

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

Tuesday, January 15, 2013, 6:30 P.M.

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

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

AGENDA

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Opening Ceremonies.

2.1. Pledge of Allegiance.

2.2. Invocation.

3. Roll Call. Town Council Members Arlene Alen, David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan.

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. Kachina Animal Hospital Donation for Butte Street Park. Animal-waste Station donation.

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

Page **6. Consent Agenda.**

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6.1. Minutes. Minutes from the December 11, 2012 Special Study Session and December 18, 2012 Regular Meeting.

7. Comments from the Public (on non-agendized items only). The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. A **3** minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

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 Town Manager Employment Anniversary matters. Discussion and possible action as directed at the January 8, 2013 Study Session.

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

9.1. Discussion on advertising in the Town Newsletter. If Council wishes to allow advertising then a clear written policy needs to be implemented. Discussion of pros/cons and related issues. [CAARF CM Wright]

10. Public Hearing Agenda.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

11. Comments from the Public. The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Public Comment is **3** minutes per person. The audience is asked to please be courteous and silent while others are speaking.

12. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, February 5, 2013, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, February 7, 2013, at 6:00 p.m.

Next Town Council Work Session: Tuesday, February 12, 2013, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2013, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk's Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MINUTES
TUESDAY, DECEMBER 11, 2012, 2:00 P.M.**

A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 11, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 2:04 p.m. Mayor Nolan presided.

2. **Oath of Office.**

2.1. Swearing in Arlene Alen as the newly appointed Council Member.

Arlene Alen was took the oath of office, administered by Town Clerk, Judy Morgan.

3. **Roll Call.**

3.1. Town Council. Town Council Members Arlene Alen, David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan were present.

4. **Study Agenda.** No legal action to be taken. None.

5. **Special Session.** Legal action can be taken.

5.1. Review and discussion of 2013 Council meeting and holiday schedules. Discussion and possible action.

Mayor Nolan recommended cancelling the January 1st Council meeting as it is a town holiday. Councilmember Rogers suggested adding a meeting in the fourth week of January.

Councilmember McBrady made a motion to cancel the January 1, 2013 Regular Council meeting, seconded by Mayor Nolan. It was approved by a 6-1 vote, Councilmember Hiles voting against.

5.2. Routine Reports from Town Council Appointees to Agencies & Organizations. [CAARF Requested by CM Wright]

Councilmember Wright gave an overview on her request. There was discussion on filling the primary and alternate positions on various agencies the town is involved with (CYMPO, NACOG, WAC).

David Nystrom spoke to Council as he had requested this agenda item through CM Wright. He spoke on representatives providing routine feedback on these agencies so the Council can make sure they are being represented as a whole.

Mayor Nolan agreed to be the primary for CYMPO, Councilmember McBrady agreed to be the primary for WAC and Councilmember Wright will continue to be the primary for NACOG. New Councilmember Alen agreed to be the alternate for all three.

There was discussion on whether to have written or oral reports. Mayor Nolan suggested a written report sent out to Council.

5.3. Bid Opening for On-Call Maintenance Contract. Discussion and possible action.

Public Works Supervisor, Ed Hanks gave an overview on the On-Call Maintenance bids, with Earth Resources Corporation being the overall lowest bidder. He was

recommending approving the contract for Earth Resources Corporation for On-Call Maintenance.

Councilmember Hiles made a motion to award the On-call Maintenance contract to Earth Resources Corporation, seconded by Councilmember Rogers. It was approved unanimously.

5.4. Agua Fria Festival Committee Park Equipment Donation. Discussion and possible action.

Agua Fria Festival Committee President, Mike Nathe spoke to Council regarding donations to the town from the committee for park equipment (gazebo, turf, and playground equipment). This donation is from monies raised at the festival to go toward a town park.

There was discussion on the equipment and ground cover, as well as games (horseshoe toss or bean bag toss); whether OSAT should still be involved with the park in this matter; when the items would go in the park; liability insurance concerns.

Vice Mayor Repan made a motion to accept the donations from the Agua Fria Festival Committee, seconded by Councilmember Rogers.

There was discussion on a plaque to commemorate the donation. As the centennial plaque is already being prepared a separate plaque will be considered if the centennial plaque is not available.

The motion to accept the donations was approved unanimously.

6. Comments from the Public.

Jack Hamilton spoke on the maintenance bid contract; retreat meeting; giving staff things to work on in advance; volunteer recognition thoughts and ideas.

7. Adjourn. The meeting was adjourned at 2:49 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, DECEMBER 18, 2012, 6:30PM**

A REGULAR SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 18, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:31 p.m. Mayor Nolan presided.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by John Dibble.
 - 2.2. **Invocation.** Given by Councilmember Wright.
3. **Roll Call.** Town Council Members Arlene Alen, David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan were present.
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. Presentation of Plaque for former Councilman John Dibble.

Mayor Nolan presented John Dibble his plaque of appreciation for his time spent on the Council.

4.2. Open Space and Trails Committee Interview and possible appointment. Laurence McCormick application to be appointed to the OSAT Committee.

Laurence McCormick was present and answered Council's questions and spoke on his desire to be involved in his community.

OSAT Chairperson, Sandra Goodwin spoke in support of Mr. McCormick's appointment.

Councilmember Hiles made a motion to appoint Laurence McCormick to the Open Space and Trails Committee (Executive Member), seconded by Councilmember Wright. It was approved by a unanimous vote.

4.3. Planning and Zoning Commission Interview and possible appointment. Jeff Siereveld application to be appointed to the P&Z Commission.

Jeff Siereveld was present and answered Council's questions and his reasons for volunteering for the P&Z commission.

Councilmember Hiles made a motion to appoint Jeff Siereveld to the Planning and Zoning Commission, seconded by Vide Mayor Repan. It was approved by a unanimous vote.

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

Town Manager, Kimball spoke no the centennial monuments. The Butte Street Park monument should be ready by December 31st with the dedications happening in the New Year. The shared Historical Society monument scheduled for Humboldt Station should be ready around the same time.

6. Consent Agenda.

6.1. Minutes. Minutes for the December 4, 2012 Special Interview Meeting, December 4,

2012 Regular Meeting and December 10, 2012 Special Retreat Meeting.

Councilmember Wright made a motion to accept the minutes as they are on the consent agenda, seconded by Vice Mayor Repan. It was approved unanimously.

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

Jack Hamilton spoke on the Butte Street Park and the budget; ethics; signature collection for candidate petitions; Chris Berry's Facebook postings regarding a current councilmember.

8. Public Hearing Agenda.

8.1. D-H Historical Society Museum and Outside Display Use Permit. Public Hearing, discussion and possible action on Use Permit application.

Community Development Coordinator, Warren Colvin gave a review of the Use Permit Application and the recommendations from Planning and Zoning and Staff, with condition #4 being different for each recommendation. This use permit would be for a one-year term.

There was discussion on Item #4 requirement regarding screening/fencing.

Jerry Hoyer, the agent for D-H Historical Society, spoke on his preference to use the #4 recommended by the Planning and Zoning Commission.

There was discussion regarding screening/fencing and whether it was necessary or desirable to require.

The Public Hearing was opened at 7:49 p.m.

David Nystrom spoke on the reasons for the use permit, accepting the P&Z recommendation, keeping it less restrictive, but keeping staff review.

Jerry Brady spoke on screening; other public uses in town and their zoning, surveys and plats for ROW and property boundaries; recommended checking with the U.S. Public Land Survey System to determine ownership of Second Street.

Chris Berry spoke on compliance of Historical Society in partnering with the town for the museum. He spoke on the display of mining artifacts.

Earl Goodwin spoke on the ROW not being a zoned use as it is not a buildable lot; choosing to waive screening requirements, but adding wording to allow requirements if not to the town's satisfaction; delineating the area with artifacts.

The public hearing was closed for 8.1., at 8:03 p.m. and Council went back to the regular portion of the meeting.

Councilmember Hiles made a motion to approve the use permit for the Historical Society, waiving the requirement for screening or fencing, using Planning and Zoning Commission's recommendations, seconded by Councilmember Rogers. It was approved by a 6-1 vote, Mayor Nolan voting against.

8.2. Text Amendment to Town Code § 153.125-138 (Sign Code). Public Hearing, discussion and possible action on amended Sign Code Amendments.

Council went into the public hearing for 8.2 at 8.09 p.m.

Community Development Coordinator Warren Colvin gave an overview, and explained P&Z unanimously recommended the sign code text amendments to council.

Chris Berry spoke to council as the representative for Planning and Zoning explaining he felt the sign code was reasonable.

Mark McBrady recused himself and stepped down from the dais. He spoke to Council as a citizen regarding billboards. He recommended adding wording to limit footage between one billboard and another to 1500 ft., or change the requirement to only on industrial zoned land.

Bart Brush asked about size and height of signs allowed. Warren Colvin explained the reason for the height being for those homes with ranch signage over driveways.

Mayor Nolan recused himself as he owns Industrial-zoned property and the council was considering restricting billboards to that zoning.

Jack Hamilton asked about a 5 acre wording question.

Jerry Brady suggested looking at the County Comprehensive Plan as a baseline.

Bart Brush suggested changing the wording to “5 acres and with frontage on two roads”; concerns for too many billboards but agreeing with less restrictions for signs.

Council reviewed some corrections that would need to be made.

1. Under Commercial, Education, Religious, Industrial section (pg. 45) update wording regarding acres of frontage to either be a linear measurement or say 5 acres and on roads...
2. Under Commercial Complex (pg. 45) add per historic front or business.
3. Add #4 to the last sentence in the first section “Foot Notes” (pg. 46).
4. Add a separate category for billboards and change off-premise sign square footage requirements appropriately.
5. (Pg.39) Change wording for Provisions (J) to Signs not allowed in residential zoning...
6. Remove duplicate listing of “POSTER” from Definitions section.

There was discussion on this needing to go back to P&Z as the Billboard addition is substantive enough to require the public notice process be followed, while the other changes are more clerical in nature. The public hearing was closed at 8:51 p.m. and Council went back to the regular portion of the meeting.

Councilmember Hiles made a motion to approve sending the sign code text amendments back to P&Z for those changes, seconded by Councilmember Wright. It was approved by a 5-0 vote in favor, Councilmember McBrady and Mayor Nolan recused from the vote.

Councilmember McBrady and Mayor Nolan returned to the dais at 8:52 p.m.

9. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

9.1. Ordinance 12-93 Sign Code Amendments repealing 153.125 through 153.133 and adopting 153.125 through 153.138.

Agenda item 9.1 was skipped as it was no longer applicable since the sign code is going back to the Planning and Zoning Commission.

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

10.1. Discussion and possible action on reimbursement for mileage for Council persons attending designated regional organizations as a representative for D-H for 2013. [CAARF Requested by CM Wright]

Councilmember Wright explained this had been requested prior to adopting a policy on this, but kept it on as a bookkeeping item to clarify this for staff. Consensus was the policy is sufficient.

11. Comments from the Public.

Jerry Brady spoke on the retreat and not having public body policy at this event, but discussing practical factors.

12. Adjourn. The meeting was adjourned at 8:56 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

