Canyon Highway will be a left and right turn bay onto 169. Ingress – they will have the right turn bay off of Highway 169 into the two driveways that they will have on Old Black Canyon Highway and then one turn bay off 69 into their site. To get back on to 69 they will have to use Old Black Canyon Highway to 169 to get back onto 69. That is the planned ingress and egress from this site at this time.

Councilmember McBrady spoke of the safety concerns he feels this development will cause to the intersection. He cited the current traffic congestion. He said the state is considering roundabouts in the future. He spoke of a future development at the Young's Farm that needed to be considered. He recommended moving the egress further north and requiring the developer to help pay for this plan. He spoke of issues with some of the current signs in this area, the proposed access to the gas pumps and resulting congestion, and the need for a traffic study.

Councilmember Hamilton noted that this agenda item related to ADOT, not the sign code.

Councilmember McBrady read from the Code of Ordinances regarding off-premise signs and noted that he believes the sign needs to move or be taken down as it does not meet code.

Mayor Nolan spoke of the future plan for roundabouts on Highway 169 and the relief that it would provide for traffic.

Mr. Roth noted that in the future Old Black Canyon Highway would be realigned to the proposed roundabouts. The Giant Station would not be responsible for costs involving the future roundabouts. The Giant Station came in first, their portion is being mitigated by what they are doing. Giant dedicated another 20 feet of right of way along Highway 169 to accommodate the road widening they will have to do to in the future for the bigger developments that will have more of the impact.

There was further Council comment.

Mr. Roth explained that the Giant developers, before they started their design, performed a traffic study, that went through ADOT Traffic Engineering group.

Councilmember McBrady challenged the traffic study numbers and asked what the information was based on. Mr. Roth explained the process and how their model was achieved.

Councilmember Wendt spoke of owning a business near this intersection for 11 years and witnessing traffic accidents, before and after the light was put in. She agreed with CM McBrady's proposed egress site. CM Wendt supports the business going in but still has concerns regarding safety and traffic.

Mr. Roth spoke of Giant having met all the requirements and that ADOT has to approve if they have met the standards required. If they do not approve, when the requirements have been met, they will be pulled into Court.

Councilmember Timmons asked for clarification about possible traffic congestion and solutions. Mr. Roth spoke of ADOT's funding needs being prioritized throughout the state. CM Timmons asked if Giant could be asked to help with that. CM Timmons noted being in favor of the Giant, but noted that the intersection issues would be ugly and there are already issues without the Giant.

Mr. Roth pointed out again on the overhead map the proposed ingress and egress at the intersection. He noted that ADOT does not have the ability to stop development. They are required to look at the impact on the systems. CM Timmons asked Mr. Roth who is responsible for public safety. Mr. Roth replied that everyone is and that is why they have completed the studies before the design comes in. A lot of accidents are actually caused by inattentive drivers, not the highway design, at this intersection.

There was further Council discussion and comment regarding ingress and egress at the intersection.

Councilmember Treadway inquired if you are heading west on Highway 169 how would you enter the gas station site. Mr. Roth explained there would be a left turn bay onto Old Black Canyon Highway that will be built. CM Treadway is not opposed to the Giant station. He feels that some of the concerns are premature at this time and that ADOT should be allowed to do their job. He supports the Giant station being built here as opposed to Prescott Valley. He noted that drivers need to be more aware and cautious.

Mr. Roth clarified on the overhead map the proposed improvements to Highway 169 in detail. He conceded that there will be times that it will be difficult to make a left turn onto 169, but this is the best that can be done to meet all the criteria on the books at this time.

Councilmember Hamilton spoke of the traffic and possible liability, as well as proposed alternate routes.

Councilmember McBrady spoke of the festivals held at Mortimer Farms and that the study did not take this into consideration. He spoke again of the billboard at this site. Mr. Roth noted that the driveway CM McBrady was suggesting was private property

Mr. Roth also shared that CivTech conducted the traffic study for the Giant developers. He noted that there will be a right turn arrow from 169 to 69, when 69's left turn arrow is engaged.

There was further Council comment and proposals regarding the ingress and egress and the billboard located on the site.

Public Comment

Carol Stensrud – Spoke of having moved here three years ago and had no idea of the traffic impact. D-H inherited the zoning from the county and has never done anything about it. She recommended that ADOT listen to the Council and not go by a piece of paper. Do something about it and not have to go back and re-do later.

Patricia Timmins – She spoke of relying on River Road for access to Highway 169 and the backups that can occur due to accidents, as well as concern of turns from Highway 69 onto Highway 169 being dangerous if a car makes an immediate left turn and the resulting danger. She believes further thought on the traffic considerations is necessary.

Ron Fox – Recommended no left turns off Old Black Canyon Highway onto Highway 169. Put a center divider forcing traffic to go further down the highway to turn around.

Bill Timmins – Spoke of traffic at the intersection and questioned the foot traffic. How would they get in and out, possibly a footbridge over the highway or a tunnel under.

Nancy Wright – Spoke of Council not letting Monogram use this when they wanted to develop. Who is going to pay to develop Old Black Canyon Highway. Mr. Roth replied that developer will pave it with a one-year warranty. Ms. Wright spoke of entrance/exits being further down and that there are other options.

Lee Stensrud – Has traveled the state for years and witnessed the growth. He spoke of accidents on I-17 having subsequent impacts at this intersection. He questioned the accident statistics predicted by ADOT and recommended more survey and prep to the roads.

Carole Wagner – Spoke of this meeting not having been advertised well enough and that it should have been held in the evening. Ms. Wagner related she has strong feelings on this intersection as her son was in an accident and nearly killed there. She noted that ADOT works for the public and more work needs to be done, this was moving too fast which could lead to more deaths.

Mayor Nolan closed the Public Comment at 3:19 p.m.

Town Manager Wilson noted that he had asked ADOT to make the presentation and he got the word out and put it on the earliest agenda possible.

There was further Council comment. Mayor Nolan explained that the Town would not be voting on this matter, the Town does not have a vote. There were further questions about the Town's liability. Town Manager Wilson noted that the Town is not liable for state highway issues.

Councilmember McBrady spoke of the negative effect of this development on Mortimer Farms. He referred to the cost of the future roundabouts and that the developer is getting off lightly.

Mayor Nolan thanked Mr. Roth for attending the meeting acknowledging it was not an easy job.

Mayor Nolan recessed the meeting at 3:56 p.m. and reconvened the meeting at 4:06 p.m.

4. **Special Meeting.** Discussion and Legal action can be taken.

4.1. Discussion and action regarding the extension of the Agreement between the Prescott Area Wildland Urban Interface Commission, Blue Hills/Foothills Firewise Board and Town of Dewey-Humboldt, Arizona.

Mayor Nolan gave an overview of this item pointing out that there were copies in their packets of the old agreement and the new agreement was essentially the same with a few revisions.

Community Planner Brown noted that there is a new grant number, the term has changed, and the amounts available for abatement have been increased from \$1400 to \$1500. Otherwise, it is the same.

Councilmember Wendt shared with Council how successful the grant has been with all the allotments for the Blue Hills used. Foothills have begun the process and has two acres to fulfill and it too will be completed. She has six property owners waiting for the new grant. She is very pleased with the activity from the Town on those grants.

Councilmember Hamilton made a motion to approve the extension of the Agreement between the Prescott Area Wildland Urban Interface Commission, Blue Hills/Foothills Firewise Board and Town of Dewey-Humboldt, Arizona, seconded by Councilmember Timmons.

Councilmember Treadway commended Ms. Wendt, Staff and the Firewise committee on their hard work and success.

Mayor Nolan noted that he heard at a meeting that PAWUIC was changing their name to Yavapai Firewise. Councilmember Wendt nor Community Planner Brown was aware of this. Mayor Nolan asked Councilmember Hamilton if he would amend his motion to include a name change for PAWAUIC, if necessary.

Councilmember Hamilton amended his motion to include the name change if required. Councilmember Timmons seconded the amended motion.

Mayor Nolan called the vote on the motion, which passed unanimously.

4.2. The Dewey-Humboldt Mayor & Council propose to ratify its January 16, 2018, action in which the Mayor & Council approved (7-0) Use Permit UP 17-001, specifically described as: Use Permit UP 17-001 for approximately 2.42. acres of real property located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery including the processing of grapes into wine, aging, and bottling of wine on the property. (Continued on next page)

Special Note: A detailed description of the action to be ratified, approval of Use Permit 17-001 may be obtained at the Town Clerk's Office, Dewey-Humboldt, Arizona. Legal action can be taken.

Mayor Nolan read an overview of the item.

Councilmember Hamilton noted this had been discussed and approved, but due to a technicality they needed to approve it again, therefore, he made a motion to approve Use Permit UP 17-001, seconded by Councilmember Timmons.

Town Manager Wilson asked to address Council before the vote. He apologized to Council for the error in not listing the item appropriately on the agenda of January 16, 2018. He noted that

ultimately it was his responsibility. Protocols and reviews have been put in place to preclude this happening again. He again apologized for the error and he apologized to the applicant, as well.

Mayor called for the vote on the motion, which passed unanimously.

4.3. Whether to hold additional special session(s) this month. None scheduled.

Councilmember Wendt noted that the Code Enforcement's Biannual Report was skipped. Mayor explained that the department reports were covered under one item. CM Wendt noted that she wanted to revisit the Abatement Ordinance that was presented last year. Mayor Nolan advised CM Wendt to bring back this request on a CAARF.

Councilmember Timmons asked if a special session could be called to have Giant come speak with the Council. Mayor Nolan said this would require a CAARF and this was off topic. CM Timmons disagreed.

Town Manager Wilson said that this was an action item to be used for setting another meeting date this month. An agenda would need to be generated and it could cover the topic CM Timmons is interested in. TM Wilson recommended that Town Council advise staff to make inquiries on scheduling a meeting with Giant.

Councilmember Treadway spoke of having no problem with an additional meeting, but wants it be structured and handled in a professional way.

Councilmember Hamilton agreed with Councilmember Treadway's comment. He recommended that if there is another meeting, it should be advertised well, when everyone has a chance to attend. There is no hurry on it.

Town Manager Wilson suggested that there be a little urgency in contacting the developer to get something started. He would initiate contact with the developer to check his availability and then figure out the timing. There was Council consensus on this issue.

5. Adjourn. The meeting was adjourned at 4:21 p.m.