

TOWN COUNCIL OF DEWEY-HUMBOLDT

REGULAR MEETING NOTICE

Tuesday, July 3, 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 6:30 p.m. Mayor Nolan presided.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
 - 2.2. **Invocation.** Councilmember Wright gave the invocation.
3. **Roll Call.** Town Council Members David Hiles, Mark McBrady, Dennis Repan, Denise Rogers (arrived late at 6:36 p.m.), Nancy Wright; Vice Mayor John Dibble; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**
 - 4.1. **Healing Fields Project.** A presentation by Prescott Valley Councilmember Mary Mallory.

Prescott Valley Councilwoman Mary Mallory showed a DVD presentation of the Healing Fields Project and spoke to the Council on her passion for this project and bringing one to Prescott Valley. Anyone interested in participating in the project (volunteering or purchasing flags) can contact her at 928-533-8896. More information is available online by going to the Prescott Valley Healing Fields online, or by sending a check to Colonial Flag in care of Prescott Valley Healing Fields.
5. **Town Manager's Report.** Update on Current Events. None.
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the June 5, 2012 Regular Meeting; June 11, 2012 Special Meeting; and June 19, 2012 Regular Meeting. Councilmember McBrady made a motion to approve as presented Minutes from the June 5, 2012 Regular Meeting; June 11, 2012 Special Meeting; and June 19, 2012 Regular Meeting, seconded by Vice Mayor Dibble. It was approved unanimously.
7. **Comments from the Public (on non-agendized items only).**

Jerry Brady spoke on a transportation bill enacted by Congress; history-based tourism; participation in the CYMPO transportation plan update.
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. **Community Development Block Grant (CDBG) Project Progress.** A Presentation by Ed Hanks. Discussion and possible action.

Public Works Supervisor, Ed Hanks gave an update on the CDBG project and reviewed the recommended additions to the project which are under review for approval by CDBG. These proposals include a sidewalk from the Elementary school on Corral Street down Prescott Street to Old Black Canyon Highway, as well as Jones and Wells streets and some areas west of Hecla.

When asked what his level of satisfaction was with the work being done, Mr. Hanks responded he is very satisfied and they are ahead of schedule.
9. **Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.

9.1. CDBG Project Engineering Design Authorization #2 for Sidewalks and remaining projects. Discussion and possible action.

David Gue with Willdan was in attendance. He answered questions regarding the change order. He explained the timing of the sidewalks was to wait until the chip seal and drainage was done before placement and the path would include ramps to meet ADA requirements but would not include gutters or curbs.

There was discussion on the sidewalks and changes to the original plan for placement of sidewalks; cost of engineering the sidewalks and why it significantly increased from the original estimate (survey cost and detail drawings). When asked if he thought the increase was justified Mr. Hanks responded it could be justified due to the work asked to be done.

Councilmember Hiles made a motion to accept the proposal (Design Authorization #2 for Sidewalks and remaining projects) as recommended by Staff, seconded by Vice Mayor Dibble.

Public comment was taken on this item.

Jerry Brady spoke on congress demanding increased accountability; GIS and GPS being linked and CDBG using overhead reconnaissance.

The motion was approved unanimously.

9.2. Intent to apply for Arizona Commerce Authority 2012 Vision Grant. Discussion and possible action.

Town Manager Kimball gave an overview explaining she received notification on this grant through the Mayor. She in turn contacted David Nystrom with the Dewey-Humboldt Historical Society to talk about this opportunity. They decided to pursue this grant for the start-up of a website for the Historical Society. Since assisting with this grant will require staff time she was bringing it to the Council for their approval. David Nystrom, Treasurer of the Dewey-Humboldt Historical Society was present and answered question. There was discussion on if the town should spend more time with this grant than they did for the Mortimer Farms grant application, and limitations for the Historical Society to write their own grant application. They discussed that tourism was the base industry for the Historical Society. They discussed suggesting the Mortimer's resubmit their application from earlier in the year.

Public comment was taken on this item.

Jerry Brady spoke on the Town of Jerome receiving a vision grant from the ACA; a 3-day conference in Prescott on these issues; Williamson Valley Road being designated an historic road and looking into that designation for Old Black Canyon Highway; German Consulate visiting this area and history based tourism.

Councilmember Hiles left the dais at 7:54 p.m. and returned at 7:56 p.m. Councilmember McBrady addressed Mr. Brady's comments regarding the conference and why no one from the town attending as it cost \$300 to do so, but he and the Town Manager contacting a speaker from the conference and meeting with her to discuss grant opportunities for tourism in Dewey-Humboldt. He spoke in support of pursuing the ACA grant for the Historical Society.

Jerry Brady spoke on Congressman Gosar visiting and meeting with the town on these issues.

Vice Mayor Dibble made a motion to look at the possibility with Mortimer Farms and the Historical Society to pursue this grant, but not spend 3 days on it, seconded by Councilmember McBrady.

Councilmember Hiles made a motion to approve directing staff to pursue the grant with the Historical Society but not to devote any more time than they have spent on the Mortimer's Farm Grant with ACA earlier this year, seconded by Councilmember Wright.

Councilmember McBrady made a motion to approve letting the Town Manager decide how much time to put into the grant application for the Historical Society and Mortimer Farms, seconded by Mayor Nolan. The motion passed by a 6-1 vote in favor, Councilmember Wright voting against.

The second motion was withdrawn by the maker (CM Hiles) so no vote was taken.

The first motion was not voted on as a subsequent (3rd) motion was approved thereby overruling the first motion.

9.3. Centennial Monument Sign matters as per Dewey-Humboldt Historical Society request. Discussion and possible action.

Town Manager Kimball gave an overview explaining Gerald Hoyer with the Historical Society approached her about sharing the monument structure with the town to display one of the town's three monument plaques. Mr. Hoyer was working with Mark McBrady, the property owner of Humboldt Station about placement of the monument on the property. David Nystrom, Treasurer of the Historical Society answered questions and explained that the Society would expect the town to share in the cost of the monument structure and placement if they place a plaque on it.

Councilmember McBrady explained that he was not in favor of the town paying for half of the monument structure. There was discussion on the centennial plaque subcommittee and why it had not been appointed.

Public comment was taken on this item.

Jerry Brady spoke on this area being one of the most historic locations in Arizona. He spoke on funds available to erect a monument and recommended erecting a couple dozen monuments.

There was discussion on the size and content of the sign and location of placement for readability; the monument structure being exempt from permits as it is commemorative.

Councilmember Rogers made a motion to approve putting one of the plaques on the back of the Historical Society's monument and to come up with a plan on what to do with the other two plaques and wording for plaques, seconded by Mayor Nolan.

Councilmember Repan made a motion to approve putting this item on a future work session, seconded by Councilmember McBrady. The motion passed unanimously. The first motion was withdrawn by the maker (CM Rogers).

9.4. [Consideration whether] to Dissolve the Board of Adjustments until further notice. Discussion and possible action. (CAARF Request by CM Dibble)

Councilmember Dibble gave an overview. He spoke on concerns with only 4 members creating a possible tie on a decision. He praised the volunteers and suggested they could volunteer on other committees.

Councilmember Wright spoke on her disapproval of this agenda item comparing the Chair of the Board of Adjustment to behavior toward the council by the Historical Society President and the council's response to it. She spoke against the Council acting in the capacity of the Board of Adjustment and suggested filling the one vacancy on the board instead.

Councilmember Repan spoke on the board falling out of compliance with only 4 members and the Chair not catching it. He spoke on not having a full board not being fair to the defendant.

Councilmember Rogers stated previously legal counsel explained the board can operate with less than 5 as it is considered a vacancy and trying to fill it.

Councilmember Repan spoke on the P&Z Commissioners not wanting to spend additional time than one meeting a month.

Councilmember Wright spoke on the Board of Adjustment Section in Town Code being re-written and wasting money by having to redo it again.

Councilmember McBrady spoke on the Chair of the BOA serving at the pleasure of the Council and problems they have had with Ms. Chapman's attitude. He recommended dismissing her and allowing the BOA to be led by someone who understands the decorum on these issues.

Councilmember McBrady made a motion to remove Lydia Chapman from the Board of Adjustment. Motion failed for lack of a second.

Mayor Nolan made a motion to dissolve the Board of Adjustment until further notice, seconded by Vice Mayor Dibble.

There was discussion on statutory requirements regarding the BOA, and amending town code if the Council is to serve as the BOA. This change would take 30 days to go into effect.

Public comment was taken on this item.

David Nystrom recommended keeping the legislative and judicial bodies separate to avoid it becoming political.

Jerry Brady spoke on the Arizona Commerce Committee providing continuing legal education with consultation available; the Board's purpose; the ordinance to establish the board.

Town Manager Kimball reminded council an ordinance would be necessary to make this change in town code.

Councilmember Repan spoke on the proper way to handle this situation and not wanting to send out the wrong message to other public bodies of the town.

Councilmember Repan made a motion to approve conferencing with the town attorney to figure out the methodology on the best way to handle this situation. The motion failed for lack of a second.

A vote was taken on the previous motion. It passed by a 4-3 vote in favor, Councilmembers Rogers, Wright and Mayor Nolan voting against.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jerry Brady spoke on the council's basic considerations being the concept of fiduciary duty; necessity for due diligence research and due process disclosure; protecting the public purse and public safety; standards published for agencies who receive federal funds.

12. Adjourn.

The meeting was adjourned at 9:20 p.m.