

**STUDY SESSION MEETING NOTICE
TOWN COUNCIL OF DEWEY-HUMBOLDT
Tuesday, May 13, 2014, 2:00 P.M.**

**COUNCIL STUDY SESSION 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. Roll Call.

2.1. Town Council. Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan.

3. Study Agenda. No legal action to be taken.

3.1. Potential Board of Adjustment on-site training with Attorney. Discussion of whether to hold a training and possible dates for training (afternoon of May 14 or May 19).

Page
3

3.2. Determine process and procedures for TC meeting guests, speakers, presentations, reports etc. in compliance with Open Meeting law, Election Law, AG protocols & Towns legal advisor. [CAARF requested by VM Alen]

5

3.3. P&Z priority task assignment. [CAARF requested by VM Alen]

13

3.4. Unresolved power-line relocation issue at River Rd./Deer Pass and potential partnership with Arizona Public Service (APS) as a solution.

4. Special Session. Legal Action can be taken.

29

4.1. To determine Town policy concerning the metering of exempt wells. [CAARF requested by CM Hamilton] Possible action.

4.2. Town staff absence and overall staffing situation and the immediate need for temporary or permanent position(s). Town Manager presentation, Council discussion and possible action to authorize (or not) temporary and/or permanent positions.

4.3. Whether to hold additional special session(s) this month. This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

5. **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.

6. **Adjourn.**

For Your Information:

Next Town Council Meeting: Tuesday, May 20, 2014, at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, June 5, 2014, at 6:00 p.m.

Next Town Council Work Session: Tuesday, June 10, 2014, 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 _____, 2014, 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
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: next available

Date of Request: 4.2.14

Requesting: Action Discussion or Report Only

Type of Action: Routine/Consent Agenda Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

Determine process and procedures for TC meeting guests, speakers, presentations, reports etc.
in compliance with Open Meeting law, Election Law, AG protocols & Towns legal advisor.

Purpose and Background Information (Detail of requested action). _____

Eliminate the continuous discussion of appropriate terms and conditions for presentations
to council by determining legal methodology necessary to protect the Town from
inadvertent violations. Town Manager to request info from Attorney, AG, other resources for backfill.

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: Staff: AG, League, Legal, Election Law, and other as needed.

Type of Presentation: verbal

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: Arlene Alen

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

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TITLE IX: GENERAL REGULATIONS, CHAPTER 90 – ANIMALS

- [90.01](#) Definitions
- [90.02](#) General provisions
- [90.03](#) Enforcement
- [90.04](#) Exemptions
- [90.05](#) Biting animals
- [90.06](#) Release of impounded dog

Vicious Animals

- [90.15](#) Definitions
- [90.16](#) Determination of Town Magistrate
- [90.17](#) Control of dangerous animals
- [90.18](#) Killing of dangerous animals

Livestock

- [90.30](#) Definitions
- [90.31](#) Livestock roaming at large
- [90.32](#) Investigation and enforcement
- [90.33](#) Payment of citation in lieu of penalties
- [90.99](#) Penalty

*****ANIMAL CONTROL*****

§ 90.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. Being neither confined by an enclosure nor an electronic fence capable of restraining the animal, nor physically restrained on a leash.

DOG. A member of the canis lupis familiaris and domesticated wolves and offspring of dogs cross-bred with wild animals or domesticated wolves.

ENFORCEMENT OFFICER. Any person responsible for the enforcement of this subchapter and the regulations promulgated hereunder.

OWNER. Any person owning, possessing, harboring or maintaining a dog, or any persons acting for, or in the place of, the owner, or having charge of, or having taken charge of, a dog. (Ord. 05-17, passed 10-18-2005)

§ 90.02 GENERAL PROVISIONS.

(A) No dog shall be at large except as provided herein. Dogs shall be confined within a suitable enclosure capable of restraining the animal or otherwise physically restrained to prevent entry of dogs on public or private property other than the owner's, or a leash not to exceed six feet in length and of sufficient strength to control the dog.

(B) Any dog over the age of four months shall wear a collar or harness to which is attached a valid rabies tag. Dogs shall not be required to wear a collar or harness with a valid rabies tag attached while being used for control of livestock, while being used or trained for hunting, while being exhibited or trained at a kennel club event, while engaged in races approved by the Arizona Racing Commission or while being transported to and from such events, provided that they are properly vaccinated and controlled.

(C) It shall be unlawful for an owner or any other person or designated responsible person to maintain a dog having a propensity to excessively bark, howl or otherwise disturb the peace and quiet of any town resident.

(Ord. 05-17, passed 10-18-2005) Penalty, see § [90.99](#)

§ 90.03 ENFORCEMENT.

(A) Any dog, which is running at large, may be apprehended and impounded by the town enforcement officer. The town enforcement officer shall have the right to enter upon private property in order to apprehend any dog that has been running at large, provided the enforcement officer is in reasonable pursuit of the dog.

(B) Town enforcement officers may issue citations to the owner, any other person acting for the owner, or any person exercising control over a dog when a dog is at large. The procedure for the issuance of a notice to appear shall be as provided for peace officers in A.R.S. § 13-3903, except that the enforcement officer shall not make an arrest before issuing the notice. The issuance of citations pursuant to this subchapter shall be subject to the provisions of A.R.S. § 13-3899.

(C) Consistent with A.R.S. § 11-1015 and statutes applying to towns, it is unlawful for any person to interfere with the enforcement officer in the performance of his or her duties pursuant to this subchapter.

(Ord. 05-17, passed 10-18-2005) Penalty, see § [90.99](#)

§ 90.04 EXEMPTIONS.

(A) A dog may run at large while participating in field trials, obedience classes, kennel club events, organized school or park-sponsored shows, while assisting its owner or being trained in legal hunting or in herding livestock, while assisting a police officer engaged in law enforcement duties, or while assisting its blind or deaf master, so long as sufficient control is exercised and the control would permit immediate leashing of the dog upon any person's reasonable request.

(B) A dog is allowed to occupy vehicles, including truck beds, without restraint, but upon leaving a vehicle or truck bed, it is considered to be at large.

(Ord. 05-17, passed 10-18-2005)

§ 90.05 BITING ANIMALS.

(A) The procedures set forth in Arizona Revised Statutes shall be followed for biting animals.

(B) Domesticated wolves and offspring of domestic animals bred with wild animals or domesticated wolves shall be considered wild animals consistent with the provisions of A.R.S. § 11-1014c.

(Ord. 05-17, passed 10-18-2005)

§ 90.06 RELEASE OF IMPOUNDED DOG.

(A) Any person requesting the release of an impounded dog shall provide proof of anti-rabies vaccinations, or shall obtain any applicable vaccination and shall pay for the costs of impoundment. Proof of ownership of the dog may be required prior to release.

(B) Any impounded dog which is not claimed within 72 hours shall be deemed abandoned. Enforcement officers may take possession of abandoned dogs and may place the dog for sale or may dispose of the dog in a humane manner. Any person purchasing an abandoned dog shall obtain applicable anti-rabies vaccinations and pay the applicable and impoundment fees.

(Ord. 05-17, passed 10-18-2005)

*****VICIOUS ANIMALS*****

§ 90.15 DEFINITIONS.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

DANGEROUS or **VICIOUS ANIMAL**. Any animal that bites without provocation, is known to have a propensity, tendency or disposition to bite, or kills or causes injury, including injury to domesticated animals.

(Ord. 05-20, passed 11-15-2005)

§ 90.16 DETERMINATION OF TOWN MAGISTRATE.

Following a hearing, the Town Magistrate may declare an animal to be dangerous or vicious if the animal is found to have exhibited a pattern of aggressive behavior which threatens the safety or well-being of persons or domesticated animals, or has caused injury, reasonable apprehension of such injury, or intimidation to any person.

(Ord. 05-20, passed 11-15-2005)

§ 90.17 CONTROL OF DANGEROUS ANIMALS.

No person having charge, care, custody or control of an animal determined to be a vicious or dangerous animal shall permit the animal off his or her premises unless the animal is securely restrained.

(Ord. 05-20, passed 11-15-2005) Penalty, see § [90.99](#)

§ 90.18 KILLING OF DANGEROUS ANIMALS.

Any law enforcement officer is hereby authorized to destroy any animal determined to be a dangerous or vicious animal when immediately necessary to protect any person or property.

(Ord. 05-20, passed 11-15-2005)

*****LIVESTOCK*****

§ 90.30 DEFINITIONS.

For the purpose of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

LIVESTOCK. Cattle, horses, pigs, sheep, goats, or other similar animals, other than dogs or domestic house cats.

(Ord. 10-74, passed 8-17-2010)

§ 90.31 LIVESTOCK ROAMING AT LARGE.

It shall be unlawful for the owner of livestock, a person acting for the owner of livestock or a person exercising control over livestock to permit such livestock to roam at large within the corporate limits of the town. Livestock roaming at large within the corporate limits of the town shall be retrieved by the owner, the person acting for the owner or the person exercising control over such livestock within a reasonable period of time after notification.

(Ord. 10-74, passed 8-17-2010; Am. Ord. 10-78, passed 12-7-2010) Penalty, see § [90.99](#)

§ 90.32 INVESTIGATION AND ENFORCEMENT.

Enforcement will only occur upon signed complaint and a preliminary investigation to verify that a violation has in fact occurred. Enforcement of § [90.31](#) shall be the same as contained in § [90.03](#) of this chapter. Costs of enforcement shall be borne by the owner of such livestock. Any

livestock roaming at large may be impounded by the Enforcement Officer so designated by the town.

(Ord. 10-74, passed 8-17-2010; Am. Ord. 10-78, passed 12-7-2010)

§ 90.33 PAYMENT OF CITATION IN LIEU OF PENALTIES.

(A) *Fines.* The fines for violating the provisions of § [90.31](#) shall be adopted from time to time by resolution of the Council. Unless the Council determines otherwise, the fines shall be those applicable under § [90.99](#) of this chapter. Any citation must be paid as stated therein.

(B) *Appearance if fine not paid.* Any person charged with a violation of this § [90.31](#) shall appear in the Magistrate's Court at a date and time set by the Court for disposition in accordance with § [90.99](#), unless all fines imposed have been paid at least 24 hours in advance of the scheduled court appearance.

(Ord. 10-74, passed 8-17-2010; Am. Ord. 10-78, passed 12-7-2010)

§ 90.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § [10.99](#).

(B) A person who is convicted of a violation of §§ [90.01](#) through [90.06](#) is guilty of a Class 2 misdemeanor. As a minimum penalty, a person convicted hereunder shall pay a fine of not less than \$50, which shall not be suspended unless, at the discretion of the court, that person is ordered to perform and complete a minimum of eight hours of community service.

(C) Any person violating the conditions of §§ [90.15](#) through [90.18](#) or is in charge of a dangerous animal as defined herein, may be fined in the amount \$250 and be liable for reimbursement of any costs incurred by law enforcement officials in the exercising of their duties.

(D) A person convicted of violating § [90.31](#) shall be found responsible for a civil code infraction and shall be subject to the civil sanctions on the first offense as set forth in § [10.99](#) of this code. Thereafter, a violation of § [90.31](#) shall be a misdemeanor subject to the penalty provisions set forth in § [10.99](#) of this code. The court may order any person who violates § [90.31](#) to pay all expenses related to the impounding of the livestock, including shelter, food, handling, transport and veterinarian care. The court may also order any person who violated this chapter to pay all related court fees or costs or penalties.

(Ord. 05-17, passed 10-18-2005; Ord. 05-20, passed 11-15-2005; Am. Ord. 10-78, passed 12-7-2010)

TITLE XV: LAND USAGE, ZONING REGULATIONS – CHAPTER 153

153.005 DEFINITIONS

FARM ANIMALS. *Animals* other than household pets that shall, where permitted, be permitted to be kept and maintained for commercial production and sale and/or family food production, education or recreation. **FARM ANIMALS** are identified as being, e.g., horses, cattle, sheep, goats, rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, pigeons, llamas and alpacas. See also § [153.066](#)(E) and (F).

PETS (HOUSEHOLD). Dogs, cats, rabbits, birds, pot-belly pigs and the like (and other small animals under 100 pounds), for family use only (noncommercial) with cages, pens and the like. An owner may keep up to six pets (household, domesticated animals); anything greater than this shall be considered a kennel for purposes of establishing permitted use within a zoning district.

KENNEL. Any place where seven or more dogs are owned, kept, boarded, bred and/or offered for sale.

§ 153.036 R1L DISTRICT (RESIDENTIAL; SINGLE FAMILY LIMITED)

Permitted uses for the R1L District (Residential; Single Family Limited to site built structures only) are as follows in this section.

(B) (1) Dwelling unit (site built) for one family on any one lot;

(7) Accessory uses and structures (concurrent with and located on the same lot with the principal uses and structures, and including the following):

(a) Farm animals (except swine) on lots of no less than 70,000 square feet for the convenience and pleasure of the lot owner or occupant, not to exceed the number allowed as per the Allowed Animal Chart in § [153.066](#). Stables, barns or structures for sheltering or feeding animals must observe the same setbacks or yards as the dwelling unit;

§ 153.046 M1 DISTRICT (INDUSTRIAL; GENERAL LIMITED).

Permitted uses for the M1 District (Industrial; General Limited) are as follows in this section.

(A) (1) Intended to provide the type of industrial facilities which, while not necessarily attractive in operational appearances, are installed and operated in a manner so as not to cause inconvenience to other uses in the zoning district (or to adjacent zoning districts).

(2) Where uncertainty exists as to compliance with the intent of this district, in differentiating between the light and heavy character of the proposed use, the Board of Adjustment shall determine.

(B) (1) All principal and accessory uses permitted in any more restrictive zoning district, except dwelling units, mobile home courts, hotels, motels, rooming and boarding houses and similar, and provided further that, unless specifically provided to the contrary, the following are waived:

(a) Requirements for use permits, except for lots contiguous to residential districts;

- (b) Area limitations for uses and buildings;
- (c) Limitations on hours of operations;
- (d) Confining uses to closed (or partially closed) buildings; and
- (e) Prohibitions against livestock and other animals.

(2) Dispensing of gasoline and similar petroleum products from exposed storage tanks (subject to requirements of Underwriters Laboratories Inc. or similar), provided no such tank shall be located closer than 25 feet to the lot boundaries.

(3) Manufacturing, machining, tooling, assembly, fabrication, welding, milling, molding, equipping, decorating, glazing, repairing, servicing, cleaning, winding, printing, publishing, pickling, brewing, distilling, salvage (but not wrecking), equipment, material and dead storage yards, plating and polishing, meat packing (no slaughtering except rabbits and poultry), **animal treating, boarding, breeding and sales**, warehousing (including elevators), freight yards, circuses and carnivals, race tracks and stadiums; and

(4) Signs: see §§ [153.125](#) through [153.138](#).

(C) (1) Yards required: same as for commercial districts;

(2) Building heights: use permit required to exceed 30 feet or two stories; and

(3) Building density: no requirements.

(Ord. § 431, passed 9-4-2008)

§ 153.066 ACCESSORY USES AND STRUCTURES.

(A) Accessory uses (including facilities and equipment) are permitted in conjunction with any principal use, provided same is compatible and common to the district in which it is located therewith and does not alter the character of the premises; any reference to a permitted use shall be deemed to include such accessory use.

(B) Accessory buildings may be attached to or detached from the principal building, except that no accessory building housing fowl or animals (other than domestic pets) may be attached to any dwelling unit.

(C) Amateur radio towers and antennas are permitted in all residential districts, with a use permit, provided:

(1) The structures shall not be located in the required front yard, or required street side yard, or in front of the front line of the dwelling or principal building;

(2) The structure shall in no case be located nearer than five feet to any side or rear property line;

(3) The structure does not exceed a height of 15 feet within a required side or rear yard;

(4) The structure does not exceed the maximum building height of the zoning district in which the structure is located;

(5) Not more than two such structures shall be erected per lot or parcel; and

(6) The tower and antenna shall be retractable.

(D) Accessory uses or structures are allowed prior to installation of the principal structure only when a construction permit is issued for the principal structure and construction of same is commenced within six months.

(E) Animal husbandry activities or projects, i.e., Future Farmers of America, 4-H, or any agricultural or large livestock activity/project conducted primarily for educational purposes or school credits, are permitted in any zoning district. The following criteria shall be met:

(1) Active membership must be maintained and verification of such may be required upon request.

(2) The keeping of all animals shall be subject to the regulations of the Yavapai County Environmental Unit and the Health Department.

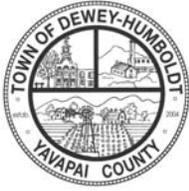
(3) (a) A sign designating a 4-H member in residence must be posted on the property at all times any such project or activity is in progress.

(b) Under the 4-H exemption, the setback requirements and number of animals allowed per acre do not apply for animals utilized in 4-H projects, with the exception of equine and breeding projects.

(F) Allowed animal chart.

<i>Allowed Animal Chart</i>	
Type	Animals Allowed
Category A - Dairy cow, bison, steer/heifer, horse or other similar size/weight	2 per acre*
Category B - Ostrich, miniature horse, llama, alpaca, sheep, goat, emu or other of similar size/weight	5 per acre*
Category C - Turkeys, peacocks, geese, pheasants, ducks, pigeons, chinchillas, rabbits, chickens or other similar size/weight toward the total. After one year of age, animal off-spring count as adult animals	8 per acre*
*And proportionately greater for larger properties	

(Ord. § 501, passed 9-4-2008)



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

TOWN COUNCIL STUDY SESSION
May 13, 2014, 2:00 p.m. Town Council Meeting Chambers

Agenda Item # 3.4. Unresolved power-line relocation issue at River Rd./Deer Pass and potential partnership with Arizona Public Service (APS) as a solution.

To: Mayor and Town Council Members
From: Yvonne Kimball, Town Manager

Date submitted: May 9, 2014

Purpose: Review the issue and direct staff on how to proceed.

Summary:

A few weeks ago, I learned that in 2010 the Town Council attempted to address the request made by the residents to relocate an overhead power-line to underground in order to preserve some mature cottonwood trees planted on River Rd. and Deer Pass.

A flank of six trees at the corner of River Rd. and Deer Pass are handsomely shielding the neighborhood, motorists and pedestrians from the brutal Arizona sun. They are dearly loved. But because they were planted underneath the power-line years ago by unknown sources, APS is obligated to trim the trees for safety reasons. APS's horticulturist advised that the trimming would damage or even destroy the trees. It is my understanding that the residents in the neighborhood approached the Town with the request of saving the trees, in 2010. To save the trees, the power-line needs to be relocated underground. APS was and is still asserting that they would not pay for the total relocation cost as preservation of the trees is not APS's need. Therefore, to respond to the citizens' request of saving the trees, there were council discussions of splitting the expense for the work.

It appears that three council meetings in 2010 occurred for this issue. There was no clear decision made. The council meeting minutes revealed that some council members liked saving the trees at the expense of partnering with APS for the job while others felt that there may be a conflict for the town to pay for the expense. Followed by a series of staff departures and council turn-over, it was an unresolved issue.

Four years later, the issue resurfaced. I was made aware of the issue a few weeks ago. I also received a quote yesterday from APS regarding the cost of the job - \$16,769.84. APS advised me that the trees are so overgrown that they are endangering the safety of the power-line and have become a fire hazard, especially in dry and windy conditions. APS urges the Town to come up with a solution so that the crew can handle the situation immediately by either trimming the trees or beginning power-line relocation. If choosing to trim the trees, APS will pay for 50% of the cost. I agree with APS that it is an imminent safety concern and the town needs to give APS a resolution so that the safety concern can be addressed as soon as possible.

I have contacted the Town Attorney regarding any legal concerns over the Town partnering in the power-line relocation. I may have some answers to report at the May 13 meeting. From the budget perspective, the town has funds available for the partnership if Council allows.

Attachments: TM minutes November 2, 2010, October 19, 2010, August 10, 2010, APS email.

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
NOVEMBER 2, 2010, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, NOVEMBER 2, 2010, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR LEN MARINACCIO PRESIDED.

1. Call To Order. The meeting was called to order at 6:31 p.m.

2. Opening Ceremonies.

2.1. Invocation. The invocation was given by Councilmember Wright.

2.2. Pledge of Allegiance. Made.

3. Roll Call. Town Council Members Mark McBrady, David Hiles, David Nystrom, Terry Nolan, Nancy Wright; Vice Mayor Denise Rogers; and Mayor Len Marinaccio were present.

4. Announcements Regarding Current Events.

Mayor Marinaccio gave a reminder of the polls closing at 7:00p.m.

4.1. Call of Election. Mayor Marinaccio discussed the mayor and three council positions coming up for election; the Candidate Election Packets will be available on November 8, 2010 at 8:00a.m. and Candidate Orientation November 8, 2010 from 6:00p.m. -7:00pm.

5. Consent Agenda. Councilmember Wright requested that Item 5.3 be removed for discussion.

Vice Mayor Rogers made a motion to approve Items 5.1 and 5.2 on the Consent Agenda. Councilmember Wright seconded the motion. It was approved unanimously

5.1. Minutes. Minutes from the October 12, 2010 Work Session; October 14, 2010 Special Session; October 19, 2010, Regular Session; and October 25, 2010 Special Session. .

5.2. Revision of Plats. Two applications for Revision of Subdivision Plats, one at the SWC of Wicklow Place and Newtown Avenue and one on Corral Street in the vicinity of the D-H Library and Humboldt Elementary School.

5.3. Council approval for 2 Council Members' attendance at Wastewater Meeting. Council approval for Councilmembers Mark McBrady and Nancy Wright to attend an all-day meeting in Prescott regarding wastewater, on November 13, 2010. Councilmember Wright spoke on attending the Waste Water meeting. Councilmember Nystrom made a motion to approve \$15 each for 2 Councilmembers and 2 others from the Groundwater Resource Advisory Committee and the Environmental Issues Advisory Committee to attend. Councilmember Nolan seconded the motion. It was passed unanimously.

6. Discussion Agenda - Unfinished Business.

6.1. Costs Associated with Arizona Public Service (APS) Alternatives Along River Rd/Deer Pass. There was discussion on the costs associated with the 50/50 split approved by APS. Town Engineer Berman discussed the estimate for the work provided by APS; doing work in-house being more expensive than APS' sub-consultant quote. Public Works Engineering budget is primarily funded by Highway User Revenue Funds (HURF) but those funds may not be able to be used for this project due to HURF guidelines. There was

discussion and suggestions on possible funding sources coming from Community Outreach (\$10,000); and postponing accounting software (\$6,900).

Councilmember Hiles made a motion to go forward with the project using Option A (APS completes the electrical, trenching, and conduit work). Councilmember Nolan seconded the motion.

There was discussion on this being an unfunded mandate so there needs to be specifics on where the funds are coming from; and consensus of Council to protect the trees. Richard Kloos, Senior Customer Service Representative from APS spoke on private funding, and APS not being concerned where the funds comes from.

Public comment was received on this item.

Jack Hamilton spoke on the trees being cut down due to budget crisis.

Doyle Wiste spoke on having a contact administrator to discuss HURF funds and losing HURF funds.

Councilmember McBrady asked to be able to attend the HURF discussion when the contact is made with HURF.

There was a roll call vote on the motion. Councilmembers Nystrom and Wright opposed on the roll call vote.

6.2. Town Manager Recruitment. Mayor Marinaccio spoke on Town Manager recruitment; the kind of organization the Council wants and the characteristics in a Town Manager that would produce that organization. There was discussion on background, salary, benefits, and experience; Council making key decisions prior to the hiring process; looking at current Town Code prior to finalizing advertisement for Town Manager. There was discussion on the cost of using the League of Arizona Cities & Town to assist with the recruitment process.

Councilmember Wright made a motion to postpone this item to a work session where this is the only item on the agenda. Councilmember Nolan seconded the motion.

Public comment was received on this item.

Jack Hamilton agreed with Council but spoke on Council needing to decide on the form of government.

Don Upton spoke on the Town Manager having to oversee the organization.

Doyle Wiste spoke on engineering firms and "headhunter" firms costs.

There was discussion on establishing background materials for a study session; the League being a good choice; experience, education and background; a Town Manager needing a background in municipal law. There was discussion on changing the form of government; not changing Town Code prior to hiring a new Town Manager; and needing a Town Manager to assist with the changes.

Councilmember Nolan called the question. Mayor Marinaccio opposed. The motion to postpone this item to a work session was approved unanimously.

There was discussion on specifics of what is needed for a study session: the state law that governs any code for council/management form of government; there was a request of council to be thinking about changes they want to make to the Town Code; and changing the type of government.

Councilmember Nolan made a motion to put an item on the agenda to discuss the Town's form of government prior to discussing Town Manager recruitment process. Councilmember Hiles seconded the motion.

There was a suggestion to discuss form of government, Town Code changes, and Town Manager recruitment on same agenda.

Councilmember Hiles made a motion to put all three items on one agenda for the same day. Councilmember Wright seconded the motion.

The 3 items are: Town form of government, Town Code changes as they relate to the Town Manger recruitment, and recruitment of a Town Manager. The Council will be polled for availability; this agenda will have preference over the meeting on Administrative Regulations. The motion passed unanimously.

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

7.1. Shuttle to Prescott and Prescott Valley. Discussion of Transportation possibilities. A report only. (CM Nolan request). Councilmember Nolan introduced this Item. Cathy Jackson spoke on the economy, and asked the Council to consider a shuttle or transit system; she spoke on the limits of the NACOG taxi voucher system; taxi service charges to Prescott Valley; the transit system in Chino Valley and Cottonwood; the use of a 9-passenger. There was discussion on obtaining a grant separate from NACOG; CDGB and other funding sources possibly being available; the NACOG voucher program ending in June 2011.

Public comment was received on this item.

Jack Hamilton spoke on funding.

There was discussion and suggestions on scheduling; \$20K for NACOG voucher funding; a suggestion to invite Chino Valley, Cottonwood and Beaver Creek for a presentation; public/private partnership with churches that have vans and busses; and inviting Vice Mayor Romley to a work session. There was discussion on initial investigation; forming a committee; bringing this item back to a meeting in January. There was suggestion to add this item to the Consent Agenda for the next meeting.

7.2. Administrative Regulations. Discussion and possible action on the Administrative Regulations for the Town of Dewey-Humboldt and related items such as office hours, lunch, vacation, sick leave, comp time, and flex-time policies. (CM Wright) Councilmember Wright suggested changes to the Administrative Regulations; spoke on comp time and flex time. There was discussion on Council's ability to make changes to the Administrative Regulations as long as the changes don't violate state law regarding Human Resources. There was discussion that the Administrative Policy coming from the Town Manager; Council giving direction to the Town Manager and coming back to Council with suggestions. There was discussion on verbiage; on legal issues with a comp time program; and laws of Human Resources.

Councilmember Nolan made a motion to approve AR 08-03 with changes suggested from Councilmember Wright. Councilmember Wright seconded the motion. Councilmember Nolan amended his motion to have Staff go over this and make sure it's legal.

Public comment was received on this item.

Doyle Wiste spoke on the regulation on comp time and flex time being contradictory.

Jack Hamilton spoke on his expectation of Staff members to be in town hall during business hours.

Councilmember Hiles called the question. The motion passed unanimously.

There was discussion on Administrative Regulation 08-02 Employee Political Activity. Councilmember Nolan made a motion to move the Agenda. Councilmember Hiles seconded the motion. It passed unanimously.

7.3. Arizona Division of Emergency Management (ADEMA). A discussion regarding appointment of an "applicant agent" to act on behalf of the Town. Town Engineer Berman discussed that the Town has to have applicant agent as signatory in matters involving Arizona Division of Emergency Management designated by the Town through a resolution.

Councilmember Hiles made a motion to appoint the Interim Town Manager or Town Manager as the signatory. Councilmember Nystrom seconded the motion. There was a suggestion to have Council consider approving a resolution.

Councilmember Hiles made a motion to appoint the Town Manager or Interim Town Manager as applicant agent and to approve the resolution. Councilmember Nolan seconded the motion.

No public comment was received on this item.

The motion passed unanimously.

7.4. Delegate Alternate to the Yavapai County Water Advisory Committee (WAC). There was discussion on Mayor Marinaccio being the delegate for the Water Advisory Committee which meets the 3rd Wednesday of the month at 2:00p.m.

Councilmember Wright nominated Councilmember McBrady. Councilmember Hiles seconded the nomination.

Councilmember Nolan made a motion to close nominations. Councilmember Nystrom seconded the motion.

Councilmember Nolan made a motion to nominate Councilmember McBrady. Councilmember Hiles seconded the motion. It was approved unanimously.

7.5. Assignment of projects to the Planning and Zoning (P&Z) Commission. There was discussion on the role of the P&Z Commission; Staff's support of the Commission; and the scope of options for P&Z. There was discussion on Council wanting "simpler, shorter less restrictive" and this being relayed to P&Z at the joint meeting.

Public comment was received on this item.

Jack Hamilton spoke on P&Z being more creative and lessening Staff load.

Jerry Piper thanked Council; spoke on code violations going through P&Z; Staff not going on private property, funds spent on violations.

Doyle Wiste spoke on the purpose of the P&Z being to provide service to the Town; Commissioners resigning; not having enough Staff for support; and a Commissioner being very vocal and not reflecting the views of the P&Z.

There was discussion on P&Z looking at the outside storage code and the sign code. There was discussion on P&Z receiving direct communication from Council. There was discussion on having a joint meeting with P&Z scheduled for January 4, 2011.

8. Public Hearing Agenda.

Councilmember Nolan made a motion to extend an additional 15 minutes if necessary. Councilmember Nystrom seconded. Councilmember Hiles opposed.

8.1. CDBG Funds Second Public Hearing. This is the second of the Public Hearings for use of Community Development Block Grant Funds. The Public Hearing was opened at 9:59p.m. There was discussion on Finance Director Fuller getting the list of projects for Council; and the review of projects set for December 7, 2010. The Public Hearing was closed at 10:07p.m.

9. Comments from the Public.

Jack Hamilton spoke on Chris Berry's not having requirements in on time; spoke on code violations and the person filing a code violation.

Cathy Jackson spoke on the Citizens Academy reaching citizens and getting an understanding on how things work; and being impressed with flag pole.

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

10.1. Citizen Academy feedback. Finance Director Fuller spoke on round table discussion comments of the Citizens Academy; Gregory Arrington's appreciation of the citizens; Staff's obligation to follow up on citizen complaints; and the next Citizen Academy scheduled for November 17, 2010.

11. Adjourn. The meeting was adjourned at 10:15p.m.

Len Marinaccio, Mayor

ATTEST:

Linda M. Baker, Records Manager/Admin Assistant

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
OCTOBER 19, 2010, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 19, 2010, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR LEN MARINACCIO PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:32 p.m.
2. **Opening Ceremonies.**
 - 2.1. Invocation. The invocation was given by Councilmember Hiles.
 - 2.2. Pledge of Allegiance. Made.
3. **Roll Call.** Councilmember McBrady, Councilmember Hiles, Councilmember Nystrom, Councilmember Nolan, Vice Mayor Rogers, and Mayor Marinaccio were present. Councilmember N. Wright was absent.
4. **Announcements Regarding Current Events.** Town Clerk Judy Morgan spoke on the new flag pole outside of Town Hall and the POW/MIA flag flying inside and outside of Town Hall.
 - 4.1. 9th Annual League of Cities and Towns Week Proclamation (October 25-29). Mayor Marinaccio read the proclamation aloud and expressed his appreciation to the League of Cities and Towns.
 - 4.2. Palliative Care Proclamation. Mayor Marinaccio read the proclamation aloud.
5. **Consent Agenda.**
 - 5.1. Minutes. Minutes from the September 28, 2010 Special Session, October 5, 2010, Special Session, and the October 5, 2010, Regular Session.

Vice Mayor Rogers made a motion to approve 5.1. Minutes. Minutes from the September 28, 2010 Special Session, October 5, 2010, Special Session, and the October 5, 2010, Regular Session. Councilmember Nystrom seconded the motion. It was approved unanimously.
6. **Public Hearing Agenda.**
 - 6.1. CDBG Funds Public Hearing. This starts the public hearings for use of Community Development Block Grant Funds. Current focus: roads in low-mod income areas. Town Clerk, Morgan introduced Isabelle Rollins from Northern Arizona Council of Governments (NACOG). Ms. Rollins gave some background on the Community Development Block Grants (CDGB); to be eligible for CDGB Funds, the projects must meet at least 1 of 3 national objectives: at least 51% of persons benefiting from the project must be low to moderate income; the project must aid in the prevention of slums or blight; or the project must solve an urgent need health hazard. There was discussion on deadlines for requesting funding; project ideas including: roads and fire suppression system; sidewalks, roads, water tank for fire suppression, transportation van vs. taxi voucher program; and expansion or replacement of the activity center.

Public Hearing opened at 7:03p.m.

Chris Berry spoke on the Sara Cares Foundation laying groundwork for grant money; working on a jobs program for two target groups (senior citizens and at risk teens).

Jack Hamilton spoke on council not taking on on-going costs, funds having to be spent by end of the 3rd year; paving the library and activity center parking lots.

Larry Snow spoke on the grant being used to save landmarks such as the trees on Deer Pass and River Drive.

Town Engineer Berman spoke on projects: the Wells Addition roadway project; the Placer Addition roadway project; and the Wells Addition Additional Survey roadway project.

Jack Hamilton spoke on cost of the projects and having to repay the funds if the project isn't completed.

There was discussion on Council directing Staff to determine the number of Town owned roads for road improvement projects (general ball-park figures).

Chris Berry suggested forming a committee of Council and public to look at various projects.

Jack Hamilton disagreed with Chris Berry that Council was elected and represents us all; and possibly not being able to tie into Humboldt water company system.

Finance Director Fuller discussed the timeline: October 19 (first hearing), November 2 (second hearing), and December 7th for Council to rank the projects; select projects by January 31 and applications ready by February.

John Dibble spoke on the consideration for a water filling station in the Blue Hills area.

The Public Hearing was closed at 7:59p.m.

7. Discussion Agenda - Unfinished Business.

7.1. Arizona Public Service (APS) Operations in Dewey-Humboldt. A second reading of a text amendment regarding a utilities maintenance permit for activities within Town right-of-way. This is the 2nd reading of a text amendment. Town Engineer Berman spoke on fees and exclusion areas; new service being a separate permit with a different fee; APS must notify Public Works 24 hours in advance.

Public comment was received on this item.

Larry Snow spoke on APS crossing the trees to service another parcel.

Jack Hamilton spoke on not being able to put trails through trees.

Councilmember Nystrom made a motion to pass the resolution with the change §51.15 ENCROACHMENT the last line to read, "Specifically excluded from the definitions of ENCROACHMENT is any tree planted prior to July 21, 2009, unless such tree poses **an immediate** threat to life or safety". Councilmember Hiles seconded the motion. The motion passed by 4 to 2 by a roll call vote with Councilmembers McBrady and Nolan opposing.

There was discussion on amending §51.16 GENERAL REGULATIONS, paragraph C and that it could possibly violate Open Meeting Law.

Councilmember Nolan made motion to amend the motion to approve the Resolution as presented but excluding §51.16 GENERAL REGULATIONS, paragraph C. Councilmember McBrady seconded the motion. The motion failed 4 to 2 by a roll call vote, Mayor Marinaccio, Vice Mayor Rogers, and Councilmembers Nystrom and Hiles opposing.

7.2. River Road and Deer Pass agreement with APS. A discussion regarding options and costs for APS relocation along River Drive and Deer Pass within Town right-of-way. Town Engineer Berman discussed funding and construction options; using Staff and rental equipment to perform work; and the 50/50 cost between the Town and APS. There was

discussion to direct Mr. Berman to contact APS for a 50/50 split but a reduction in cost for doing some work in-house using the Public Works Operator.

Councilmember Nolan made a motion to go 50/50 with the current figures to APS and APS can counter. Councilmember McBrady seconded the motion. Councilmember Nystrom opposed.

Public comment was received.

Jack Hamilton spoke on the offer being a violation of the gift clause; and to put this on the agenda for next Executive Session.

Chris Berry agreed with Jack Hamilton.

There was discussion on whether or not this is a violation of the gift clause.

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

8.1. A Presentation by Gary Marks regarding Economic Development in the Quad City area. A packet was distributed to Council from Gary Marks, who was not in attendance at this meeting, regarding Economic Development in the Quad Cities. There was discussion on the amount of undeveloped commercial property in town. Mr. Marks would be available for the Work Session October 26, 2010.

Public comment was received on this item.

Jack Hamilton spoke on needing business in Dewey-Humboldt; and the cost/benefit ratio.

8.2. Special Event Discussion. Discussion and possible approval of a "Halloween" Special event, on Main Street in Humboldt. Chris Berry spoke on his Community Halloween Party plans; and public safety being his concern; meeting with CYFD and YCSO. There was discussion on concerns with not having a site plan to forward to YCSO, concern of many activities at once; parking; and the condition of the buildings. There was discussion on giving CYFD the authority to open doors; ensuring YCSO and CYFD are on board; needing a site plan; and Staff to line item their concerns for Council. Public comment was received.

Jack Hamilton spoke in favor of the event; no lighting; restrooms; and parking.

Brian Sirk spoke on the auction house; working with Activity Center and Library; and getting people together.

Councilmember Nolan made a motion to approve the permit if CYFD and YCSO are satisfied with presentation and to ensure the insurance policy will cover the event and is up to date. Councilmember McBrady seconded the motion.

Mayor Marinaccio made a motion to amend that if for any reason CYFD doesn't approve of the haunted house or the benefit, that it does not jeopardize the rest of the event. Councilmember Nolan seconded the motion to amend. It was passed unanimously.

Councilmember Nolan made a motion to extend the meeting an additional 15 minutes. Vice Mayor Rogers seconded the motion. It was approved unanimously.

There was discussion on Council wanting approval in the form of a memo from Staff with a site plan and line item concerns by Staff.

Councilmember Nolan added to his motion to finalize the Special Event on October 25th. Councilmember McBrady, as the second, approved the addition to the motion. Councilmember Nolan called the question. The motion passed unanimously.

9. Comments from the Public. No Public Comment was received.

10. Town Manager's Report. Update on Current Events. Town Clerk Morgan discussed that the EPA Soil Sampling Reports had been sent out with Monica O'Sullivan of EPA being the contact point. She discussed positive Community feedback on the road work that Public Works Operator, Ed Hanks is doing; and a reminder of the Business Summit on October 22nd at the Activity Center from 3-5p.m.

11. Adjourn. The meeting was adjourned at 10:08 p.m.

Len Marinaccio, Mayor

ATTEST:

Linda M. Baker, Records Manager/Admin Assistant

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL MEETING MINUTES
AUGUST 10, 2010, 3:00 P.M.**

A SPECIAL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, AUGUST 10, 2010, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR LEN MARINACCIO PRESIDED.

1. Call To Order. The meeting was called to order at 3:00 p.m.

2. Roll Call.

2.1. Town Council. Town Council Members Mark McBrady, David Hiles, David Nystrom, Terry Nolan, Nancy Wright; Vice Mayor Denise Rogers; and Mayor Len Marinaccio were present.

Monica O'Sullivan, the new Project Manager on the Iron King Mine Site introduced herself and gave updates on the Superfund site. The results of the home samplings are due next week, and she will contact homeowners at the end of August/beginning of September. She spoke on the sealant results, and the Resuse Assessment will be discussed when she is out next on September 7, 2010.

3. Action Agenda.

3.1. Independent Counsel. Discussion and possible action regarding whether to retain independent counsel for the Town Council to receive legal advice regarding the Town Manager's contract.

Mayor Marinaccio spoke on hiring an outside attorney to review Town Manager Emerson's contract, to avoid any professional conflicts with the Town Attorney. He explained that the counsel Town Attorney, Zavala recommended wasn't available. There was discussion on whether to hire one of the two candidates interviewed but not selected for Town Attorney, or to request 2 or 3 more recommendations from Town Attorney, Zavala.

Councilmember Nolan made a motion to Approve 3.1. Independent Counsel, to retain independent counsel, for the Town Council to receive legal advice regarding the Town Manager's contract, from 2-3 recommendations by Town Attorney, Zavala. Vice Mayor Rogers seconded the motion.

There was discussion on how the Council will select the Attorney and how it would affect the schedule for the Executive Session. Mayor Marinaccio asked for clarification on whether Town Attorney, Zavala would be able to recommend either of the two firms that interviewed with the Town. The maker of the motion,

Councilmember Nolan said he did not want either of those two selected, but wants someone with no prior ties to the Town.

A vote was taken and failed by a 2-5 vote; Councilmembers Nystrom and Nolan voting in support of the motion.

Councilmember Wright made a motion to Approve 3.1. Independent Counsel, to retain as independent counsel for the Town Council, to receive legal advice regarding the Town Manager's contract, one of the two attorneys interviewed but not hired as Town Attorney. Councilmember McBrady seconded the motion.

Town Manager Emerson stated the two firms were Curtis, Goodwin, Sullivan, Udall, & Schwab and Gust Rosenfeld.

A vote was taken and carried with a (4-3) vote in favor, Councilmembers Hiles, Nystrom, and Nolan voting against.

Councilmember Wright made a motion to Approve 3.1. Independent Counsel, to retain as independent counsel for the Town Council, to receive legal advice regarding the Town Manager's contract, Curtis, Goodwin, Sullivan, Udall, & Schwab. Councilmember McBrady seconded the motion. A vote was taken and carried with a (4-3) vote in favor, Councilmembers Hiles, Nystrom, and Nolan voting against.

Mayor Marinaccio asked Council if they would like to offer Gust Rosenfeld as an alternate if Curtis, Goodwin, Sullivan, Udall, & Schwab doesn't pan out.

Councilmember Nolan made a motion to Approve 3.1. Independent Counsel, that the Attorney selected, report to both the Mayor and Vice Mayor. Councilmember Wright seconded the motion. A vote was taken and carried with a (6-1) vote in favor, Councilmember Hiles voting against.

Councilmember Nolan made a motion to Approve 3.1. Independent Counsel, to retain as independent counsel for the Town Council Chris Schmaltz or a member of his firm, Gust Rosenfeld if Curtis, Goodwin, Sullivan, Udall, & Schwab isn't available. Vice Mayor Rogers seconded the motion. A vote was taken and carried with a (5-2) vote in favor, Councilmembers Hiles, and Nystrom voting against.

Councilmember Nolan recommended the negotiation of the retainer be done by the Town attorney, with the Attorney reporting to the Mayor and Vice Mayor. Town Manager Emerson stated he will contact Don Zavala to contact Curtis, Goodwin, Sullivan, Udall, & Schwab to negotiate the contract and if they aren't available, then contact Gust Rosenfeld. If neither is available then they will request Don Zavala do the job so the Executive Session can occur on Tuesday.

4. Study Agenda.

4.1. Arizona Public Service on River Drive and Deer Pass. A discussion regarding the electrical facilities in conflict with cottonwood trees.

Town Manager Emerson gave an overview. Jeff Spohn, Northwest Division Forester and Rich Kloos, Senior Customer Services Rep with APS, spoke on the problem and possible solutions.

The Council reviewed the three options presented. Option 2 (Underground secondary extension) had the most support. There was discussion on who would bear the cost for the work to be done. Rich Kloos stated APS is willing to absorb the cost of the secondary transformer \$2700. The Town could cover the cost to install the conduit, road cut and repair work which would cost approximately \$7k.

There was discussion regarding how to handle this in the future with APS, including a blanket provisions for permitting for encroachment of right of way work.

Public Comment was received on this item.

Larry Snow spoke on planting the trees to create a greenbelt and it being a habitat for birds and an attraction for visitors. He asked Council to look at any alternative to save the trees.

Jack Hamilton asked about the depth of the root system.

Mel Scarbrough spoke in support of retaining the trees and the importance of the greenbelt to the community.

Larry Snow spoke on the effort and money involved in creating the greenbelt.

Jeff Spohn spoke on the APS tree replacement program.

Council discussed the benefit to the community, and property owners in the area, and supported taking the service underground through this section. Councilmember Hiles spoke on APS picking up a bigger share of the costs along with the Town paying for the road trenching with the owners picking up the balance. Rich Kloos said he will talk to APS to see how much more they will pick up.

Mayor Marinaccio reviewed the consensus of the Council to support option #2 (underground secondary) with the cost split three ways (Town, APS and Property Owners) and discuss a permit agreement at a later time with APS. Town Manager Emerson spoke on expecting a budget adjustment to allow for this project.

4.2. C1 District Amendment. A discussion regarding the C1 Use District.

Vice Mayor Rogers stepped away from the meeting at 4:50 p.m.

Town Manager Emerson gave an overview on the C1 District amendment and spoke on the P&Z Commission's direction of where to go with the Main Street zoning issue.

Vice Mayor returned to the meeting at 4:51 p.m.

Town Manager Emerson spoke on what is allowed currently in C1 district and the P&Z Commission's recommendation to amend the C1 District rather than rezoning Main Street. There was discussion regarding overlays and use permits. Council discussed what their focus would be for this area, to help with directing P&Z on the amendment of C1 District.

Public Comment was received on this item.

Jack Hamilton spoke on having the P&Z Commission make the initial recommendations to Council.

P&Z Commission Chair, Doyle Wiste explained the 4 options available to the Council: Leave it as is; Change all C1 to C2; change some C1 to C2; Modify C1 uses; with the last being the most popular. He spoke on proceeding with changes to C1 District cautiously to avoid potential concern to neighboring residents.

Council discussed their Vision for Main Street. They agreed it will include cultural, entertainment, service and small business, directing P&Z to make the modification to C1 to allow for those uses.

5. Comments from the Public.

Jack Hamilton spoke on waiving APS' permit fee if they cover more costs for the River Drive project.

Doyle Wiste spoke on the number of incomplete building projects in town and suggested the Town offer a break for those wishing to complete them.

6. Adjourn.

The meeting was adjourned at 5:34 p.m.

Len Marinaccio, Mayor

ATTEST:

Judy Morgan, Town Clerk

Judy Morgan

From: Matt.Meierbachtol@aps.com
Sent: Thursday, May 08, 2014 2:11 PM
To: Yvonne Kimball
Subject: FW: WA192790 DEER PASS & RIVER RD, DEWEY/HUMBOLDT

Yvonne,

Below is the scope of work and the cost for the entire job. The Town mentioned that they would pay for half of the cost of the job to keep the trees and mitigate the current safety hazard that exists.

Best,



Matt Meierbachtol

Relationship Manager, Business & Community Relations, Northwest

120 N. Marina St. Prescott, Az. 86301

Tel: 928-776-3657 Cell: 928-830-6982

matt.meierbachtol@aps.com aps.com



From: Harbin, Connie S
Sent: Tuesday, May 06, 2014 2:35 PM
To: Meierbachtol, Matt S
Cc: Chambers, Brent A; Spohn, Jeff A; Payne, Anita W
Subject: WA192790 DEER PASS & RIVER RD, DEWEY/HUMBOLDT
Importance: High

Matt,

The total cost estimate for the above referenced project is \$16,769.84. The Town of Dewey/Humboldt would be responsible for half of this according to the agreement that was reached.

The scope of the work is:

REMOVE 1 SPAN OF OH PRIMARY & 1 SPAN OF OH SECONDARY, REMOVE 1-40' TRANSFORMER POLE, 1 DOWN GUY; UPGRADE OH TRANSFORMER, INSTALL TRENCH, CONDUIT, UG SECONDARY, 1 DOWN GUY AND TWO DIPS. THIS JOB IS BEING DONE TO REMOVE OH PRIMARY OUT OF LARGE COTTONWOOD TREES.

Once the Town accepts this costs, let me know and I will finalize the job, and construction will proceed with the trench and conduit.

Let me know if you need anything else.

Connie Harbin

Customer Project Manager
120 N. Marina St., Prescott, AZ 86301
928-776-3696
Fax 928-776-3671

--- NOTICE ---

This message is for the designated recipient only and may contain confidential, privileged or proprietary information. If you have received it in error, please notify the sender immediately and delete the original and any copy or printout. Unintended recipients are prohibited from making any other use of this e-mail. Although we have taken reasonable precautions to ensure no viruses are present in this e-mail, we accept no liability for any loss or damage arising from the use of this e-mail or attachments, or for any delay or errors or omissions in the contents which result from e-mail transmission.

Med 4/17/14 @
12:05 pm
JM



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 • Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: 3/13/14

Date of Request: 4/16/14

Requesting: Action Discussion or Report Only

Type of Action: Routine/Consent Agenda Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

TO DETERMINE TOWN POLICY CONCERNING THE
METERING OF EXEMPT WELLS

Purpose and Background Information (Detail of requested action).

NOW THAT THE TOWN HAS A REPRESENTATIVITY ON THE
GUAC THAT LOOKS AT THE ISSUE OF MONITORING OF
EXEMPT WELLS WE SHOULD HAVE A TOWN POSITION ON THE POLICY

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other:

Contact Person: Jack Hamilton

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.