

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

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 7, 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. Mayor Nolan presided.
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

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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.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk