

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MINUTES
TUESDAY, NOVEMBER 13, 2012, 2:00 P.M.**

A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, NOVEMBER 13, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 2:00 p.m. Mayor Nolan presided.
2. **Roll Call.**
 - 2.1. **Town Council.** Town Council Members David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan were present.
3. **Study Agenda.** No legal action to be taken.
 - 3.1. **Audit Report.** Report by Deni Thompson, Accountant.

Accountant, Deni Thompson gave an overview of the audit report and gave a PowerPoint presentation. There was discussion on terms of asset depreciation. Ms. Thompson thanked Bernie Weigandt for how he had organized everything prior to her employment with the Town.
 - 3.2. **Intent to Bid: On Call Maintenance Services.** Discussion and possible direction.

Town Manager, Kimball spoke on the On-Call Maintenance Contract, with the intent to continue the current contract but looking for contractors more readily available and adding additional possible work. Mayor Nolan gave direction to put this out to bid.
4. **Special Session.** Legal Action can be taken.
 - 4.1. **Council Member Travel Policy.** Discussion and possible action.

Town Manager, Kimball gave an overview on this policy, explaining direction had been given to come back with a draft policy back in June. There was discussion on the new policy and how it was different from the current administrative regulation in place. TM Kimball explained the policy reflects the requirement for pre-approval for reimbursement.

Public comment was taken on this item.

Jack Hamilton asked for clarification on whether reimbursement can be made without pre-approval.

Jerry Brady spoke on State and Federal laws applicable to this and referencing those in the town's procedures.

The June meeting minutes were read for clarification on the exact direction. There was discussion on whether mandatory pre-approval was clarified in the policy. TM Kimball stated she would add "pre-approval" before "attending". Councilmember Hiles asked that 4.2 be rewritten to be more specific that "prior council approval is required". Whoever is attending ongoing meetings can get prior approval for a year's-worth of

meetings. TM Kimball stated she would do that. She will make these changes and bring it back at the next meeting for review.

4.2. IT Network Server Purchase. Discussion and possible action.

Mayor Nolan gave an overview, requires approval but approved in the budget.

There was discussion on whether they should purchase or lease the server, and whether there was any salvage in the old one. Deni Thompson explained the reasons for the decision to make the purchase rather than leasing and the benefits of the new server.

Public comment was taken on this item.

Jerry Brady spoke in support of this proposal and spoke on current server capacity.

Councilmember Wright asked about a problem earlier in the week with emails. Accountant Deni Thompson explained it was a different piece of equipment and spoke briefly on what that problem was about.

Mayor Nolan made a motion to direct staff to purchase the server, seconded by Councilmember Wright. It was approved unanimously.

4.3. Request cancellation of November 20th Council meeting for holiday travel. [CAARF Mayor Nolan] Discussion and possible action.

Mayor Nolan recommended cancelling the November 20th meeting. There was discussion on who wasn't planning on being at the meeting.

Mayor Nolan made a motion to cancel the November 20th meeting, seconded by Councilmember McBrady. The motion failed by a 2-4 vote, Councilmembers Hiles, Rogers, Wright and VM Repan voting against.

4.4. Discussion of the Invocation at the beginning of Council meetings. [CAARF VM Repan] Discussion and possible action.

Vice Mayor Repan asked why an invocation was not done at the last meeting. Mayor Nolan explained it was just his mistake and the normal invocation will continue. No action was taken.

4.5. Discussion on setting procedure for selection council person to fill current vacant council position. [CAARF VM Repan] Discussion and possible action.

Vice Mayor Repan explained his request to clarify the procedure prior to appointment for the selection of applicant. There was discussion on possible processes. Councilmember Wright spoke on how it happened in the past – different meeting for interviews (conducting them one at a time), with selection at a separate meeting. She suggested having the interviews on the morning of December 4th with the decision at the Regular Council meeting in the evening. Council discussed and agreed this was their preferred process, starting the interviews at 9:00 a.m.

Public comment was taken on this item.

Jack Hamilton suggested having the other applicants wait in another room, but asked for the interviews to be held in public.

Jerry Brady agreed with Mr. Hamilton's suggestion, and spoke on transparency in government.

There was discussion on Executive Sessions and public comment.

Councilmember Wright made a motion to hold the interviews in Open Session, seconded by Councilmember Hiles.

There was discussion on why to hold then in Open Session, whether to have standardized questions or random questions.

Councilmember Wright amended the motion to include turning off the camera and microphones and only using the recorder with other applicants not being in the room where interviews are being held. Secunder, CM Hiles agreed to the amendment to the motion. It was suggested having a ballot with the names on it, but no secret ballot.

The motion passed by a 4-2 vote in favor, Councilmember McBrady and Mayor Nolan voting against.

4.6. Discussion and possible direction to Staff and Magistrate to write an ordinance regarding barking dogs (or other pets), enforcement of code, and violation penalties. [CAARF CM Wright] Discussion and possible action.

Councilmember Wright gave an overview, explaining the code is not clear enough. Determine what standard to have enforced, and give direction to Town Manager to direct Public Safety Officers on what the town wants.

Judge Catherine Kelley explained she felt the town code is sufficient, and gives court flexibility. The Sheriff's office should enforce the town's standard and leave the decisions to the prosecutor to decide whether there is enough evidence.

There was discussion on the current procedure for barking dog complaints and establishing a clearer procedure.

Judge Kelley spoke on the current standard for determining if a violation has occurred and fines for a nuisance dog.

Public comment was taken on this item.

Jerry Brady spoke on this issue being in the paper recently and a uniform standard of law enforcement and referencing that standard.

Glendene Hamilton spoke on her personal situation regarding barking dogs; Sheriff's office feedback regarding the enforcement of Dewey-Humboldt town code; current requirements to submit a complaint.

Jack Hamilton spoke on town's involvement with the complaint process.

David Nystrom spoke on property rights; government assistance; and using caution in this process of developing a standard.

There was Council discussion on whether this should stay with the Sheriff's office or come to the Town Staff for management of cases.

Councilmember Wright made a motion to ask the Town Manager, Magistrate Judge, Prosecutor, and Lt. (D-H Police Chief) to get together to prepare a standard regarding

nuisance barking and bring it back to the Council by the end of January, seconded by Vice Mayor Repan. It was approved by a 5-1 vote in favor, Mayor Nolan voting against.

5. Comments from the Public.

Jerry Brady spoke on the town's computer telecommunications system being at risk from solar flares.

Jack Hamilton requested an agenda item be put on for a replacement for the WAC; and spoke on what can be done in Executive Session.

6. Adjourn.

The meeting was adjourned at 4:13 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk