

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

**Tuesday, March 6, 2012, 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 6:33 p.m. Vice Mayor McBrady presided.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Made.
  - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members John Dibble, David Hiles, Dennis Repan, Denise Rogers Nancy Wright; and Vice Mayor Mark McBrady were present. Mayor Terry Nolan was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

  - 4.1. **Yavapai County Emergency Management – Denny Foulk and Hugh Vallely.** To answer questions regarding 2011 Hazard Mitigation Plan.  
  
Denny Foulk and Hugh Vallely were present. Mr. Foulk showed a short PowerPoint presentation and answered Council’s questions.  
  
Councilmember Wright announced the Agua Fria Festival Committee meeting on March 19<sup>th</sup> at 6:30 p.m.
  - 4.2. **Interview and possible re-appointment of Andy Peters to Planning and Zoning Commission.**  
  
Town Clerk Judy Morgan spoke on incorrect information on the 4.2 Council Communication. Council directed staff by motion to have Andy Peter’s appear for an interview at the December 20, 2012 meeting.  
  
Andy Peters was present and spoke to the Council on his interest in staying on the Planning and Zoning Commission. He answered questions regarding his attendance at the meetings and explained his prior commitment has concluded so he will be able to attend the meetings in person.  
  
Councilmember Hiles made a motion to re-appoint Andy Peters to the Planning and Zoning Commission for a 4-year term, seconded by Councilmember Dibble. The motion passed by a 5-1 vote, Councilmember Wright voting against.
5. **Town Manager’s Report.** Update on Current Events.  
  
Yvonne Kimball, Town Manager spoke on receiving notification on the ACA Grant opportunity for Mortimer Farms (Greenhouse). They were denied the grant.
6. **Consent Agenda.**
  - 6.1. **Minutes.** Minutes from the February 14, 2012 Special Study Session.  
  
Vice Mayor McBrady made a motion to accept the minutes as presented, seconded by Councilmember Hiles. The motion passed unanimously.

**7. Comments from the Public (on non-agendized items only).**

Jack Hamilton praised the OSAT for putting an article in the newsletter asking for public participation with the pocket park.

Gary Mortimer spoke on the grant with ACA and being 9<sup>th</sup> in line but only 8 chosen. He thanked Council and Staff for their support.

**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. Discussion of Proposed Historical Society Museum Proposal.** Possible action/motion to be presented. [CM Repan and VM McBrady Requests]

Vice Mayor McBrady spoke on his communication with Pastor Steve Lang regarding renting the bank building for the Historical Society. He suggested options where the town would help out with rent and the Historical Society would have matching funds. There was discussion on this suggestion.

Councilmember Repan spoke on responses he has received from the community; the adversarial nature of this issue and business transactions not being personal; stepping back from this.

Public comment was taken on this item.

Chris Berry spoke on misunderstandings; grant possibilities and needing help from staff on preparing them; fundraising; start-up costs for the museum; revitalization of Dewey-Humboldt; including the Historical Society in roundtable subcommittee meetings; time constraints; the DHHS writing a blanket business proposal; the Upper Main Street Charette and the vision of the town involving that area as a tourist destination.

Jack Hamilton spoke against renting the building; start-up costs being higher than what the town is offering; no business plan; on-going costs too high; supported having the town partner with the DHHS on grants; differences between pocket park and museum response from Attorney Susan Goodwin; addressing this proposal in the next budget and looking at it during budget process to see whole picture.

Kevin Leonard spoke against the work the Subcommittee and council has done and they're not representing the people. He spoke on how much revenue the town could make on a museum.

Gerald Hoyer spoke on how much it will cost to bring the building up to shape; and start-up costs – how calculated and why needed.

Gary Mortimer spoke in support of a museum and the council being fiscally responsible.

Councilmember Hiles made a motion to approve moving on to the next agenda item (8.2) with the option of returning to 8.1 once they hear from the Town Manager, seconded by Councilmember Dibble. It was approved unanimously.

**8.2. Town Manager Report regarding costs for Bank Building (12925 E. Main Street, Humboldt) Negotiations.** Discussion and possible action/direction.

Town Manager Yvonne Kimball gave her report. Councilmember Wright explained what the budget line item to draw from is for and that this money is committed to the exact dollar amount of what is needed as set in the budget. There was discussion on how moneys can be moved within the budget.

Public comment was taken on this item.

Jack Hamilton spoke on budget transfers; legal opinion from the pocket park; Council's decision on what goes in the budget.

There was Council discussion on being fiscally responsible; urgency to make decision; no large expenditures prior to the next fiscal year.

William Balder spoke on a museum he helped save in Michigan and how the city was involved; and in-kind volunteer hours for matching grant funds.

Councilmember Hiles spoke on purchasing the property as a hard asset after budgeting for it and the state statute that restricts expenditures not included in the budget.

Councilmember Hiles made a motion to approve to not expend the money for an appraisal or earnest money, seconded by Councilmember Dibble. It passed unanimously.

The subcommittee will meet again with some members of the Historical Society to discuss options.

Vice Mayor McBrady made a motion to hold off on agenda item 8.1 until the Museum Subcommittee has a chance to meet again, seconded by Councilmember Hiles. It was approved unanimously.

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

**9.1. Resolution 12-101 Yavapai County Emergency Management 2011 Hazard Mitigation Plan Adoption.** Discussion and possible action.

Councilmember Rogers made a motion to update the contact information and adopt the plan, seconded by Councilmember Hiles. It was approved unanimously.

**9.2. NACOG Report.** [CM Wright request]

Councilmember Wright gave an overview and spoke on potential grants through NACOG. She explained Council needs to determine which one(s) they want to put in for, the urgency as it is first-come first-serve, having staff put the proposals together and the project's scope between 1.5 and 2.5 million dollars.

There was discussion on how to make the determination of what is needed, whether there are matching funds required, whether to tie in with current grant projects and how specific or general the project(s) needs to be.

Vice Mayor McBrady made a motion to direct the Town Manager to talk with Teri Drew (NACOG) about this and what to consider, seconded by Councilmember Repan. The motion passed unanimously.

**9.3. Setting a Joint Meeting with Planning and Zoning to determine a priority list and direction.** Discussion and possible action.

Town Manager Kimball gave an overview. P&Z Commissioner Chairman, Bob Bowman spoke to the Council on the Commission's request to hold this joint meeting. There was discussion on when to schedule this meeting, the Commission's priority list and working on those earlier prioritized items until the joint meeting can be scheduled.

Vice Mayor McBrady made a motion to direct the Town Manager to set up a time, arranging a joint roundtable meeting to discuss the priority list, seconded by Councilmember Wright. It was approved unanimously.

**10. Public Hearing Agenda.**

**10.1. Sign Code Amendment.** Public Hearing, discussion and first reading of sign code amendment recommendation from the Planning and Zoning Commission.

Councilmember Repan made a motion to move the Sign Code Amendment to a work session, seconded by Councilmember Wright.

Vice Mayor McBrady opened the public hearing on the sign code amendment at 8:50 p.m.

Gerald Hoyer asked to talk with the Council regarding an earlier agenda item. He was denied at this time as it was not a comment on the sign code.

Bob Bowman spoke on how many months the Commission has spent on the sign code, eliminating unnecessary verbiage but maintaining the integrity of the sign code.

The public hearing was closed at 8:51 p.m.

A vote was taken on the motion to move the sign code to a work session. The motion was approved unanimously.

**10.2. Mortimer Family Farm Use Permit.** Public Hearing, discussion and possible action on the Use Permit application.

Town Manager Kimball gave an overview, explaining that the P&Z Commission has approved the use permit, and included in the staff report are public comments and responses.

The Public Hearing was opened at 8:52 p.m.

Tammy DeWitt explained she was person who's questions were included in the staff report. She asked questions on the use permit proposal: Development water rights; whether under the PAD or Zoning; timeframe of use permit; special events permits: what delineates large event; greenhouse allowed as a structure; site plan discrepancy; expansion needs permit amendment; sign requirements; park not on site plan but in plan; Ag uses delineated; waivers in letter of intent but not delineated in stipulations; hay sales; current violation of the use permit; expansions need to be added to use permit; spell out signage, number of vendors allowed, RV storage of vendors, hours of operation, noise cutoff for events, what events need a special permit; stipulations for clarification of what they are being approved for; site plan not complete; nothing in intent for outside sales sources.

Gary Mortimer spoke on differences between Agriculture and Commercial uses; working with the earlier Town Planner and Interim Town Manager on application; being a small business, being an asset to the community; selling locally grown products and requested approval of the Special Use Permit.

Councilmembers commented and asked questions. Town Manager Kimball clarified that the use permit was good for one year.

Sharla Mortimer spoke on the time limit of the use permit and the explained if an event requires traffic control then it would need a special event permit; any future development would be dealt with as an individual planning permit process; parking adequate for what they are doing now.

Councilmember Wright spoke on PAD stipulations for new development.

Chris Berry spoke on the cooperation of the Mortimers; recommended approving the use permit for one year.

Jack Hamilton spoke in support of the permit for one year time-frame.

The public hearing was closed at 9:26 p.m.

Councilmember Hiles made a motion to approve the Mortimer Family Farms Use Permit for a period of one year, renewable at Council's pleasure, seconded by Councilmember Dibble. It was approved by a 5-1 vote, Councilmember Wright voting against.

Councilmember Hiles made a motion to not go into Executive Session, seconded by Councilmember Repan. The motion was approved unanimously.

**11. Executive Session.** Upon a public majority vote of the members constituting a quorum, the ***Council may hold an Executive Session that is not open to the public for the following purposes.*** When the Executive Session ends, Council may act on any matter considered in this Agenda.

**11.1. Call for Executive Session.** An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consultation of employment and salary of Todd Hamilton for the position of Public Works Operator.

**12. Return to Open Session.**

**12.1. Ratification of hiring Todd Hamilton for the Public Works Operator position.**

Discussion and possible action.

Town Manager Kimball spoke on how the recruitment process was conducted, and how Todd Hamilton's new employee checks have come back good. She recommended following Public Works Supervisor, Ed Hanks recommendation to ratify Todd Hamilton.

Councilmember Hiles made a motion to ratify the hiring of Todd Hamilton for the Public Works Operator position, seconded by Councilmember Dibble.

Public comment was taken on this item.

Jack Hamilton asked if Todd Hamilton was in attendance. He was not.

A vote was taken on the motion, which passed unanimously.

**13. Comments from the Public.**

Gerald Hoyer spoke on continuing talks with the Town regarding the Historical Society's Museum Proposal.

Vice Mayor McBrady explained the motion to hold another subcommittee meeting for that purpose.

Jack Hamilton spoke on the budget process coming up and staffing considerations; purchasing property for the use of a town hall and/or library; budget already being limited and maintaining quality of service to the town; considering road equipment through NACOG grants; Old Black Canyon Highway problems and consideration for improvements for safety reasons.

**14. Adjourn.**

The meeting was adjourned at 9:45 p.m.