

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

Tuesday, December 15, 2015, 6:30 P.M.

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

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

AGENDA SUMMARY

1. **Call To Order.** Meeting called to order at 6:30 p.m. Mayor Terry Nolan presiding
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by Vice Mayor Jack Hamilton.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, Mark McBrady, Dennis Repan, Doug Treadway, Nancy Wright; Vice Mayor Jack Hamilton; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**
 - 4.1. **Employee Recognition for years of service for the Town. [Judy Morgan, Town Clerk, 10 years of service; Catherine Kelley, Magistrate Judge, 6 years; Ed Hanks, Public Works Supervisor, 5 years; Therese Christopher, Court Clerk, 5 years].**

Mayor Nolan presented the Employee Recognition awards to Catherine Kelley, Magistrate Judge, Ed Hanks, Public Works Supervisor, Therese Christopher, Court Clerk. Town Clerk Judy Morgan was absent. Mayor Nolan spoke of Ms. Morgan's ten-year history with the town. A group picture was taken of Judge Kelley, Therese Christopher, Ed Hanks and Mayor Nolan.
 - 4.2. **Interviews and possible appointments for Open Space and Trails Committee Executive Member, and P&Z Commission.**

Mayor Nolan interviewed Val James for the Open Space and Trails Committee. Ms. James spoke about her prior history, her interest in serving on the commission, her move to Dewey-Humboldt and her current employment. Motion was made by Vice Mayor Jack Hamilton to appoint Val James to the Open Space and Trails Committee, seconded by Councilmember Arlene Alen. It was approved unanimously.

Mayor Nolan interviewed Rick Schauwecker for possible appointment on the Planning and Zoning Commission. Mr. Schauwecker spoke about his interest in the P&Z Commission and desire to volunteer on the commission. Motion was made by Vice Mayor Hamilton to appoint Mr. Schauwecker to the Planning and Zoning Commission, seconded by Councilmember Alen. It was approved unanimously.
 - 4.3. **University of Arizona Superfund Research Program overview and project presentation.**

Dr. Sarah Wilkinson and Denise Moreno Ramirez presented a PowerPoint presentation and overview of the U of A Superfund Research Program (SRP). The research program targets

hazardous waste risk and remediation in the US Southwest. Program is grant funded and is separate from the EPA. Program includes approximately 1,700 hazardous waste sites across the country which included the Superfund site in Dewey-Humboldt. The DH project includes Community based projects, field projects and research translation/community engagement cores. Other research for the UA SRP project includes wind-blown dust analysis for metal detection. Wilkinson and Ramirez requested the Council approval for research and community engagement with citizens of DH for the purpose of connecting with the stakeholders. The objective is to build relationships and exchange information about human health issues as it pertains to environmental impacts resulting from hard-rock mining residuals. Councilmembers spoke about the benefits of the research for DH and spoke in favor of the proposed citizen participation. Mayor Nolan voiced the Council's consensus for proceeding with the research and the community-based project in Dewey-Humboldt.

5. **Town Manager's Report**. Update on Current Events.

5.1. **Result of the Firebreak (along Town's western boundary) grant application before Resource Advisory Council (RAC) and future direction.**

Community Planner/Code Officer, Steven Brown spoke about the desired fire break. This is the second year the town has applied to the Yavapai County Resource Advisory Committee for USDA grant funds for the proposed fire break. Mr. Brown spoke about his recent attendance to the RAC meeting with the Forest Service where they reviewed all the projects they received. Nine out of seventeen projects were recommended. The proposed firebreak project was not recommended due to NEPA process not being completed for the proposed area, and it was explained this is why the funding has not been received for our area. The encouragement and feedback from the RAC was positive and they recommended re-applying and to continue to focus on working toward accomplishing the firebreak project. Interest in the project is for both the Town's safety as well as protecting the Forest. The process for receiving the grant funding for the project could take 2-3 years.

Councilmember Treadway spoke about the importance of the project, and recommended to re-apply in the future.

Yvonne Kimball spoke about Councilmember Alen's recent selection to join the National Placemaking Leadership Council and gave an overview of the purpose for this group. Staff and Council wished Councilmember Alen congratulations and best wishes on her new role with the National Placemaking Leadership Council.

6. **Consent Agenda**.

6.1. **Minutes**. Minutes from the November 10, 2015 Work Session Council Meeting.

Councilmember Wright made a motion to approve the meeting minutes from the November 10, 2015 Work Session Council Meeting, as presented; seconded by Councilmember Alen. It was approved unanimously.

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

8. **Discussion Agenda – Unfinished Business**. None

9. Discussion Agenda – New Business.

9.1. Vice Mayor Appointment. Town Code Section 30.031 (D) “In the Mayor’s absence, the Vice Mayor shall perform the duties of the Mayor. Absent a vote of no-confidence, the Council will appoint the most senior Councilmember who has not already been the Vice Mayor to the Vice Mayor Position. A Council Member will serve in the role of Vice Mayor for a single year or until removed.”

It was discussed that Councilmember Treadway is eligible for appointment. Councilmember Treadway agreed to accept the appointment if nominated. Mayor Nolan made a motion to appoint Doug Treadway to the position of Vice Mayor; seconded by Dennis Repan. It was approved unanimously.

9.2. Ordinance 15-119 amending Town Code Section 30.031 (b) (12) Mayor and Vice Mayor, Powers and Duties (Mayor to report at Council request).

Councilmember McBrady asked Councilmember Repan to give the reason for the CAARF now in the form of an Ordinance. Councilmember Repan stated the purpose is a matter of public record and does not require further explanation. A motion was made by Vice Mayor Hamilton to approve the Ordinance, seconded by Arlene Alen. It was approved by 6 to 1 vote in favor, Mayor Nolan voted against the motion.

9.3. Ordinance 15-120 amending Town Code Section 30.085 representing Town.

Council held discussion on the purpose for amending the Town Code. The Ordinance was discussed at the November 10th meeting. Councilmember Wright provided the explanation for the Ordinance. A motion was made by Councilmember Repan to approve Ordinance 15-120 amending Town Code Section 30.085; seconded by Councilmember Treadway. It was approved by a 5 to 2 vote in favor, Mayor Nolan and Councilmember McBrady voted against.

9.4. Ordinance 15-121 amending Town Code Section 30.031 pertaining to Vice Mayor selection process. Discussion and possible approval. (Continued from the December 8th meeting)

Discussion was held about the proposed amendment and the wording. Council discussed examples from Town of Star Valley and Tucson. A motion was made by Vice Mayor Hamilton to approve Ordinance 15-121 which amends Town Code Section 30.031. It was seconded by Councilmember Alen, and passed by a 5 to 2 vote in favor, Mayor Nolan and Councilmember Mark McBrady voted against.

Town Manager, Yvonne Kimball, spoke about the clarification of the wording for appointment for Vice Mayor and council direction to staff for process for future appointments of Vice Mayor. Councilmember Hamilton requested to have future Vice Mayor appointment placed on the second regular meeting agenda in December of each year. Yvonne Kimball asked for permission to discuss this with the Town Attorney.

9.5. Council review of regional organization appointees to reappoint and/or continue the existing appointments.

Discussion was held regarding the organizations/committees councilmembers are currently serving on and desire to continue serving on prospective committees. They spoke about the

need to look at alternates to serve on committees; reappoint all existing members on yearly basis; desire to continue serving on respected committee(s).

Mayor Nolan spoke about his position as Vice President on the CYMPO Executive committee. CYMPO provided a letter from the Chris Bridges, CYMPO Administrator, to request Mayor Nolan to continue to serve as the Vice President on the committee. Councilmember Hamilton asked Councilmember Alen if she would be willing to serve on the CYMPO committee. Councilmember Alen spoke about her related experience and involvement with CYMPO as the current alternate and her interest to serve on the committee if this is the Council's desire.

Councilmember Repan made a motion to approve appointing Councilmember Alen to serve on the CYMPO committee, seconded by Councilmember Hamilton with a request to have reports of meetings provided to council. A vote was taken on the motion, which passed by 5 to 2 vote in favor, Mayor Nolan and Councilmember McBrady voting against the motion.

Council discussed other agency/committees and the need to appoint an alternate to CYMPO. Councilmember Hamilton volunteered to serve as alternate for the CYMPO committee. A motion was made by Councilmember Repan to appoint CM Hamilton as alternate to serve on CYMPO committee, seconded by CM Alen. It was approved by a 5 to 2 vote in favor, Mayor Nolan and Councilmember McBrady voting against.

Councilmember Hamilton made a motion to approve all existing members to continue serving on their existing committees, seconded by CM Alen. It was approved by a unanimous vote.

9.6. Discuss future legal representation for the Town. The current firm does not want to represent the Town sometime in the New Year [The original firm is dissolving]. What does the Council want to do? [CAARF requested by VM Hamilton]

Council held discussion regarding the status of current legal representation; need to explore options; request bid from other firms; attorney has done an excellent job for the Town; would like to see Ms. Goodwin submit a bid and be considered to continue to serve the town; owe the community the option to look at other attorneys.

Councilmember Repan made the motion to request a bid for legal representation, seconded by CM Wright. Councilmember Hamilton asked for staff to provide an explanation of the process for putting a bid out for legal representation. Yvonne Kimball spoke about the process to request a bid for professional services, and will do the standard procedure. It will include advertising with the League of Cities and Arizona Bar Association. A vote on the motion passed by a 5 to 2 vote in favor, Mayor Nolan and Councilmember McBrady voting against.

Town Manager, Yvonne Kimball spoke on the significance of changing attorney and requested direction for a timeline to assure the Town has coverage. Councilmember Repan spoke about the clarification of the process for putting out the bid. Yvonne Kimball spoke about the procurement procedure, for professional service. Ms. Kimball suggested having Town Attorney Goodwin present to answer questions regarding her re-organization and her plans for future representation. Not aware of other municipalities' (Chino Valley) plans for changing from using her professional services. CM Hamilton requested to have the process started as soon as possible. Town Manager Kimball spoke about the RFQ process and making arrangements with

Ms. Goodwin in the interim and request for direction from Council for proceeding. Councilmembers discussed no need for review of the RFP and requested Town Manager to proceed with publicizing the RFQ. Yvonne Kimball spoke about her regret that Ms. Goodwin was told prior to the meeting that it was not necessary for her to be here to discuss her current contract with the Town. Information from CM Hamilton about her need to be here for the agenda item indicated this was not necessary. She believes Ms. Goodwin would have attended the meeting if she had known the Council would be taking action on the item. Councilmember Hamilton spoke about miscommunication. Mayor Nolan gave direction to staff about proceeding with the RFQ.

9.7. Discuss the use of the Town Logo on Museum Plaque. [CAARF requested by Mayor Nolan]

Councilmembers discussed the use of the Town Logo for the Museum plaque; sense of cooperation and appreciation for the museum; town seal should be used for Town use only. A motion was made by Councilmember McBrady to allow the Museum to use the town logo, seconded by CM Alen. It passed by a 4 to 3 vote in favor, Councilmembers Repan, Wright, and Hamilton voting against.

9.8. [Hold an] Executive Session to discuss acquisition of one parcel in Town. [CAARF requested by Mayor Nolan]

There was discussion by Council about prior review of this item; hold a special meeting to discuss the item; item has not been previously presented to Council; request to keep the information private.

Mayor Nolan made a motion to enter into Executive Session to discuss the acquisition of property located at 12980 E. Prescott Street, seconded by CM Hamilton. It was approved by a 5 to 2 vote in favor, Councilmembers Repan and Wright voting against.

9.8.1. Recess into and hold an executive session. pursuant to A.R.S. Section 38-431.03 (A)(7) Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the acquisition of real property located at 12980 E. Prescott Street (APN 402-09-030C).

Council recessed into Executive Session at 8:17 p.m.

9.8.2. Reconvene into Open Session.

Council reconvened into open session at 8:41 p.m.

10. Public Hearing Agenda. None

11. Adjourn. Meeting adjourned at 8:44 p.m.