

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

**Tuesday, September 20, 2016, 6:30 P.M.**

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

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

**AGENDA SUMMARY**

1. **Call To Order.** The meeting was called to order at 6:30 p.m. Vice Mayor Doug Treadway presiding.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Done.
  - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway were present. Mayor Terry Nolan was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

None.
5. **Town Manager's Report.** Update on Current Events.

**5.1. Communication with Environmental Protection Agency (EPA) Project Team.**

Town Manager (TM) Kimball announced an upcoming EPA team visit in October or November and possible attendance at a Council Meeting at that time. It appears they are trying to bring conclusion to the study. The residential properties are their focus as far as clean-up goes and are nearing completion. A feasibility study will occur next year.

Vice Mayor Treadway inquired about how many homes are to be tested, or if they have been identified.

TM Kimball believes it to be less than ten. Only 30 properties have been identified as high risk and cleaned up over the years. TM Kimball confirmed from her notes that it is less than ten homes and the identity of the homes has not been shared.

Councilmember Hamilton inquired if permission was necessary from the homeowners in order to clean up.

TM Kimball confirmed that permission was necessary.

TM Kimball explained the EPA's open house would be sometime in the fall, but no date has been confirmed. TM Kimball will share with Council once she is given the date for the Open House.

**5.2. Historic District Boundary – Planning & Zoning Commission recommendation report.**

Community Planner (CP) Steven Brown gave an overview on this item. The Planning & Zoning Commission has made a recommendation, at their September 8<sup>th</sup> meeting, for a boundary for an historical district. CP Brown showed the map that was used to reach their decision. They started by identifying some of the older subdivisions, the Woolsey ruins and the Smelter property.

There was discussion on how this designation might affect properties; where the historical data was obtained; why Humboldt area rather than inclusion of Dewey in Historic Area; "next steps" for future designations of historical district and/or national registry site.

Mr. Brown explained the designation would be no impact as it is only an identification of an area with historic background; data obtained through recorded plats from that time period, research with the county and the Dewey- Humboldt Historical Society (DHHS); there was discussion on the history of the ranching and farming area that could be explored later, along with the Old Black Canyon corridor; reaching a level of historic registry would require many steps before this level would be reached.

There was discussion on the wording of historic district versus historic area. It was determined that historic area was the correct title to use for what Council is trying to achieve.

Councilmember Alen stated she would put this on the next regular meeting schedule for legal action and she would submit a CAARF in that regard.

Vice Mayor Treadway asked CP Brown to bring any further relevant information or research to that meeting.

Councilmember Repan asked CP Brown to pass on Council's gratitude to the P & Z Commission for their work.

### **5.3. A Report of recent programs and events, including the clean-up days.**

Town Manager Kimball gave an overview of the clean-up event describing that there were approximately 250 vehicles and 80 trailers filling 10 dumpsters. There were two huge brush piles and Earth Resources donated their time and equipment for the chipping of the brush, which was very generous of them.

Firewise Program will have a booth at the Agua Fria Festival on October 1<sup>st</sup>. A more in-depth report will be presented to Council in October.

On September 10<sup>th</sup> there was the Green Gulch Trailhead work day and grand opening. CM Wright was there for the work day and CM Alen attended the grand opening ceremony. TM Kimball encouraged everyone to go check out the site, as they will not be disappointed. Signs will be put up at Kachina Place to direct people to the trailhead.

Yesterday, September 19<sup>th</sup>, was the traffic light dedication ceremony with Council Members Alen and Wright, Vice Mayor Treadway, and 30 guests in attendance, and it was a good event, as well.

The second round of well water testing went well with 85 property owners participating. The results will be emailed directly to the property owners. Last year 150 kits were handed out.

## **6. Consent Agenda.**

### **6.1. Minutes.** Minutes from the June 21, 2016 Regular Council Meeting

Councilmember Repan made a motion to approve the Minutes from the June 21, 2016 Regular Council Meeting, seconded by Councilmember Alen, the motion 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. Bank building acquisition and use of the building. Continued discussion of possible action regarding acquisition of Museum Building property located at 12925 E. Main St. (Continued from June 7, 2016, July 19, 2016, August 16, 2016, and September 6, 2016 meetings)**

Vice Mayor Treadway recommended, with Council consensus, to move Agenda Items 10.1 and 9.2 ahead of Item 8.1 in the agenda, to accommodate the audience.

## **10. Public Hearing Agenda.**

### **10.1. Hearing on Annexation proposal for 200-foot remainder parcels of property adjacent to the North Boundary of the Town of Dewey-Humboldt, west of SR 69.**

Community Planner Steven Brown gave an overview of the history of this issue explaining that in June Council told Staff to proceed with the process for annexation of said property including 33 parcels of land. Presently the properties are within the northern Town limits. There is a 200-foot strip of land that was left out of the Town's boundaries during incorporation process, which has caused difficulties for the property owners. In order to annex the territory, the Town is required to gain signatures from a minimum of 51% of the property owners in the territory as well as signatures representing 51% of the assessed valuation. Both those marks have to be met to annex the property. The blank petition was filed with the County Recorder on August 30<sup>th</sup>, which was the first step, with courtesy copies going to the County Assessor and the Clerk of the Board of Supervisors. This started a 30-day waiting period before petitions can be collected. During the last 10 days of the 30-day waiting period a public hearing must be held, the reason for the presentation tonight. Following this hearing Staff will begin the process of obtaining signatures. The deadline for the process is September 30, 2017, however, CP Brown was hopeful this matter would be wrapped up by December 2016. Following the collection of the necessary signatures, Council will be asked to adopt an annexation ordinance which has been reviewed by the Town Attorney previously. Thirty days following the adoption of the ordinance, the annexation becomes effective. Within 60 days of the annexation's effective date the Town Clerk provides a copy of the annexation ordinance to the Clerk of the Board of Supervisors, and within six months of the effective date, town zoning is applied to the properties.

There was Council discussion and questions regarding procedures and the response received from the community.

CP Brown spoke of only receiving positive responses thus far.

Vice Mayor Treadway opened the Public Hearing at 7:05 p.m.

Jody Pariseau – spoke of owning 5.5 acres and it is split in four parcels and have had to move their house and garage three different times. They receive four different tax bills and the whole process has been terrible and no one would listen to their concerns. Ms. Pariseau was in favor of the annexation.

Ellie Demesquita – spoke to living on Kachina Place and if she chose to sell their property they would have to work with Dewey-Humboldt and the County and it would be very confusing and time consuming. Ms. Demesquita is in support of the annexation.

Councilmember Hamilton spoke of his understanding of the history of this issue with previous Councils and is in support of the annexation.

Councilmember Wright spoke of this issue previously going to a vote and that it did not pass.

The Public Hearing was closed at 7:10 p.m.

### **9.2 Greater Prescott Regional Economic Partnership (GPREP) Intergovernmental Agreement (IGA).**

Town Manager Kimball deferred the overview of this item to Councilmember Repan who is on the Executive Board of GPREP. TM Kimball spoke of Staff support of the agreement and the invoice has been received for payment, however, this was held up pending Council discussion.

Councilmember Repan spoke of this having been reviewed during the budget season. Dewey-Humboldt might not see direct effects, but the residents would possibly realize employment opportunities. The contract is a formality and CM Repan feels GPREP is going in the right direction.

Councilmember Hamilton made a motion to approve the IGA Agreement with GPREP, seconded by Councilmember Alen, the motion passed unanimously.

**8.1 Bank building acquisition and use of the building. Continued discussion of possible action regarding acquisition of Museum Building property located at 12925 E. Main St.**  
(Continued from June 7, 2016, July 19, 2016, August 16, 2016, and September 6, 2016 meetings)

Councilmember Repan made a motion to enter into Executive Session for this item, seconded by VM Treadway, the motion passed unanimously.

**8.1.1 An executive session pursuant to A.R.S. § 38-431.03(A)(7)** for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property located at 12925 E. Main Street, Dewey-Humboldt, Arizona.

Council entered Executive Session at 7:13 p.m.

**8.1.2 Reconvene into Open Session.**

Council reconvened to open session at 7:41 p.m.

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

**9.1. Resolution 16-125 authorizing the acquisition of real property located at 12925 E. Main Street, Dewey-Humboldt and approving the Purchase Agreement.**

Councilmember Hamilton requested public comment before a vote is taken.

Councilmember Repan requested that the Town Attorney clarify for the public the wording in the resolution, for “municipal purposes”.

Town Attorney Goodwin spoke to the question being whether the property purchase is for municipal town purposes or if there would be the ability to lease the property to the Museum? The Museum is a public purpose and they can spend public monies. The wording could be changed to limit it to town uses only, (office, etc...). The intent needs to be made clear, if this is the desire. If this is the goal, then add an additional paragraph such as “restricted to town purposes only” which would probably show up as a deed restriction. Council could remove that restriction in the future but, if it goes to a referendum, it would require another election to change the restriction.

Councilmember Repan spoke of there being three parties involved in this deal and he does not feel there is a meeting of the minds as of yet. There is a lot of misinformation about this topic and as a businessman he does not support moving forward until that is achieved.

Councilmember Alen disagrees with CM Repan. The Town is supportive of the DHHS and feels the use and acquisition of the property are separate issues. This Council had consensus to move forward with the purchase. A future Council will decide the issue of “use”. This is a tremendous

asset to the community in preserving the Town history and taking the steps to make this acquisition.

Vice Mayor Treadway supports Councilmember Alen's viewpoint on this issue and he has spent much time considering and researching this issue. The Council has to be willing to take a step and purchase a solid asset for a good price. The future Council will determine the "use". This will enhance the fiscal assets for the Town.

Councilmember Wright disagrees with Vice Mayor Treadway and CM Alen's viewpoints. She has researched five different museums which are not town-owned, rather privately-funded. The Town will not lose its heritage or history by not providing a building for the Museum. DHHS existed before and will continue after the issue of the building purchase. She has talked with many citizens and they have shared that they would only support the purchase of the building, if it were to be used for Town offices and otherwise they are very much against it. CM Wright shares this position.

Councilmember Repan commented on not being in agreement with the purchase price. He is disappointed that the Council cannot come together on a business decision on this issue and that this will probably come to a referendum just because the Council can't come to a consensus.

Councilmember Alen spoke of Council agreement never being reached, this has been discussed for seven years. History is not just people, buildings have history, when buildings are torn down you lose history. This is an under market acquisition of a historical property with multiple possible purposes and uses.

Councilmember McBrady spoke of the Council being split on what to do and felt a vote without a majority would be a split vote. He spoke of needing a full Council to make the decision.

Councilmember Hamilton spoke of the Council being locked on their positions, and that this needs to go to the people as a referendum for them to decide.

Vice Mayor Treadway asked for public input on this issue.

Public Comment:

Victoria J. Wendt spoke of researching the work that CM Alen has done regarding the historical area, the historical museum and the old bank building dating back to 2008. This is a building which could have multiple uses. This is a historic building that will not depreciate. The future Council may be able to consider what the voters want and make these decisions, as the current Council is split. Ms. Wendt spoke that the Town should not pass up this opportunity to add to the Town's assets.

John Young spoke of the museum building being a hard asset and wishes that the Council could come to a consensus and purchase it.

Amy Timmons spoke of not understanding what is dividing Council on the purchase of the property. The building is a beautiful example of what was here at one time. If the Museum moved on, you would still have the building, it won't depreciate.

Gerald Hoyer spoke of being a member of DHHS and during research learned that many museums had their facilities given to them by a public agency. An appraiser summarized the building as not being able to be used for modern purposes, but a museum is what it would be best used for, as it is now.

Vice Mayor Treadway commented that the Council will miss the boat, if they don't purchase the building.

Councilmember Wright spoke that Council is split over the use of the building, not the purchase of the building. CM Wright said it is the use, not the purchase that is causing the split. CM Wright supports the purchase of the building for the use of Town offices, which are too crowded and need more space. She agrees to let the Museum use the building till the end of their lease, but has issue if it is purchased for the Museum to use for as long as they want.

Vice Mayor Treadway spoke of supporting the purchase of the building for the benefit of the Town of Dewey-Humboldt and does not believe the building will always be utilized as a Museum.

Councilmember Hamilton spoke of testimony from DHHS members that the Museum will remain in the building for an extended length of time as they don't have resources to move on. CM Hamilton noted that he was the first to recommend purchasing the building over a year ago for Town use and no one agreed with him. CM Hamilton spoke that the best investment would be to build a Town Hall and pay for it in 15 years citing the amount being spent for Town office rent in support of this. CM Hamilton referred to the liability that would be assumed with the purchase of the Museum building. CM Hamilton summarized that there needs to be a referendum on this, letting the people decide. He feels the future of Dewey-Humboldt is at Highway 69 and 169, not in downtown Humboldt.

There was further Council input and discussion on the purchase and use of the building.

Vice Mayor Treadway made a motion to approve adopting Resolution 16-125 authorizing the acquisition of real property located at 12925 E. Main Street, Dewey-Humboldt and approving the Purchase Agreement, seconded by CM Alen.

Town Attorney Goodwin spoke on how the resolution wording could be changed to restrict uses within the resolution.

Vice Mayor Treadway and Councilmember Alen approved the current wording of the motion, and VM Treadway called for a roll call vote. The vote passed 4-2 with Councilmember Hamilton and Councilmember Wright voting against.

## **10. Adjourn.**

The meeting was adjourned at 8:21 p.m.