

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

Tuesday, May 5, 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.

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3 **4.1. Municipal Clerks Week Proclamation.**

5 **4.2. Mental Health Month "B4Stage4" Proclamation.**

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

7 **5.1. Report on April 22, 2015, CCLR Brownfield Conference.**

6. Consent Agenda.

9 **6.1. Minutes.** Minutes from the March 10, 2015 Work Session, March 17, 2015 Regular Council Meeting and March 24, 2015 Special Study 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.

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. Continued review and discussion of the Preliminary Budget by Funds and Departments (General Fund – Revenues, Expenditures: Town Council and Management, Town Clerk, Finance, Legal, IT, Magistrate Court, Public Safety, Engineering, Public Works, and Community Development, non-Departmental; HURF – Revenues, Expenditures: Engineering, Public Works; Grant Fund).

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

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9.1. Resolutions for League Conference. To determine if we want to submit any resolutions for the League to work on. [CAARF requested by Mayor Nolan]

10. Public Hearing Agenda.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

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

12. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, May 19, 2015, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, May 7, 2015, at 6:00 p.m.

Next Town Council Work Session: Tuesday, May 12, 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.

Municipal Clerks Week

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants; and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk,

Now, Therefore, I, Terry Nolan, Mayor of the Town of Dewey-Humboldt, do recognize the week of May 4 through May 8, 2011, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Judy Morgan, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

In Witness Whereof, I have hereunto set my hand this 5th day of May, 2015.

*Terry Nolan, Mayor
Town of Dewey-Humboldt*

*Judy Morgan
Town Clerk*

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Mental Health Month 2015 “B4Stage4” Proclamation

Whereas, mental health is essential to everyone’s overall health and well-being; and

Whereas, all Americans experience times of difficulty and stress in their lives; and

Whereas, prevention is an effective way to reduce the burden of mental health conditions; and

Whereas, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

Whereas, mental health conditions are real and prevalent in our nation; and

Whereas, with early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

Whereas, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

Now, Therefore I, Terry Nolan, Mayor of the Town of Dewey-Humboldt, do hereby proclaim May 2015 as Mental Health Month in the Town of Dewey-Humboldt. As the Mayor, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in Dewey-Humboldt to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions before they reach stage 4.

In Witness Whereof, I have hereunto set my hand this 5th day of May, 2015.

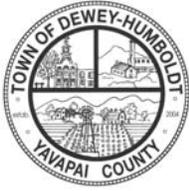
Terry Nolan, Mayor

Town of Dewey-Humboldt

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

May 5, 2015 – 6:30 pm Town Council Meeting Chambers

Agenda Item # 5.1 Report on April 22, 2015, CCLR Brownfield Conference.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: April 30, 2015

Summary:

On April 30th, I attended the Center for Creative Land Recycling's an Introduction to Brownfield Redevelopment Conference. The conference offered the tools, techniques and resources needed for Brownfield redevelopment. Federal Environmental Protection Agency (EPA) defines Brownfields as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

The Town currently does not have "brownfield" sites, however, has two EPA "superfund" sites. Superfund site is an EPA program to identify, investigate and clean up uncontrolled or abandoned hazardous waste sites throughout the United States. Although both "brownfield" and "superfund" properties deals with contamination, superfund sites generally suggest more serious level of contamination.

I learned that properties that are classified as "superfund" sites are not subject to the resources available to "brownfield" sites. There are separate laws governing superfund sites. The conference was not designed for Superfund issues. However, at the conference I met some professionals that would be good resource for any superfund properties. It was repeatedly said that once it falls under superfund, the property clean-up would takes a long time, as long as a decade or longer, to accomplish. I also learned that the municipality can take a more active role in cleaning-up and reusing superfund properties. The involvement would take resources on the town's part.

Town Council has expressed frustration over EPA's D-H superfund site cleanup process. You also indicated that you would like to take a more active role in the process. I wanted to inform you the few details I learned by speaking to the professionals briefly at the conference. To move forward, I would like to invite them to our community and explore options. From that point, the council can decide how to proceed.

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**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MEETING MINUTES
MARCH 10, 2015, 6:30 P.M.**

A SPECIAL STUDY SESSION MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MARCH 10, 2015, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:39 p.m.
2. **Roll Call.** Town Council Members Arlene Alen, Mark McBrady, Dennis Repan, Doug Treadway, Nancy Wright; Vice Mayor Jack Hamilton; and Mayor Terry Nolan were present.
3. **Study Session.** No legal action to be taken.

3.1. Discussion and consensus on going forward with a new town survey. Who would do the survey, what questions, a sampling or the whole community and the like info. [CAARF requested by CM Wright]

Councilmember Wright gave an overview; item was placed in the budget and it has been almost 5 years since the last survey (ICMA surveys done in 2008 and 2009). She spoke on the structure and response of the survey. Council discussed looking at the trends of the community with a new survey using the old surveys as a benchmark; and whether changing the survey would be beneficial.

Public Comment was taken on this item.

Jerry Brady spoke on using a baseline survey; distribution of survey through the newsletter; Boeing Scan 8 system.

Karen Brooks spoke on targeting a higher number of citizens for the survey; distribution through the newsletter; questions regarding infrastructure and those subjects the public has been looking at.

There was discussion on the problems with distribution through the newsletter; having a large enough sampling for better accuracy. Council provided direction to contact ICMA to get a proposal of a citizen survey for the town (National Citizen Survey).

3.2. Future Budget priority discussion with the community and Council [directed at the February 3, 2015 meeting]

Public comment was taken on what citizens would like to see incorporated into the budget.

Jerry Brady spoke on looking at how Yavapai County and Prescott Valley proceeded with budgeting when incorporated.

Karen Brooks recommended continued support of the Library, Historical Society Museum and considering a chamber of commerce manned by the D-H Historical Society.

Patrick McGill spoke on the citizens wanting their animals without regulation; paving dirt roads; taking care of the people as part of the town's role.

Jim Coggins spoke on animal issues; road maintenance/safety issue on his road (Lazy River/Rancho Place).

John Young spoke on having a permanent place for the museum; volunteer support for museum; long-time residents of the town.

There was Council discussion on the suggestions made; challenges with road maintenance due to funds available.

Mr. Coggins responded with a statement about safety of children on his road and making the road safer.

Jerry Piper spoke on unsafe roads in the Blue Hills area and bringing the problem to the Council's attention.

Mayor Nolan explained many roads are private, but the Council is aware of the public's concerns.

3.3. FY 15-16 Budget Calendar. Council direction and scheduling of FY 15-16 budget meetings.

Town Manager Kimball asked for the Council to review the schedule of budget meetings and provide their input on availability to ensure a quorum of attendance.

There was discussion on the process for decision making at these meetings and adjusting the schedule as needed as they go through that process.

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 reviewed the Town Manager's list of items that might need an additional meeting or not, depending on whether Council deems them time-sensitive (Code of Ethics Ordinance and Principles of Sound Financial Management). Town Manager Kimball spoke on requesting the Attorney at that additional meeting.

Councilmember Repan made a motion to add an additional meeting for March 24, 2015 at 2:00 p.m., seconded by Councilmember Alen. It was approved unanimously.

5. Comments from the Public.

Jerry Brady spoke on the Council's fiduciary duties and due diligence research; town being governed by the taxing authority and regulation of interstate commerce.

Karen Brooks requested the budget workshops to be held in the afternoon, not morning; staff budget reports being done at a regular council meeting; background of access for Chaparral Gulch neighborhood and Old Black Canyon Highway.

6. Adjourn.

The meeting was adjourned at 7:34 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
MARCH 17, 2015, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MARCH 17, 2015, 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 6:33 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, Mark McBrady, Dennis Repan, Doug Treadway, Nancy Wright; and Mayor Terry Nolan were present. Vice Mayor Jack Hamilton was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**
 - 4.1. **Brief Verbal Presentation, “Yavapai College Update”.** A representative of the College to provide update about services provided by Yavapai College. [Mayor Nolan CAARF approved at March 3, 2015 Regular Meeting]

Stuart Blacklaw with Yavapai College gave a presentation on the Annual Report for the District Governing Board for 2014. He spoke on Education, Economic Development and Community Services; how they measure their services to the community; accomplishments; new programs, degrees and hosted events that brought people to the area. He answered questions regarding scholarships for students and service dog program.
 - 4.2. **Central Yavapai Fire District presenting the 50th anniversary challenge coins to Mayor and Council by Chief Scott Freitag.**

The CYFD representative was not present so the Council postponed this agenda item until Chief Scott Freitag was in attendance.
 - 4.3. **Proclamation for Mayors Day of Recognition for National Service – April 7, 2015.**

Mayor Nolan read the proclamation regarding the Mayors Day of Recognition for National Service on April 7, 2015.

Councilmember Wright announced that Vice Mayor Hamilton was not in attendance as he was attending to his ailing elderly father.
5. **Town Manager’s Report.** Update on Current Events.
 - 5.1. **Old Black Canyon Highway letters to property owners follow up (directed at the January 10, 2015 meeting)**

Public Works Supervisor Ed Hanks spoke to Council regarding the outcome of letters sent out to property owners on Old Black Canyon – 19 property owners sent letters; asked for a response by February 27th and no written responses to date. In answer to a Council question he responded that there was wording in the letter speaking to giving feedback if problems or concerns.

Public comment was taken on this item.

Jerry Piper spoke on Old Black Canyon being a passable road, owners not wanting work

done on it and other roads in town that need work to make them safe. He suggested they put this question on a ballot for a vote.

Jerry Brady spoke on ARS 9-240-28(B) and it pertaining to OBC Hwy maintenance.

Town Manager Kimball spoke on the timeline for the work, getting preliminary work done by the end of March and start the drainage work before monsoon season.

6. Consent Agenda.

6.1. Minutes. Minutes from the February 3, 2015 Regular Meeting and February 17, 2015 Regular Meeting.

Councilmember Wright made a motion to approve the Minutes from the February 3, 2015 and February 17, 2015 regular meeting minutes, as presented. Councilmember Repan seconded. It was approved unanimously (6-0 vote).

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

Jerry Brady referenced ARS 9-240 regarding General powers of common council, pertaining to encumbrances on Road and Administration of rights-of-way.

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.

Councilmember Wright spoke on 9.1 being requested to NOT be held in Executive Session. Mayor Nolan suggested they move that up on the agenda for open session discussion by Council prior to the Executive Session items.

9.1. Discuss and Possible Action on what to do about Chaparral Street and obtain legal advice. (moved up in order on the agenda)

Town Manager Kimball explained the title company was contracted regarding Chaparral Street right-of-way from 1st to Third Street and it was determined to belong to the town.

Town Attorney Goodwin spoke on the ROW never having been improved or used as a public road so she doesn't believe the town has a legal obligation to improve it into a roadway.

Council and legal counsel reviewed the access and looked at GIS mapping. Ms. Goodwin explained the town does have the right to control access to Main St. There was discussion on whether to improve the "Chaparral Gulch neighborhood" access for safety reason and if improving, to what level (paved or dirt).

Public comment was taken on this item.

Jerry Brady spoke on fiduciary duty, state offset funds, comprehensive plan, and regulating the access with a stop sign creating responsibility for the town.

Council continued discussion on various options to consider.

Jerry Brady spoke on the Town's liability if exercising sovereignty over it.

Councilmember McBrady made a motion to approve directing staff to look in to the cost to make Chaparral St. a dirt road, seconded by Councilmember Treadway. It was approved by a 5-1 vote in favor, Councilmember Repan voting against.

Town Manager Kimball explained it will be more than getting an estimate, as it will require a survey, utilities issues (relocating, etc.), ROW never having been improved so it will need a contract engineer to look at it and pay for a design, costing money and time.

Councilmember McBrady asked that the Council address the next agenda items that are Executive Session separately as he will need to recuse himself for one of them. Mayor Nolan explained they can move that item last for him.

Councilmember Repan made a motion to go in to Executive Session for 8.1., 8.2, 8.3, and 8.4, seconded by Councilmember Alen. It was approved unanimously (6-0). Council recessed into Executive Session at 7:34 p.m.

8.1. Discussion with the Town Attorney in Executive Session on Town Manager's contract, duties as listed in Town Code, and clarification of some related issues. [CAARF requested by CM Wright] HELD IN EXECUTIVE SESSION

8.1.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussions or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body and pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the employment contract with the Town Manager.

8.1.2. Reconvene Regular Meeting.

8.2. Discussion and possible action or direction related to the Lease Agreement for the Town Hall and Yavapai County Sheriff's Substation at Humboldt Station. 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. HELD IN EXECUTIVE SESSION.

8.2.1. 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 lease Agreement for the Town Hall and YCSO Substation located at 2735 S. Highway 69, Dewey-Humboldt, Arizona.

8.2.2. Reconvene Regular Meeting.

8.3. Consideration of the option to obtain "First Right of Refusal" for the property located at 12925 E. Main Street., Dewey-Humboldt. (continued from the March 3, 2015 meeting in response to CM Treadway CAARF) HELD IN EXECUTIVE SESSION.

8.3.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(3) Discussion or consultation for legal advice with the attorney or attorneys of the public body regarding legal issues related to property acquisition.

8.3.2. Reconvene Regular Meeting.

8.4. Further discussion on the draft Franchise agreement with Arizona Public service (APS) and obtaining legal advice (continued from the December 19, 2014 meeting). Discussion and possible actions on the draft agreement, including direction of next steps upon obtaining legal advice. HELD IN EXECUTIVE SESSION.

8.4.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a franchise agreement with Arizona Public Service Company.

8.4.2. Reconvene Regular Meeting.

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

9.1. Discuss and Possible Action on what to do about Chaparral Street and obtain legal advice. [CAARF requested by CM Hamilton] MOVED UP ON THE AGENDA.

Council reconvened into open session at 9:08 p.m. No formal action was taken on any of the Executive Session items – 8.1: no direction given; 8.2: direction was given to staff; 8.3: discussion will occur later; 8.4: no direction given.

10. Public Hearing Agenda.

None.

11. Comments from the Public.

Councilmember McBrady returned to the Open meeting.

Jerry Brady spoke on looking at the easiest way to deal with things; gave an example of another jurisdiction; town history is located in the mining district records in the rare book library in Jerome; Jerome has a 100 year water supply; Jerome is self-sustained due to the museum bringing in so much money.

12. Adjourn. The meeting was adjourned at 9:13 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MEETING MINUTES
MARCH 24, 2015, 2:00 P.M.**

A SPECIAL STUDY SESSION MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MARCH 24, 2015, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR PRESIDED.

1. **Call To Order.** The meeting was called to order at 2:02 p.m. Mayor Nolan presided.
2. **Roll Call.** Town Council Members Arlene Alen, Mark McBrady, Dennis Repan, Doug Treadway, Nancy Wright; and Mayor Terry Nolan were present. Vice Mayor Jack Hamilton was absent.
3. **Study Session.** No legal action to be taken.

3.1. Review and discussion of Public Body Code of Ethics proposed Ordinance 15-112.
[Directed at the February 10, 2015 meeting]

Council reviewed the proposed Ordinance asking questions and making comments with Town Attorney Susan Goodwin in attendance. Some of those questions/comments were regarding gender reference; (page 5/item B) why respondent was removed from verbiage; some drafted internal procedures were written in to the code; code only covering public officials; "hearing officer" being a generic term, not legal term; (page 7/item C) wording discussion; civil sanctions versus criminal offense; no appeal process as hearing officer only makes a recommendation to Council; suing if not satisfied with findings or sanctions.

There was further discussion on the hearing officer selection; recommendation or selection of outcome by hearing officer; establishing qualifications for the hearing officer (experience in mediation or arbitration); how to recruit and select a hearing officer.

Public comment was taken on this item.

Ulys Brooks spoke on his training in mediation and reason for mediation is to get more than one party together to work on a solution. Hearing officer needs to NOT be related to the town.

Town Manager Kimball spoke on the wording of the last paragraph of the ordinance explaining she did not think the Council would want her to do this process; if council appoints the hearing officer then they would report to the Council which might be a conflict of interest. Council discussed having the Attorney do the legwork of finding a hearing officer. There was discussion on the differences between mediation and arbitration.

Council agreed to have the attorney handle the hearing officer recruitment with the ordinance being modified for (C) to reflect this change before the ordinance comes back to council for approval.

3.2. Report on conducting a Citizen Survey through the National Research Center and direction on a moving-forward plan. [Directed at the March 10, 2015 meeting]

Town Manager Kimball gave an overview, providing a sample in the packet. She asked Council for direction on whether to use the prior survey or a survey with changes; cost is higher than the \$5k budgeted; what is covered under the \$12k survey quote.

Council discussed what questions were more relevant to the town and would provide more valuable data to work with.

Council directed staff to obtain a quote to do the old 2009 baseline survey rather than the standard 2015 survey; determine the sample size and an alternate size cost.

3.3. Staff revisions on Principles of Sound Financial Management. Council Review and direction.

Town Manager Kimball spoke on why this is being brought to council for revisiting. She wants direction from Council on her comments and proposed changes provided on the document.

There was discussion on the challenges in implementing this document fully with limited staffing; modifying the code or the budget process as this document is to be used for the budget process; timelines in the POSFM are more restrictive than statutes require, but reason had to do with the previous election cycle being in Spring and now it is in the Fall; why the town does not impose impact fees now; reasons for this document to track and control finances, but with a small town that is already done through the Town Manager's office; auditor didn't think the town needed a CAFR due to a small town with a small budget and few services; suggested modifications are not major, just removing additional restrictions placed on staff.

Town Attorney Susan Goodwin left the meeting at 3:53 p.m.

Town Manager Kimball was directed to create the document with mark-ups showing her proposed changes, removing comments for council's review at a future meeting.

4. Comments from the Public.

None.

5. Adjourn. The meeting was adjourned at 4:01 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk



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

Syed 4/27/15 11:30pm

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: 5/5/15

Date of Request: 4/27/15

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):

Resolutions for League Conference

Purpose and Background Information (Detail of requested action).

To Determine if we want to submit any Resolutions for the league to work on

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: _____

Type of Presentation: Oral

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other: _____

Contact Person: Mayor Nolan

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.