

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

Tuesday, January 20, 2015, 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, Mark McBrady, Dennis Repan, Doug Treadway, Nancy Wright; Vice Mayor Jack Hamilton; 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. Interview and possible appointment of Ruth Szanto to the Open Space and Trails Committee or the Planning and Zoning Commission.

4.2. Interview and possible appointment of Kevin Szanto to the Open Space and Trails Committee or the Planning and Zoning Commission.

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

6. Consent Agenda.

6.1. Minutes. Minutes from the September 9, 2014 Work Session, September 16, 2014 Regular Meeting, October 7, 2014 Regular Meeting, and October 14, 2014 Work Session.

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.

- Page 8. **Public Hearing Agenda.** Public Hearing, discussion and possible action.
- 29 **8.1. Community Development Block Grant Funding (CDBG) Second Hearing for selection of final projects and adoption of applicable resolutions.**
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.
- 33 **9.1. Adoption of Ordinance 15-109 to modify Town Code Section 30.031 Mayor and Vice Mayor; Appointment, Power and Duties.** As directed by Council at December 9, 2014 Work Session.
- 39 **9.2. Expectations and scheduling of a follow-up Town Economic Development Visioning Session with NAU Richard Bowen on either the afternoon of January 27 or February 24, 2015.** Continued from the January 13 meeting; proceeding with scheduling direction originally made at the October 7, 2014 meeting upon CM Alen CAARF.
10. **Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.
- 41 **10.1. Discussion and possible action on adjusting salary ranges of personnel.** [CAARF requested by CM Hamilton]
- 43 **10.2. To discuss attending the Greater Prescott Regional Economic Partnership (GPREP) Annual Dinner, January 23, 2015.** [CAARF requested by Mayor Nolan]

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 3, 2015, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, February 5, 2015, at 6:00 p.m.

Next Town Council Work Session: Tuesday, February 10, 2015, 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 _____, 2015, 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.

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TOWN OF DEWEY-HUMBOLDT

Town Council, Commission, Boards and Committee Vacancy Application Form

Please complete this application form and thank you for your interest in serving.

Personal information:

Name: Ruth Szanto email: [redacted]

Mailing & Physical Address: Po Box [redacted] Humboldt 86329

H: [redacted] W: [redacted] Attorney
Phone Number (please indicate home and work numbers) Occupation

Have long have you lived in Dewey-Humboldt? 1 years. Are you over the age of 18? Yes No

Are any of your relatives, employed by the Town? Who/Where: No

Emergency Contact: Kern Szanto [redacted] Spouse
Name Phone Relationship

Are you presently employed? (Check as many as apply)

Employed full-time Employed part-time Unemployed Retired

Employment experience relevant to the position applied for: Law

Position applied for: Briefly describe your interest in volunteering for the Town's Council, Boards, Commissions and/or Committees. Describe your experience, education and /or other qualities that you feel would be of value to the Town. You may apply for more than one position. If doing so, please list in order of preference. If needed, you may attach a separate sheet of paper.

As a lawyer I understand property law and am adept at reading and interpreting statutes and codes. I practice in the area of housing law, amongst others. I am organized and out-going
1. Board of Adjustments
2. Clean Town Committee
3. Planning and Zoning 4. Any

12/1/14
DATE

[redacted signature]
SIGNATURE

If you have any questions about this application, please contact the Town Clerk at (928) 632-8562. Please mail the completed application to the Town of Dewey-Humboldt, Town Clerk, P.O. Box 69, Humboldt, AZ, 86329, fax to 928-632-7365, or email to judymorgan@dhaz.gov.

Town of Dewey-Humboldt

Council, Boards, Commissions and Committees

(Please number in order of preference, 1st choice, 2nd choice, etc., if applying for more than one position)

COUNCIL - serves as the legislative body and primary authority of the Town.

 Town Council

BOARDS - appointed by the Town Council and subject to open meetings law.

 X *Board of Adjustment* – Five resident members that hear appeals by property owners regarding variances and interpretation of staff decisions regarding land use issues. Quasi-judicial, appeals of the Board's decisions are heard by Superior Court.

COMMISSIONS - appointed by the Town Council and subject to open meetings law.

✓ X *Planning and Zoning Advisory Commission* – Seven member commission that hears requests for rezonings, planned Area Developments. Makes recommendations to the Town Council.

COMMITTEES – entirely voluntary and meet at their discretion based on interest and need.

 Environmental Issues Advisory Committee – Provides for the identification, assessment and monitoring of environmental/public health issues of concern to the Town.

 Groundwater Resource Advisory Committee – Provides for the collection of data, information and studies that will assist the Town in being a positive influence in the preservation of its citizens rights to access groundwater and other appropriate water resources.

 X *Clean Town Committee* – Provides volunteer services to the Town and its citizens in developing programs that address issues of accumulated trash, code enforcement and related concerns.

 X *Other Committees as needed.*

✓ OSAT

For additional information regarding any of the above volunteer groups, please contact William Emerson, Town Manager, or Judy Morgan, Town Clerk at 928-632-7362.



TOWN OF DEWEY-HUMBOLDT

Town Council, Commission, Boards and Committee Vacancy Application Form

Please complete this application form and thank you for your interest in serving.

Personal information:

Name: Kevin Szando email: [redacted]

Mailing & Physical Address: Po Box [redacted] Humboldt 86329

H: [redacted] Occupation: Computer Specialist

Phone Number (please indicate home and work numbers)

How long have you lived in Dewey-Humboldt? 1 years. Are you over the age of 18? Yes No

Are any of your relatives, employed by the Town? Who/Where: No

Emergency Contact: <u>Kevin Szando</u>	<u>[redacted]</u>	<u>Spouse</u>
Name	Phone	Relationship

Are you presently employed? (Check as many as apply)

Employed full-time Employed part-time Unemployed Retired

Employment experience relevant to the position applied for: Builder

Position applied for: Briefly describe your interest in volunteering for the Town's Council, Boards, Commissions and/or Committees. Describe your experience, education and /or other qualities that you feel would be of value to the Town. You may apply for more than one position. If doing so, please list in order of preference. If needed, you may attach a separate sheet of paper.

I like to build structures and have a lot of practical experience. I am a veteran and enjoy community involvement.

1. Environmental Issues Advisory Committee
2. Clean Town
3. Groundwater Resource
4. Board of Adjustments
5. Planning and Zoning
6. Any

12/1/14

DATE

SIGNATURE

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Town of Dewey-Humboldt
Council, Boards, Commissions and Committees

(Please number in order of preference, 1st choice, 2nd choice, etc., if applying for more than one position)

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**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MINUTES
TUESDAY, SEPTEMBER 9, 2014, 2:00 P.M.**

A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 9, 2014, 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 2:02 p.m.

2. **Roll Call.**

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

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

3.1. Old Black Canyon Highway Maintenance Issue and Council Direction for future maintenance.

Councilmember McBrady arrived at 2:03 p.m.

Town Manager Kimball gave an overview explaining the ownership is complicated; complying with council direction to perform only minimal maintenance on the road but the road has worsened and now requires more than potholing so she is asking Council to revisit the maintenance issue.

Ed Hanks, Public Works Supervisor spoke on recent problems with pothole repairs washing away and drainage problems. There were questions and discussion on the drainage, repairs, bridge and ownership issues.

Councilmember McBrady asked for an engineer's stamp on the drainage and compaction elements of this proposal.

There was discussion on how the owners would be notified of the work to be done. CM Hamilton spoke on his opinion of the town's liability along this roadway and explained an attorney he hired advised him that since the road was given to the town by the County then it is a legitimate right-of-way (ROW) and the town's road. There was discussion on the property ownership. Mr. Hanks explained the lack of good drainage is the reason for the roadway damage. He proposes re-establishing the existing ditches, which have filled in with silt, dirt and weeds, and possibly adding a culvert under the roadway if needed. Council discussed whether an engineer for this drainage proposal was necessary.

Town Manager Kimball reviewed the direction she heard Council give Staff on this issue: she will contact the on-call engineer for some of this project and will bring back something official for the council.

3.2. Council Policy on Formal Presentation. [Continued from the August 12th meeting; VM Alen Original CAARF from the May 13, 2014 meeting]

Town Manager Kimball gave an overview on this agenda item: Council worked on this at the August Special Session. They desired to work more on this so it was sent to Council for editing and feedback. A marked up policy with that feedback was presented and shown to Council.

There was discussion on how various scenarios would work and challenges with getting all sides of an issue to appear for a presentation, concerns of turning these presentations into forums.

Councilmember Williams-Rowe arrived at 3:32 p.m.

Public comment was taken on this item.

Jerry Brady spoke on candidate forums and those who show up can participate.

Ted Brooks spoke on facts being biased to sides of an argument.

There was further council discussion on whether the town manager should have the right to place a presentation on the agenda.

Town Manager Kimball explained she will check the "Approved" section if coming from her.

Council agreed to the modifications made to the form so far. This will be brought back to Council at a regular meeting for approval of the form.

3.3. Further discussion on Town's 10th Year Anniversary Celebration Ideas. [Continued from the September 2nd meeting]

There was discussion on what each Council member would like to see at the celebration (past Council and Mayors honored, town plaque of all Council and Mayors who served over the 10 year period).

There was discussion on who would produce the event, who will do the work, monies available for this sort of event.

Public comment was taken on this item.

Carl Marsee offered the Historical Societies input on how to organize such an event since they put on the Old West Days.

Jerry Brady spoke on NAU Outreach office specializing in special events and centennials.

Karen Brooks spoke on weather concerns in December and considerations for this.

Town Manager Kimball explained that staff will implement the event and due to time constraints will not seek volunteers. She asked about moving it to the Spring if the council wants volunteers and have weather concerns.

Councilmember Repan spoke on the reason for incorporation being a "hostile takeover", celebrating the event is unpleasant and they have "survived" 10 years as a town.

Councilmember Wright suggested calling prior mayors and council members, giving out town pins, doing something more elaborate at the next milestone for the town.

Councilmember Williams-Rowe liked keeping it short and simple especially with the holidays having many people out of town at that time.

Town Manager Kimball reviewed: they will invite past mayors and Council member to come; prepare a proclamation for the mayor to read; have cake and beverages; invite Yavapai County, local municipalities and state representatives.

3.4. Revisit process of "Ethics Process" & Draft Submitted by VM Alen plus consideration of optional Mediation of Complaints. [CAARF requested by VM Alen]

Council reached consensus to move this agenda item to a future work session since it needs more work.

4. Special Session. Legal Action can be taken.

4.1. Official Canvass of the Primary (August 26, 2014) Election Results. Acceptance of the Canvass of results from Yavapai County Elections Department (pending release of official results by Yavapai County Elections Office).

Councilmember Wright made a motion to accept the official canvass from the Yavapai County Elections Department for the Primary, August 26, 2013 Election. The motion was seconded by Councilmember Hamilton. It was approved unanimously.

4.2. 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.

No additional meeting was approved to be held.

5. Comments from the Public.

Jerry Brady spoke on the seal of the Town, Town's motto "Arizona's Country Town", reason for incorporation, impression and facts of the town are important.

Karen Brooks spoke on Old Black Canyon and lowering the speed limit and historical problems with the road, putting railings on the bridge. She spoke on the reason for allowing the town manager to put presentations on the agenda and celebrating the town's 10-year "survival".

6. Adjourn. The meeting was adjourned at 5:41 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 16, 2014, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 16, 2014, 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.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done. Led by Mr. Jerry Piper.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

4.1. Public Safety Quarterly Update.

4.1.1. Yavapai County Sheriff's Office report presented by Lt. Auvenshine. Lt. Auvenshine introduced Sgt. Josh Prosell who is a new officer assigned to the D-H area. Lt. Auvenshine provided a review of the YCSO quarterly report for April-June. He covered criminal activity report and animal control issues. Lt. Auvenshine spoke about meeting with Town Manager and Connie Dedrick. The meeting was very productive and addressed a number of animal control issues which are being reviewed and proposed changes by the Planning and Zoning commission. Lt. Auvenshine spoke about the increase in the number of animal citations issued during this quarter and explained the reason for the increase was due to having additional animal control officers available to be assigned to the D-H sector. Over-all quarterly report statistics for this quarter did not show any significant increase or decrease in enforcement activity and things are going well in the area.

Lt. Auvenshine answered council questions.

Kevin Szanto spoke on a dog at large in the area which he reported and provided pictures of but then nothing was done by the County. Lt. Auvenshine explained the procedure for handling dog at large calls.

Keven Szanto asked if there was a direct line to the substation. Lt. Auvenshine instructed Mr. Szanto to call the main dispatch line for all call for county enforcement assistance.

Town Manager Kimball spoke about coordination between Town Staff and County Staff and voiced the appreciation of Town Staff for support provided by the County in regards to flooding/low water crossing signs.

Central Yavapai Fire District report presented by Rick Chase. Fire Chief for Yavapai County Fire District gave his 2nd quarter report using a PowerPoint presentation. He spoke on bee calls and if bees are presenting a danger threat they will be foamed but if not causing a problem they will contact a bee keeper to have the bees removed. He spoke on Fire Pal program which provides fire safety education for the elementary schools; safety plan checks for special events and requirements the FD has for these events such as fire extinguisher for cooking and fire rated canopies; new construction and plans for the Oasis Church in the Blue Hills. Due to life-safety

measurements, they will require installation of water tanks and sprinklers in buildings.

Mayor Nolan questioned lock-out calls.

Chief Chase explained what type of lock-out calls are most common and the process for handling those calls which include animals locked in vehicles and also persons locked in a vehicle.

Councilmember Hamilton questioned about water tanks being placed in the Blue Hills area and what the plans are for this.

Chief Chase stated there is a tank scheduled to be placed for the area and it is currently in the works. Land has been donated and the legal process is done.

Councilmember Wright asked about hazardous waste and disposal of hazardous waste materials such as old tires.

Chief Chase stated that old tires are considered solid waste, and he spoke on types of hazardous waste such as fuel spills

Town Manager Yvonne Kimball spoke about the Oasis Church project still in progress due to land use concerns. Building permits for the new construction have not been issued.

Public comment was taken on this item.

Jerry Brady spoke on National Fire Codes, Insurance rating and how adoption of the new codes will impact insurance costs. If not adopted insurance will increase. Mr. Brady questioned the current status of the town's rating, and significant impact under the new codes if rear setbacks are reduced.

Chief Chase spoke about working closely with the building department and concerns regarding the 2012 IFC. The Fire Department will continue to work closely with the building department on these issues. Provided update on two recent structure fires.

4.1.2. Magistrate Court report presented by Judge Catherine Kelley. Judge Kelly provided her report stating there are no surprises and things are going great. The town and state seal are still in working progress but should be arriving soon.

Councilmember Hamilton asked about the revenues for the magistrate. Judge Kelly stated they are exactly the same. No changes.

TM Kimball spoke on the magistrate staff being instrumental in reviewing the code enforcement procedures and the outcome is forthcoming.

4.2. Proclamations

4.2.1. National Employer Support of Guard and Reserve Week Proclamation.

Mayor Nolan read the for the National Employer Support of Guard and Reserve week.

4.2.2. POW-MIA Recognition Day Proclamation.

Proclamation read by Mayor Nolan and declared September 19th to be Recognition Day for the POW-MIA.

5. Town Manager's Report. None

6. Consent Agenda. None

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

Jerry Brady spoke on the long response times under GIS/GPS Land Survey adjustment by state; variations in and displacement of mapping locations; no legal description of the town to serve as an initial point to begin the process of rectifying these survey issues.

8. Discussion Agenda – Unfinished Business.

8.1. Council policy on formal presentation. [Continued from the September 9 and the August 12th meetings; VM Alen Original CAARF from the May 13, 2014 meeting]

Council reviewed what had been done on this agenda item to date. Council directed to disregard the policy with possible modifications to the form. Form provided is the clean copy of those modifications. There were comments from members of the council on how proclamations and presentations should be presented. Council agreed commendations and proclamations should be removed from the form, which should be for presentations only.

Public comment was taken on this item.

Jerry Brady spoke about Mayor and Town Council having different authority and bringing forward what is important to the public interest.

Mayor Nolan spoke on the intended purpose of the issue and recommended they remain on the form for information purpose.

Councilmember Wright questioned the 30 minute time frame for presentations.

Councilmember Hamilton made a motion to remove the line that says “request for commendation proclamation”, seconded by Nancy Wright. It passed by a 5-2 vote in favor, Mayor Nolan and Councilmember McBrady voted against.

Council was in agreement to limit the presentation to 30 minutes for Q&A. Town Manager Kimball will make final adjustments to the form as directed and bring it back on the consent agenda.

9. Discussion Agenda – New Business.

9.1. Vehicle Bid Award. Town Manager Kimball gave an overview of the purpose of the budget approved proposed vehicle for the Public Works department. They received one bid from Galpin Ford. Staff recommends rejecting all bids as it is believed they can get more competitive pricing.

Council discussed why they do not need a four-wheel drive.

Councilmember Repan made a motion to reject the bid and look elsewhere. Seconded by Councilmember Williams-Rowe. It was approved unanimously.

TM Kimball spoke on a Town IGA with the state to make purchases using the state contract. Very likely we will utilize the contract agreement.

9.2. Discussion and Action on who should attend the Newly Elected Town Officials at the League of Cities & Town Conference.

Councilmember Hamilton spoke about the intended purpose of the NEO training for new council members to find out what their duties are. Program does not change yearly to make it helpful or cost-effective for the Town to send re-elected officials.

Mayor Nolan spoke about the benefit of going through a refresher course for any and all council members. If an elected councilmember should want to attend they should and the financial impact is not significant enough to be a concern.

Councilmember Hamilton spoke on the League of Cities and Town's Annual conference and the purpose for the conference is to educate us and update the council on what is happening in the state.

Public comment was taken on this item.

Jerry Brady spoke on Yavapai County and the State Bar association continuing education program. New laws every year affect their duties, including fiduciary duties.

There was continued discussion on who should be allowed to attend the NEO training.

Councilmember Hamilton made motion to allow only members of the council who have never attended the NEO conference have the right to go, seconded by Nancy Wright. The motion failed by a 2-5 vote, Councilmembers McBrady, Repan, Williams-Rowe, Vice Mayor Alen and Mayor Nolan voting against.

9.3. Discussion and possible action to have P&Z look at changing the rear setback on all parcels of land in Dewey-Humboldt to 10-feet.

Councilmember Hamilton gave an overview on his CAARF. Following the BOA meeting he questioned the purpose for granting the recent variance at the last variance hearing when the code clearly states the reason for granting a variance must be caused by the land. If the code is not being followed, why not allow everyone to build up to 10 feet from the back property line. He requested they send this to the Planning and Zoning Commission to do the research on it to determine if other reasons may exist which would justify keeping the distance.

There was discussion on the reason for setbacks.

Councilmember Hamilton made a motion to approve sending this to the P&Z to look at rear setbacks being reduced to 10 feet, seconded by Councilmember Wright. The motion failed due to subsequent motion.

CM Hamilton made a second motion to amend the first motion was made, to look at the rear setbacks on land, seconded by CM. Wright. Motion failed due to a subsequent motion.

CM McBrady made a motion to approve sending this to P&Z to look at setbacks, seconded by CM Williams-Rowe. (see vote and outcome below)

Public comment was taken on this item.

Jerry Brady spoke on setbacks and current problems.

CM Wright made a motion to send this to P&Z to look at the rear setbacks to decide if they need to be changed or if they fit the town of D-H. This motion failed due to passing of subsequent motion.

Public comment was taken on this item.

Jerry Brady spoke on the fire codes and how the ISO ratings and insurance costs will be affected.

The motion to send this to P&Z to look at setbacks was approved by a 4-3 vote in favor, Councilmembers Hamilton, Wright and Mayor Nolan voting against. All other previous motion failed due to this motion's passing.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jerry Brady spoke on public infrastructure issues and identifying defects and deficiencies to be corrected. Flood and fires are the highest priority in the state; conform with existing laws; plan on how to fix the problems.

12. Adjourn. The meeting was adjourned at 8:16 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 7, 2014, 6:30 P.M.**

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2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present. Councilmember Sonya Williams-Rowe was absent due to illness.
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. Breast Cancer Awareness Month Proclamation.

Mayor Nolan read the proclamation declaring October as Breast Cancer Awareness Month.

Mayor Nolan requested moving agenda item 9.1 up on the agenda since the representative of Abacus was in attendance to speak to Council and answer questions. There was no opposition to this request so they moved to agenda item 9.1.

9.1. Service contract with Abacus Project Management Inc. for a space assessment study for future town hall considerations. Award or decline the contract.

Larry Brown, Senior Cost Estimator for Abacus came to the lectern to answer any questions. Mr. Brown explained how the process works, who is involved, and explained it is for not only current but future needs. Mayor Nolan explained all the details are included in the addendum of the contract.

Public comment was taken on this item.

Jerry Brady spoke on funding available for this purpose through National Historic Perseveration act. He spoke on similar projects in Jerome and Florence.

Councilmember Hamilton made a motion to approve the contract on the condition that they approve 9.6 as well. The motion failed for lack of a second.

Vice Mayor Alen made a motion to approve and award the contract and move forward with this project, seconded by Mayor Nolan. The motion passed by a unanimous vote in favor (6-0 as Councilmember Williams-Rowe being absent).

Council resumed with the normal order of the agenda.

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

Town Manager Kimball spoke on the Town's funding of CDBG grant funds in 2015 of approximately \$266k. Isabel Rollins has been invited to attend the October 14th Study Session to discuss this process.

6. Consent Agenda.

6.1. Minutes. Minutes from the July 15, 2014 Regular Council meeting.

Vice Mayor Alen made a motion to approve the minutes from the July 15, 2014 Regular Council meeting as presented, seconded by Councilmember Hamilton. It was approved unanimously (6-0 with CM Williams-Rowe being absent).

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

Jerry Brady spoke on a public tour sponsored by the Dewey-Humboldt Historical Society and museum for a mining tour. He suggested someone from the town attend as well as an opportunity to partner with other mining communities.

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. Council policy (and/or a request form) on formal presentation. [Continued from the September 16, 9 and the August 12th meetings; VM Alen Original CAARF from the May 13, 2014 meeting]

Town Manager Kimball introduced the newest employee, Penney Bell (Administrative Assistant) to the Council. She went on to discuss the form on formal presentations as revised by Council. Responsibility to submit the form is the Council's as part of a CAARF.

Councilmember Hamilton made a motion to approve the request form as presented, seconded by Councilmember Wright. CM Wright spoke on the sentence "by the sponsoring Council Member". TM Kimball explained it would be submitted by requesting presenter to council member. CM Wright agreed that wording was fine then. The motion passed unanimously (6-0 with CM Williams-Rowe being absent).

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

9.1. Service contract with Abacus Project Management Inc. for a space assessment study for future town hall considerations. Award or decline the contract.

This agenda item was discussed immediately before agenda item #4 and at the end of the meeting.

9.2. Ordinance 14-108 repealing ordinances 05-14 and 09-59 and amending Town Code Section 153.229 Development fees, all RELATED TO the repeal of development fees in the town consistent with A.R.S. Section 9-463.05 as amended by Chapter 243 adopted in 2011. Adopt modify or reject Ordinance 2014-X

TM Kimball explained this ordinance makes official the expiration of the Town's development fees. Council agreed to cancel the program in 2013 and adopting the repealing ordinance officially expires the fee. Councilmember Wright asked how long it would take to reinstate the fee if need be. TM Kimball explained the process would take approximately 1 year to reinstate (study, develop a fee, public hearings, etc.).

Councilmember Hamilton made a motion to adopt ordinance 14-108 repealing ordinances 05-14 and 09-59, seconded by Mayor Nolan.

Public comment was taken on this item.

Jerry Brady explained this only affects the development fee, but costs can be recouped through other fees.

The motion passed by a 5-1 vote in favor, Councilmember Wright voting against.

9.3. FEMA Community Rating System (CRS) annual recertification for the Town of Dewey-Humboldt. Yavapai County Flood Control District requesting authorization of the CRS recertification form.

Town Manager Kimball explained this is the annual process they go through for Flood Control IGA Rating system which is required by FEMA to have this certification. Council reviewed, and authorized the mayor to sign the cover letter. The activities are reviewed and determined they are the same as last year. It benefits the community as a whole because of insurance costs.

Public comment was taken on this item.

Jerry Brady spoke on the legislative initiative; national building safety codes; negative rating if not participating which will make insurance prohibitively expensive to citizens. He spoke on Riparian habitats and property rights within these habitats. He provided an article on this to the Council by giving it to the Town Clerk.

Councilmember Hamilton made a motion to approve the FEMA Community Rating System annual recertification with Yavapai County Flood Control, seconded by Councilmember Wright. It was approved unanimously (6-0 with CM Williams-Rowe being absent).

9.4. Scheduling of Phase I Summary Session for D-H Town Visioning Project with Rich Bowen (NAU) facilitating discussion of summary results and next steps. [CAARF requested by VM Alen]

Vice Mayor Alen gave an overview explaining about 1-year ago they starting this project with NAU for Dewey-Humboldt's future. Phase I was 3 sessions; Phase II is for public participation. She would like Council to direct staff to schedule with Mr. Bowen a meeting to talk about the town vision.

Vice Mayor Alen made a motion to direct staff to schedule this meeting with Mr. Bowen, seconded by Councilmember McBrady.

Councilmember Hamilton requested the information be provided to the Council in advance of the meeting so they can study the vision prior to the meeting. VM Alen explained the vision is what the Council put together at the visioning meeting and they can talk with Mr. Bowen about it. Councilmember Wright asked what type of meeting this would need to be (regular or special). VM Alen suggested they ask Mr. Bowen to let the Council know what he needs for this meeting.

Public comment was taken on this item.

Jerry Brady spoke on the vision statement being vital for the General Plan (for federal and state funds). He suggested additional conversation with Prescott Valley regarding tourism and historic preservation for regional and economic development and looking at Prescott's recently released draft of their vision statement to see example of mandatory elements.

The motion passed unanimously (6-0 with CM Williams-Rowe being absent).

9.5. Request for Presentation by Ms. Barbara Robinson from Yavapai College. To give an update on the college and present Board survey results. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview explaining Yavapai College requested a meeting presentation to discuss a recent survey and its benefits to the town.

Mayor Nolan made a motion to approve a presentation by Yavapai College to provide an update on the college and present Board survey results, seconded by Councilmember McBrady.

There was discussion on what type of information would be presented.

Public comment was taken on this item.

Jerry Brady spoke on the college program operating along with NAU; community outreach and development; programs that help entrepreneurs build a business plan.

Karen Brooks spoke on wanting to hear the presentation and how the welding program through the college has moved out of the area to the Verde Valley area and what a loss that is for local residents.

The motion passed by a unanimous vote in favor (6-0 with CM Williams-Rowe being absent).

- 9.6. Discussion and possible action regarding acquisition of the real property located in Dewey-Humboldt at 12938 E. Main Street (APN 402-10-026A) through donation for Town use.** (Staff report and council discussion and possible action on preparatory work conducted as directed at the June 3, 2014 meeting). The Council may, by majority vote, recess the regular meeting, hold an executive session, and then reconvene the regular meeting for discussion and possible action on the item.

Mayor Nolan spoke on recessing into Executive Session to discuss both 9.6 and 9.7. There was discussion on whether to go into Executive Session or hold the discussions in open session.

Councilmember Wright made a motion to go into Executive Session to discuss 9.6.1 and 9.7.1, seconded by Vice Mayor Alen. The motion passed by a 4-2 vote in favor, Councilmember Hamilton and Repan voting against.

Council recessed in to Executive Session at 7:21 p.m.

- 9.6.1. Recess into and hold an executive session** pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the donation, purchase, sale or lease of real properties located at 12938 E. Main Street (APN 402-10-026A), Humboldt.

- 9.6.2. Reconvene into Regular Meeting.**

Session reconvened after 9.7.1.

- 9.7. Discussion and possible action regarding potential acquisition of real property located in Dewey-Humboldt at 12130 E. Iron King Rd. (APN 402-01-059D) in response to property owner's offer to sell.** The Council may, by majority vote, recess the regular meeting, hold an executive session, and then reconvene the regular meeting for discussion and possible action on this item.

- 9.7.1. Recess into and hold an executive session** pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the acquisition, purchase, sale or lease of real properties located at 12130 E. Iron King Rd. (APN 402-01-059D).

- 9.7.2. Reconvene into Regular Meeting.**

Council reconvened into Regular Session after meeting in Executive Session for agenda items 9.6.1 and 9.7.1 at 8:23 p.m.

No decision on either 9.6.1 or 9.7.1 was made.

Councilmember Hamilton made a motion to revisit 9.1, seconded by Councilmember Wright. It was approved by a 5-1 vote in favor, Mayor Nolan voting against.

9.1. Service contract with Abacus Project Management Inc. for a space assessment study for future town hall considerations. Award or decline the contract.

Councilmember Hamilton spoke on elements of the contract that speak on a 3D model and other elements of the process that appear to need a specific property to provide the models. He suggested they wait until they have a property to do the space assessment study. Vice Mayor Alen explained the study could stop just short of the 3D model to save some money but still provide the town with a study of what they will need in the near and distant future. There was discussion on whether they should do this study now or hold off.

Public comment was taken on this item.

Ted Brooks spoke in support of moving forward with the study.

Jerry Brady spoke on getting help on a study from NAU and Yavapai College; an early development issue for the town problems due to water; technical training and assistance grants for federal and state grants.

Councilmember Hamilton made a motion to proceed with the rest of the study but hold off on item 10 and 11 until further approval by Council, seconded by Councilmember Wright.

There was discussion on how this came to the Council. TM Kimball explained it came up through the last lease renewal and budget season, with Council agreeing it was necessary. The Town attorney and Town Manager agree with the study.

Councilmember Hamilton withdrew his last motion and rescinded the prior motion made on this study (made earlier in the meeting), seconded by Councilmember Wright.

There was discussion on whether to do a part or the whole study.

Ken Brooks (from the audience) called a point of order and explained that the Council will need a 2/3 vote in order to rescind a previous vote.

Councilmember Wright suggested they ask the contractor about bringing back a new contract excluding sections 10 and 11.

Councilmember Hamilton withdrew his last motion.

Councilmember Wright made a motion to re-enter negotiations with Abacus on a portion of the study, seconded by Councilmember Repan. The motion passed by a 4-1-1 vote in favor, Mayor Nolan voting against and Councilmember McBrady abstaining.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jerry Brady spoke on a genealogy study of his family and important history in this area and providing Council with some historical records that he has collected over 20 years.

12. Adjourn. The meeting was adjourned at 9:04 p.m.

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION MINUTES
TUESDAY, OCTOBER 14 2014, 2:00 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 14, 2014, 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 2:02 p.m. Mayor Nolan presided.

2. **Roll Call.**

2.1. Town Council. Town Council Members Jack Hamilton, Mark McBrady (arrived late-2:14 p.m.), Dennis Repan, Sonya Williams-Rowe (arrived late-2:30 p.m.), Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present.

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

3.1. Community Development Block Grant (CDBG) overview for the upcoming funding cycle. Isabel Rollins, Northern Arizona Council of Governments (NACOG), D-H CDBG Administrator, presenting.

Isabel Rollins, NACOG Administrator, was present and gave a brief overview on the CDBG process. She will assist them with developing eligible projects for the funding. She explained certain criteria such as 50% low to moderate citizens and eliminating slum/blight. Estimated funding to Dewey-Humboldt is about \$260k next year. Exact figures will come in January or later with up to a 10% difference possible. She spoke on funding available for the competitive round (types: Public Works and Safety, fire protection, food banks, senior centers, public service projects, housing rehab, economic development, clearance/demo, planning projects for low to moderate income, elderly or disabled. She reviewed the previous projects the town has done. The funds for the competitive round will be smaller next year than previous years. Proposed projects must be brought up during the hearing period. The first hearing can be a separate meeting from Council and the second hearing can be at a council meeting.

Council discussed possible meeting scheduling for these two hearings.

Councilmember McBrady arrived at 2:14 p.m.

Isabel Rollins provided her email and phone number for any questions on CDBG (778-2692, irollins@nacog.org). Ms. Rollins explained that with the census data the town does not qualify overall for low to moderate income. There are two ways to qualify: income survey of the area which would need a 75% or better response rate; designate a redevelopment area (slum blight area). The process for the later would be sending out a letter to residents in the area; holding a public hearing for comment; council passes a resolution declaring it a slum blight area.

The first public hearing for the CDBG funds (project proposals) will be held on November 18th at 2:00 p.m., the second will be held on the second Council meeting January 20, 2015.

Public comment was taken on this item.

Robert Baker asked if you can match the CDBG grant money with other grant monies.

Ms. Rollins answered that the CDBG funds do not require a match but if a project is more, then you can combine it with other grant monies. Match monies are good for the competitive grant funds though.

Town Manager Kimball asked about using the CDBG monies for housing rehab or donation to a Non-Profit? Ms. Rollins answered yes, if funding a non-profit it must be creating a new service or increasing existing services by at least 25% and they must prove they can continue it for at least a year after the funding. A non-profit 501C3 application must provide substantial amount of backup documentation. Ms. Kimball reiterated that in order to use these CDBG funds for road improvements the neighborhood must be eligible (CDBG eligibility criteria).

Ms. Kimball reminded that all those wishing to propose a project for these funds must be at the first meeting to propose it (November 18th at 2:00 p.m.).

3.2. Revisit process of “Ethics Process” & Draft Submitted by VM Alen plus consideration of optional Mediation of Complaints. (Continued from 9/9/14 Work Session)

Vice Mayor Alen gave an overview on the steps taken to date on this ethics complaint process. They are to talk about the process not the code of ethics. The process is for two purposes: education and perception of council.

Councilmember Williams-Rowe arrived at 2:30 p.m.

VM Alen continued – a response time needs to be added to the process. Timeframes are needed for response, recusal, etc. and committee members should be prepared at their meetings/hearings or consider replacing them with the next eligible person.

Mayor Nolan made the recommendation that complaints should go to a hearing officer.

VM Alen spoke on giving complaints to an outside mediator (paid by complainant and respondent) to avoid frivolous complaints from being filed.

There was discussion on when or if it should go to an outside arbitrator, who it could be and who should pay for it; intention of complaint process being there for the public to file complaints.

Public comment was taken on this item.

Jerry Brady spoke on the arbitration process; the ombudsman’s office determines ethical issues; Electoral Commission process for things voted on; no one on council that has completed ethical and arbitration training.

Karen Brooks spoke in support of having an outside hearing officer or arbitration service; keeping the Council out of this issue.

Mayor Nolan suggested they draft the process to have complaints go to a hearing officer or arbitrator. There was discussion on this and timeframes for the process; who would draft the changes to the process. Council will submit (within three weeks) their draft recommendations to Mayor Nolan for him to compile and bring back the next Work Session.

Public comment was taken.

Jerry Brady spoke on the rules of evidence and procedure.

3.3. Whether to dispose of E. Antelope Way right-of-way in response to adjacent property owner(s) request.

Community Development Officer, Connie Dedrick was present and gave an overview on the Antelope Way right-of-way and the proposal for the town to dispose of it. She explained E. Antelope Way, due to the wash and topography, was not likely to ever be a through street.

Councilmember Wright spoke on the County Board of Supervisors abandoning many parts of streets, and this causing problems in so doing; when abandoning a street it usually gets divided between properties on both sides of the easement.

Ms. Dedrick explained that Mr. Hambrick has requested the abandonment of ROW but the adjoining property owner has no desire to obtain any of that easement. She spoke on the topography and difficulty to ever put the street in. Mr. Hambrick has spoken with the town about a purchase price.

Victor Hambrick was present and spoke to the Council on his request. He explained that for at least 20 years that ROW was used only for ingress/egress to his property and utilities along this easement are just for his property.

Councilmember Hamilton asked about abandoning the easement all the way through from River Drive to the next road (Damfino).

There was discussion on this. Ms. Dedrick explained they would contact the attorney and letters could go out contacting the other property owners; abandonment is the easiest way to do this. Mr. Hambrick explained the south portion of Damfino being in the Agua Fria Wash.

Public comment was taken on this item.

Jerry Brady spoke on the wash being originally platted by the Upper Verde Utility Company. He spoke on checking surveys to make sure who owns the easement (the town or another entity such as a utility)

There was discussion on whether to abandon or sell the easement; whether a legal description exists (in a platted subdivision). Council directed staff to obtain a cost for the entire easement from River Drive to Damfino, contact all abutting owners and contact the utility companies.

Public comment was taken on this item.

Jerry Brady spoke on the IRC 2012 codes being adopted by most jurisdictions; not compromising public health and safety; grades reduced and provided for a turnaround; survey limits tied to a plat but not being accurate as they are not a survey.

3.4. Council consideration of obtaining Transaction Privilege Tax (TPT) Collection Consultant Service and direction to proceed with a service contract.

Town Manager Kimball spoke on a recent Governor's initiative (TPT reform) with new responsibilities for municipalities. This Consultant Service is one of only two available. It wasn't discussed during budget season but thinks the service will pay for itself.

Deni Thompson, Accountant, spoke on the modifications that the Department of Revenues (DOR) is making which probably means less attention being paid to local TPT collection than even now. This service will mean a person who will give attention to the town's needs, providing educational resources on how to move forward.

There was discussion on the costs (per hour) and how the process and education would work with this contracted service; how due to the nature of this issue the difficulty in determining whether changes in TPT collection monies is directly linked to this service; how the policing of local businesses would be handled (current DOR does not audit, only collects TPT).

Public comment was taken on this item.

Jerry Brady spoke on the downturn in businesses in Yavapai County and other expenses businesses have right now. Many chose not to report taxes since the town doesn't require it. He spoke on HURF funds and the town needing to report to ADOT to receive more HURF monies.

There was discussion on the services being provided with this contract; exempt from the RFP process due to type of service. Council, by consensus, gave direction to staff to go ahead and work on this contract.

Public comment was taken on this item.

Bob Baker suggested asking the contractor what other revenues the town may be missing.

3.5. Council consideration of the need for a Banking Service Request for Proposal (RFP) and direction to proceed with advertising for bids.

Accountant Deni Thompson gave an overview explaining they are asking the Council for direction on submitting a Banking RFP to see if there is anything else out there that might work better for the town, and maybe consolidating the banking with the magistrates office.

Council provided direction to proceed with developing a RFP for Banking Services.

3.6. Town's 10th Year Anniversary of Incorporation Program Itinerary and Details.

Administrative Assistant Penney Bell was present to give an overview on her task to come up with a program and itinerary for the upcoming 10-year Anniversary of Incorporation for the town. Council reviewed the draft program. There is a list of Council Members and what part of the ceremony they are tasked with. If they have any problems or feedback she asked to hear from them.

CM Hamilton suggested a plaque with previous Council names wasn't necessary but announcing those names during the ceremony was.

Ms. Bell reviewed that invitations will be sent out, by mail and email, to Mayors, Council Members, Boards, Committees and Commissions. The Governor, and other local dignitaries from other municipalities, will receive an invitation and posters will be placed around town. The celebration will be simple and short, probably less than an hour.

Council discussed holding the celebration at 4 p.m. so it is still light and doesn't conflict with the regular Council meeting at 6:30 p.m.

Public comment was taken on this item.

Jerry Brady spoke on celebrating the past and expressing a vision for 10 years from now; Prescott's sister city program; Courier doing articles on war history in the area.

The Mayor thanked Ms. Bell for her good job and directed Council to provide any further input/feedback directly to staff.

3.7. Code Enforcement Process Staff Review Report and Council Direction in regards to Code Enforcement Operation.

Magistrate Judge Cathy Kelley was in attendance to assist with any questions. TM Kimball explained this is a way to find a more efficient means of handling the code enforcement process. The current codes do already allow for cases civilly or criminally, but has been handled to date only civilly. Staff is looking for Council's buy-in on using a hybrid process to allow for more "teeth" for those few incidents.

There was discussion on the circumstances that would prompt a criminal case, what the current case load is and how it might be affected by this. They reviewed a revised timeline for processing a code violation through to completion, which shortens the process from a minimum of 115 days to 40 days.

There was discussion on modifying the code that pertains to abatement and possibly working on that at some time in the future.

Public comment was taken on this item.

Ted Brooks spoke on creating codes that affect everyone fairly and concerns with shortening the code violation resolution process. Judge Kelley responded by explaining the trial process with the preponderance of evidence being on the prosecutor to prove guilt.

Ted Brooks spoke on his concerns that people who have certain uses grandfathered-in might be targeted in this process.

There was discussion on this process not being mandatory but for those unusual circumstances where civil hearings do not work; consideration of a hybrid timeline which is truncated after the second notice.

Public comment was taken on this item.

Jerry Brady spoke on criminal cases being for extreme cases and keeping proposed penalties appropriate to the offense.

Karen Brooks spoke on legal costs for citizens in defending themselves; looking at the animal ordinances; keeping the codes friendlier; having complaint criteria; concerns of being targeted recently with complaints.

There was council discussion on establishing criteria for criminal escalation; having a lot of information to disseminate and possibly bringing it back at a future work session.

Public comment was taken on this item.

Jerry Brady spoke on having the Yavapai County Sheriff's office serve initial notices; he spoke on a prior hearing for an animal abuse case.

Town Manager Kimball explained it is a complicated process, taking several months to work out, but it is legal and do-able and will make the complaint process less frustrating. The "Fast Track" process is already in the code, just communicating to Council about the possibility of using it. She would like the Council's support for sending those difficult cases to the court.

Public comment was taken on this item.

Bob Baker spoke on the prosecutor determining if there is enough evidence for it to go before the judge; advised to make sure there is no liability with this process.

Jerry Brady spoke on the need to be trained and certified to be involved in criminal law enforcement.

Council will look at this issue at the November Work Session (specially scheduled on November 14th).

4. Special Session. Legal Action can be taken.

4.1. 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.

Council decided to schedule a work session for November 14th at 2:00 p.m. to replace the November 11th meeting date that falls on a holiday. This agenda should only have the Code Enforcement issue on it.

Councilmember Hamilton commented that he felt the meetings have too many comment periods for each agenda item and he will submit a CAARF on this. Mayor Nolan explained he wanted the public to be able to voice their opinion on the issues.

5. Comments from the Public.

Jerry Brady spoke on his education and history pertaining to law and stated the Council serves at the liberty and will of the public and they can remove them.

Karen Brooks spoke on the community meeting (held on Wednesday night), explaining two factions hijacked the meeting talking about barking dogs and property rights.

6. Adjourn.

The meeting was adjourned at 6:14 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL REGULAR MEETING

January 20, 2015, 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 8.1. Community Development Block Grant Funding (CDBG) Second Hearing for selection of final project and possible adoption of applicable resolutions.

To: Mayor and Town Council Members

From: Deni Thompson, Accountant

Date submitted: January 15, 2015

Recommendation: Select final project(s).

Summary: The Town of Dewey-Humboldt is expected to receive approximately \$266,693 in FY2015 Federal CDBG funds from the Arizona Department of Housing Regional Account (RA).

This is the second of the public hearings for use of Community Development Block Grant Funds FY15. Recommended projects submitted by staff for the Town from the first hearing on November 8, 2014 are as follows and are qualified (no other applications were returned):

Kachina Place Sidewalk Improvement; Estimated Budget - \$99,307

Blue Hills Farm #3 Road Drainage; Estimated Budget - \$175,650

Huron Street Sidewalk Extension; Estimated Budget - \$78,679

Improvement Housing Rehab Program; Estimated Budget - \$266,693

ADOH recommends that individual communities submit only (1) project application for their Regional Account during their funding cycle.

Staff has reviewed these projects and recommends the following due to location and continuity, for the Council's review, prioritization and final selection. Upon selection, staff will update the appropriate drafts of the resolution documents, send to the Town Attorney for review and return to council for final approval at a future meeting.

Kachina/Blue Hills Sidewalk and Drainage/\$266,693

This project serves an area that has not received prior CDBG funds.

Priority # _____

Dewey-Humboldt Sidewalk Improvement (Kachina and Huron)/ \$266,693

This project improves sidewalks at Kachina Place and extends the sidewalks previous project near the school.

Priority # _____

Housing Rehab Program/ \$266,693

Requires resident support to comply with the requirement of the program.

Priority # _____.

SECOND PUBLIC HEARING

Town of Dewey-Humboldt, Arizona Public Hearing Regarding Use of CDBG Funds

The Town of Dewey-Humboldt is expected to receive approximately \$266,694.00 in FY2015 Federal CDBG funds from the Arizona Department of Housing Regional Account (RA). CDBG funds must be used to benefit low-income persons and areas, alleviate slum and blight or address urgent need. Based on citizen input as well as local and state planning objectives several potential projects have been selected to be forwarded to the State of Arizona with a request for funding. A public hearing will be held at the regular Town Council meeting at 6:30p.m., on January 20th, 2015 at the Town of Dewey-Humboldt Council Chambers (2735 S. State Route 69, Suite 10, Humboldt), to discuss the potential projects. It is expected that the Town Council will select the final projects at this hearing and adopt applicable resolutions. The potential CDBG projects are named and described as follows:

1. Kachina Place Sidewalk Improvement: estimated \$99,307 for building a sidewalk along Kachina Place from Highway 69 to Horseshoe Lane creating a safe area for residents to walk and will serve all residents in the area. It is believed that the residents in this area meet the low-income persons and area requirements to be determined by surveys.
2. Huron Street Sidewalk extension past school. Will serve as a safe path to school for children & benefit all local residents: estimated \$78,679. It is believed that the residents in this area meet the low-income persons and area requirements to be determined by surveys.
3. Blue Hills Farm #3 Road and Drainage Improvements to rebuild roads and drainage in an older neighborhood of Dewey: estimated \$175,650. It is believed that the residents in this area meet the low-income persons and area requirements to be determined by surveys.
4. Housing Rehabilitation Program: \$266,693 as a stand-alone project for housing rehabilitation for estimated 12 owner occupied housing units whose owners are low income Senior Citizens and are at or below 50% of the area median income or combined with any other projects 1-3

To review project proposals, file grievances or learn more about the CDBG program contact the following:

Deni Thompson, Accountant
Town of Dewey-Humboldt
2735 S Highway 69, P.O. Box 69
Humboldt, Arizona 86329
Telephone: (928) 632-7362
Fax: (928) 632-7365
TTY: 800-367-8939

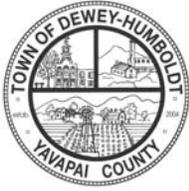
Persons with disabilities who require special accommodations may contact Deni Thompson at the above location at least 48 hours before the hearing.

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: _____ Judy Morgan, Town Clerk's Office.

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

TOWN COUNCIL REGULAR MEETING

January 20, 2015, 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 9.1. Ordinance 15-109 amending Town Code Section 30.031 Mayor and Vice Mayor; Appointment, Power and Duties.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: December 29, 2014

Recommendation: Approve Ordinance 15-109.

Summary:

At the December 9, 2014 Council Work Session, at CM's Wright and Repan's request, the Council directed staff to prepare an ordinance to amend Town Code Section 30.031 by amending subsection E (2) related to authority to execute documents. The Town Attorney has completed the task and prepared Ordinance 15-109. Additionally, the Attorney conducted research on other municipalities' practice; the research is enclosed.

ORDINANCE No. 15-109

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE III ADMINISTRATION, CHAPTER 30 TOWN COUNCIL AND OFFICIALS, § 30.031 MAYOR AND VICE MAYOR; APPOINTMENT, POWER AND DUTIES BY AMENDING SUBSECTION (E)(2) RELATED TO AUTHORITY TO EXECUTE DOCUMENTS; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES

Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section I. In General

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title III Administration, Chapter 30 Town Council and Officials, Section 30.031 Mayor and Vice Mayor; Appointment, Power and Duties, Subsection (E)(2) is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

§ 30.031 Mayor and Vice Mayor; Appointment, Power and Duties

* * *

(E) The Mayor may perform such other duties consistent with the mayoral office as may be prescribed by town ordinance, as may be imposed by the Council, or as required by state law. Specific duties include:

* * *

(2) The Mayor shall ~~execute and authenticate by his or her signature all such instruments as the Council or any statutes, ordinances or this code may require~~ SIGN ANY ORDINANCE, RESOLUTION, CONTRACT, WARRANT, DEMAND OR OTHER DOCUMENT OR INSTRUMENT REQUIRING THE MAYOR'S SIGNATURE WITHIN FIVE BUSINESS DAYS FROM THE DATE THE COUNCIL TOOK ACTION REQUIRING THE MAYOR'S SIGNATURE OR FROM NOTIFICATION BY THE TOWN MANAGER THAT SUCH DOCUMENT REQUIRES THE MAYOR'S SIGNATURE. IF THE MAYOR REFUSES OR FAILS TO SIGN ANY ORDINANCE, RESOLUTION, CONTRACT, WARRANT, DEMAND OR OTHER DOCUMENT OR INSTRUMENT AUTHORIZED TO BE SIGNED AND REQUIRING HIS SIGNATURE, THEN THE VICE-MAYOR SHALL SIGN SUCH ORDINANCE, RESOLUTION, CONTRACT, WARRANT, DEMAND OR OTHER DOCUMENT OR INSTRUMENT AND WHEN SO SIGNED SUCH DOCUMENT SHALL HAVE THE SAME FORCE AND EFFECT AS IF SIGNED BY THE MAYOR. IF THE VICE MAYOR REFUSES OR FAILS TO SIGN ANY ORDINANCE, RESOLUTION, CONTRACT, WARRANT, DEMAND OR OTHER DOCUMENT OR INSTRUMENT WITHIN FIVE

DAYS FROM NOTIFICATION BY THE TOWN MANAGER THAT SUCH DOCUMENT REQUIRES HIS SIGNATURE, THEN ANY MEMBER OF THE COUNCIL MAY SIGN SUCH DOCUMENT AND WHEN SO SIGNED SUCH DOCUMENT SHALL HAVE THE SAME FORCE AND EFFECT AS IF SIGNED BY THE MAYOR.

* * *

Section II. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section III. Repeal of Conflicting Ordinance

All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this ____ day of _____, 2015, by the following vote:

AYES: _____

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this ____ day of _____, 2015.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By Susan D. Goodwin

I, JUDY MORGAN, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE ____ DAY OF _____, 2015, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 2015.

Judy Morgan, Town Clerk

GILBERT

Sec. 1-67. - Failure to sign documents.

If the mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument authorized to be signed and requiring his signature, then the vice-mayor may sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the mayor.

LITCHFIELD PARK

Section 2-2-6 Failure to Sign Documents

If the mayor is absent or refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument authorized to be signed, then the vice mayor may sign such ordinance, resolution, contract, warrant, demand or other document or instrument which, when so signed, shall have the same force and effect as if signed by the mayor.

CHINO VALLEY

§ 30.025 Failure to Sign Documents.

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his or her signature for 5 days consecutively, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his or her absence, an Acting Mayor to sign the ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

PRESCOTT VALLEY

2-02-060 Failure to Sign Documents.

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five (5) days consecutively, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his absence, an Acting Mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

PARADISE VALLEY

Section 2-2-6 Failure to Sign Documents

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand, or other document or instrument requiring his signature for five days consecutively, then

a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor, or in his absence, an Acting Mayor, to sign such ordinance, resolution, contract, warrant, demand, or other document or instrument which when so signed, shall have the same force and effect as if signed by the Mayor.

QUARTZSITE

Section 2-2-6 Failure to Sign Documents

The Mayor shall sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring the Mayor's signature within five calendar days from the date the Common Council took action requiring the Mayor's signature or from notification by the Town Manager or the Town Manager's designee that such document requires the Mayor's signature. Failure to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring the Mayor's signature within five calendar days from the date the Common Council took action requiring the Mayor's signature or from notification by the Town Manager or the Town Manager's designee that such document requires the Mayor's signature shall constitute nonfeasance and shall be referred to the Town Prosecutor for possible criminal or civil prosecution or both criminal and civil prosecution. If any ordinance, resolution, contract, warrant, demand or other document or instrument requiring the Mayor's signature remains unsigned after five calendar days from the date the Common Council took action requiring the Mayor's signature or from notification by the Town Manager or the Town Manager's designee that such document requires the Mayor's signature, the Vice-Mayor or if the Vice –Mayor is unavailable, any council member may sign such ordinance, resolution, contract warrant, demand or other document which when so signed shall have the same force and effect as if signed by the Mayor.

YOUNGTOWN

2.16.050 Failure to sign documents.

If the mayor refuses or fails to sign any ordinance, resolution, contract, warrant demand or other document or instrument requiring his or her signature for five days consecutively, then a majority of the members of the council may, at any regular or special meeting, authorize the vice mayor or, in his or her absence, any other councilmember to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the mayor.

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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: 1/20/2015

Date of Request: 1/7/2015

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):

DISCUSSION AND POSSIBLE ACTION ON ADJUSTING SALARY RANGES OF PERSONNEL

Purpose and Background Information (Detail of requested action):

I BELIEVE THAT SOME PEOPLE ARE NEAR THE TOP OF THEIR SALARY RANGE OR EXCEEDED IT. WE NEED TO UPDATE RANGES. IT WOULD BE HELPFUL IF STAFF LISTED THE PEOPLE FOR THIS

Staff Recommendation(s): WOULD EFFECT.

Budgeted Amount: _____

List All Attachments: _____

Type of Presentation: _____

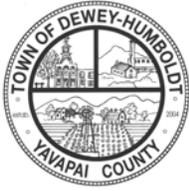
Special Equipment needed: Laptop Remote Microphone

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.

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COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: [X]. January 20th, 2015

Date of Request: [X]. January 13, 2015

Type of Action: Routine/Consent Regular

Requesting: X Action Report Only

Agenda Item Text (a brief description for placement on the agenda; please be exact):

[X]. A request by [Mayor Nolan] to discuss [Attending GPREP Annual Dinner].

Purpose and Background Information (Detail of requested action): [___]

This request is to attend the annual dinner for GPREP Jan 23rd. GPREP was requesting that all the Mayors attend. They contacted me and I told them that I would attend.

Staff Recommendation(s): [___].

Budgeted/Amount: \$[60.00 plus travel].

Expected duration of discussion or report: [___]

List All Attachments: [___].

Type of Presentation: Oral.

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: [Mayor Nolan].