

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR SESSION MINUTES
TUESDAY, APRIL 17, 2012, 6:30 P.M.**

A REGULAR SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, APRIL 17, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:34 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
 - 2.2. **Invocation.** Given by Councilmember John Dibble.
3. **Roll Call.** Town Council Members John Dibble, David Hiles, Dennis Repan, Denise Rogers, Nancy Wright (attended telephonically); Vice Mayor Mark McBrady; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.** Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

Mayor Nolan spoke on the Museum Fundraiser Event on April 14th.
5. **Town Manager's Report.** Update on Current Events.

Town Manager Yvonne Kimball spoke on two grants awarded recently: APS grant for the Butte Street Park for \$4000; and NACOG grant for a summer intern. She mentioned a letter she received from the Board of Adjustment Chair on being pleased with the variance hearing meeting.
6. **Consent Agenda.**
 - 6.1. **Minutes. Minutes from the April 3, 2012 Regular Council Meeting.**

Councilmember Repan made a motion to approve the minutes as presented, seconded by Councilmember Dibble. It was approved unanimously.
7. **Comments from the Public (on non-agendized items only).**

Chris Berry spoke on the museum fundraiser event on April 14th being a great success and raising approximately \$2000.

Jerry Brady spoke on the Yavapai County Intermodal plan, the total build-out estimates dropping, and how it will affect surface and air transportation and federal funds; he provided the Council with a war department study on the mine site.

Gary Mortimer spoke on working in cooperation with the town to increase tourism for the farm and the area.
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. **Kachina Place clarification.** Discussion and possible action.

Mayor Nolan gave an overview on the process to date. There was discussion on the history, cost and location of paving. Resident, Ellie Demesquita spoke to the Council on the prior maintenance done by the County and their documentation being turned over to

the town. There was more discussion on the priority given to the road; cost, details and proposed materials of the project; history of what has been done so far with Kachina Place; easements versus rights of way; concerns for setting a precedent for other private roads.

Councilmember Repan made a motion to move this into a work session, seconded by Councilmember Hiles.

Public comment was taken.

Jerry Brady spoke on similar problems with Henderson Road and the County's response; the County maintaining private roads to a minimum passable standard for school buses, and mail delivery; having property owners upgrade road to bring into town system.

Jack Hamilton spoke on paved roads increasing property values, other roads transitioned in to the town system; not paving Kachina Place; payment for the easement; this council not being locked into previous council's decisions; adding roads costing more to maintain.

Chris Berry spoke on valuable consideration in real estate law and having a legal contract.

Denise Vaughn read from the first paragraph on the easement document stating a \$5 valuable consideration. Councilmember Repan amended his motion to expand the work session to include easement discussion, Councilmember Hiles, the seconder, agreed to this amendment.

A vote was taken on the motion as amended, and it passed by a 4-3 vote in favor, Councilmember Rogers, Vice Mayor McBrady and Mayor Nolan voting against.

Town Manager Kimball explained she will invite the Town Attorney to be at the work session for this item. Vice Mayor McBrady recommended inviting the land owners involved, as well. There was discussion on the previous attorney developing the legal documents for this.

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

9.1. Strategic Community Partnership Grant (SCPG) Review of Applicants (Part I) - D-H Agua Fria Festival Committee, New Horizons, Sara Cares Foundation. Presentations by applicants and discussion.

Town Manager Kimball gave an overview on the SCPG process and listed the 6 applications received.

Chris Berry with Sara Cares Foundation spoke on his application; annual festival event will be a fundraiser to benefit the Dewey-Humboldt Historical Society's museum project. There was discussion on this being a non-profit helping a non-profit, how the monies raised would be administered, repayment of the grant to the town with profits of event, and the status of his 501C3.

Town Manager Kimball read the criteria checklist for determining eligibility of grant, and a recommendation by the Town Attorney to draw up a contract for these grants.

Public comment was taken on this item.

Naomi Rains stated the D-H Historical Society has designated officers who speak on behalf of the DHHS and Mr. Berry is not one of those so does not speak for the D-H Historical Society.

Jerry Brady spoke on the gift clause and needing a business and operation plan to determine benefit.

Mike Nathe with the Agua Fria Festival Committee spoke to the Council on the AFFC application. He explained they are again asking for \$5k for the festival and profits will be used to help build a sports park. He answered questions on event attendance and profit; and terms of agreement.

Public comment was taken on this item.

Jack Hamilton spoke against granting the AFFC, and on the \$7700 turned over to the town last year. He concurred with the Mayor to wait for the budget discussion before deciding any of these grant requests.

Liz Toone Director of the New Horizon Independent Living Center made a presentation to the Council on the work the non-profit is involved in: transportation for elderly and disabled. She spoke on their partnerships with other agencies and the need for funding in any amount, and the Center currently and continuing to provide assistance to residents in Dewey-Humboldt.

Public comment was taken on this item.

Jerry Brady spoke on the census report showing ½ of D-H residents falling under disadvantaged and qualifying for service. He spoke on the 5-year transportation study and locking in funds now.

9.2. Requesting more than one P&Z Meeting per month. [CAARF Request by CM Repan]

Councilmember Repan gave an overview on his request, explaining there is a lot of work to be done and a month's time between meetings requiring they reacquaint themselves with the issues at each meeting.

Bob Bowman, Chair of the P&Z Commission responded to these statements. He agreed to poll the commissioners to see if they were willing to meet more than once a month.

Town Manager Kimball explained there is no assigned staff person at this time for the P&Z Commission. CM Repan commented the commission is at their own discretion to look at various issues and do not need staff's research. Commissioner Bowman spoke on obtaining the Flagstaff sign code to review for reference on the town's sign code work. Mayor Nolan recommended training for the commission and explained Steve Mauk with Yavapai County might be able to provide it. There was discussion on the commission doing their own research rather than staff and concerns with their dependence on staff. Town Manager Kimball explained staff's mandatory involvement in those meetings on many levels.

Public comment was taken on this item.

Jack Hamilton spoke on the previous Town Manager creating the dependence on staff for research and the end product.

Jerry Brady spoke in support of Steve Mauk providing training to the commission as well as providing support on the new International codes which will need to be adopted.

Bob Bowman spoke on information received at the last APA Conference, to bring the town's codes into compliance with new legislation. Steve Mauk can help with this as well.

Councilmember Hiles stated his agreement with CM Repan's request for more P&Z meetings, involving the staff less in the meetings, with the commission making their own decisions.

Mayor Nolan reiterated that Chair Bowman will speak with the commission and come back to the council with their response.

10. Public Hearing Agenda.

10.1. Temporary Extension of Premises/Patio Permit Liquor License for Billy Jack's Saloon-N-Grill. Hearing, discussion and possible action.

The Public Hearing was opened at 8:50 p.m.

Jerry Brady spoke on Billy Jack's being long established, no law enforcement issues or health violations and supported approving the license.

Public Hearing was closed at 8:51 p.m.

Vice Mayor McBrady made a motion to approve the Temporary Extension of Premises/Patio Permit Liquor License for Billy Jack's Saloon-N-Grill, seconded by Councilmember Dibble. It was approved unanimously.

11. Comments from the Public.

Jerry Brady spoke on Henderson Road's roadway alignment problems and having a Federal UPAC (Unified Postal Address Codes) alignment done to improve the problem.

12. Adjourn. The meeting was adjourned at 8:55 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk