

**TOWN OF DEWEY-HUMBOLDT  
PLANNING AND ZONING ADVISORY COMMISSION  
REGULAR MEETING MINUTES  
JULY 9, 2015**

**A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, JULY 9, 2015 AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA, CHAIR BARRY SMYLIE PRESIDED.**

1. **Call To Order.** Meeting called to order at 6:00 P.M., Chair Smylie presiding.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Done
3. **Roll Call.** Commissioners Joe Garcia, Victor Hambrick, Jeff Siereveld, Ruth Szanto, Vice Chair Dee Parker and Chair Barry Smylie were present.
4. **Disclosure of Ex Parte Contacts.** None
5. **Informational Reports.** None
6. **Planner's Update on current events and activities.**
  - 6.1. **Staff Report.** Town Manager, Yvonne Kimball spoke about recent Supreme Court ruling, Reed v. Town of Gilbert, regarding their municipal sign code. Staff will be speaking with the Town Attorney about the recent case and will review the Town's current sign code ordinance. Staff will advise the commission of the Attorney's recommendation (if any) for possible future consideration by the P&Z.  
  
Ms. Kimball spoke about update on the animal code ordinance project. Staff continues to work on review of the town's animal codes. The town attorney has made some recommendations on language, however, there are no updates at this time to report due to time restraints and staff shortages. Staff will provide more information for the P&Z once there has been further progress on this matter.
7. **Consent Agenda.**
  - 7.1. **Minutes.** Minutes from the May 7, 2015 Planning & Zoning Regular Meeting.  
  
Vice Chair Dee Parker made a motion to approve the minutes from the May 7, 2015 Planning and Zoning Regular Meeting as presented, seconded by Commissioner Jeff Siereveld. Minutes approved as presented unanimously.
8. **Discussion Agenda –New Business.** Discussion and Possible Action on matters not previously presented to the Commission.
  - 8.1. **Open Meeting Law refresher.** Town Clerk, Judy Morgan gave Power Point presentation of the ombudsman presentation providing an overview of the laws, requirements and responsibilities of the Open Meeting Law. Ms. Morgan spoke about understanding of the logic behind the OML. Emphasis on keeping on agenda. If the topic of discussion is not on the agenda, you cannot discuss it at the meeting. Make it clear what you are talking about. Everyone involved in meeting, to include commission, and staff is required to follow the OML requirements.  
  
Chair Smylie asked about clarification of the process for getting items on the agenda. Ms. Morgan spoke about the various ways to get items on the agenda. Typically the Commission is an advisory

to the Council, the items for the agenda should come through the council. Can request staff to put items on the agenda, however, items regarding codes should come through the Council.

Chair Smylie thanked Ms. Morgan for the presentation and spoke about the value of the information. Periodic follow-up would be beneficial.

**8.2. Review and discussion of P&Z roles and the items of the agenda template.** Yvonne Kimball spoke about recent meeting with Chair Smylie and Vice Chair Parker. Some fundamental matters need to be reviewed. Binder was provided by staff to the P&Z with the Town zoning codes and additional reference material to assist the commission with understanding of the codes and related matters they may be tasked with. The commission serves as advisory to the Town Council. No independent authority. Ms. Kimball spoke about process for putting items on the agenda. Council will provide items they wish to be reviewed by the Commission. Commission can request staff to put items on the agenda if you feel they need to be discussed in meeting. Recommendation would be to consult with Council first. Ms. Kimball gave overview of the Town website and where to find information needed. Recommended commission to review the General Plan to be aware of the Vision and the plans for direction for future growth. Ms. Kimball provided hands on review of how to look for a particular Town codes and navigate through the information available on the website. P&Z should become familiar with any codes which are being presented for review by the commission. Study the codes and be prepared when dealing with code issues, and staff is available to help.

Commissioner Hambrick excused himself from the meeting at 6:43 p.m.

Yvonne Kimball spoke about the topic of agenda item 4. Disclosure of Ex Parte Contacts. Consulted with the Town Attorney about the purpose of Ex Parte disclosure for the Commission and her legal advice was that it was not necessary to have the item on the agenda. Ms. Kimball recommended the commission consult with Town Council before any changes are made to the agenda item for future meetings.

Vice Chair Parker asked for clarification about definition of Ex Parte.

Ms. Kimball said this is a judicial procedure. The P&Z Commission, acting in their capacity as an advisory committee, should not be subjected to situation which would require the Ex Parte disclosure clause.

Commissioner Szanto provided an example of Ex Parte for clarification.

Chair Smylie spoke about the intent of putting the topic on the agenda for purpose of bringing the commission closer together and function cohesively in the capacity the commission is tasked to do.

**8.3. Discussion on the possible impacts to the Town by operation of remote controlled unmanned aerial vehicles, commonly referred to as Drones, within residential areas, and whether to consider addressing this subject matter further.** Chair Smylie spoke about the intent of the agenda item. Not intended for action but rather an awareness of possible future considerations due to the increased interest and popularity of the use of Drones which could be problematic. Intended to open dialog and think critically on how the Commission would address and manage the topic if presented by the Town Council.

Commissioner Szanto spoke about the matter not really being a problem. It could be resolved through the legal process. Invasion of privacy or trespass is a tort action and can result in law suit.

9. **Discussion Agenda – Unfinished Business.** Chair Smylie spoke about waiting for unresolved matters still under review by the staff.

Town Manager spoke about list from 2013 from the Town Council of six items of priority the Council had requested for the Commission to review. Ms. Kimball spoke about overlay district. When discussing overlay really need to be clear on the purpose. Ms. Kimball spoke about other items on the list.

Chair Smylie requested to save the list and bring it up on agenda item 9.1.

**9.1. Discussion and possible recommendation to request a mid-year joint study session with Town Council to further refine the goals and objectives of the Commission and possibly update the task list for P&Z Commission, from the Council.** Chair Smylie made recommendation for staff to schedule a joint meeting with the Town Council. Discussion among the commission and staff of possible dates for the meeting and general consensus is to schedule the meeting after 5:00 p.m. Chair Smylie asked if joint meeting can be combined with regular meeting of the P&Z. Yvonne Kimball replied that this has been done in the past and can be scheduled together. P&Z and staff had discussion about the dates available. Due to staff vacancies, staff and resources are limited. A tentative date was set for October 8<sup>th</sup>.

10. **Public Hearing Agenda.** None

11. **Comments from the Public.** None

12. **Adjourn.** Chair Smylie made the motion to adjourn, Commissioner Szanto seconded. Meeting was adjourned at 7:10 p.m.

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Barry Smylie, Chairman

ATTEST:

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Penney Bell, Administrative Assistant