

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
SPECIAL STUDY SESSION MINUTES  
TUESDAY, JUNE 10, 2014, 2:00 P.M.**

**A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JUNE 10, 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 2:03 p.m.

2. **Roll Call.**

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

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

**3.1. Scheduling of special meeting with Town Attorney to discuss Old Black Canyon Highway (direction made at the May 13 budget discussion meeting).**

Council agreed to schedule the meeting for the July 8<sup>th</sup> Work Session at 2:00 p.m. There was brief discussion on why this meeting was being scheduled.

4. **Special Session.** Legal Action can be taken.

**4.1. Revisit land donation made by Mr. Paul Manganella and reconsider Resolution No. 14-110 because of numbers of petitions received at Public Comment on June 3 2014.** (Mayor Nolan CAARF request) (Resolution 14-110 authorizing and directing the Town Manager and Town Attorney to obtain a legal description, preliminary title report and Phase I Environmental Site Assessment and take necessary actions preparatory to accepting a donation of real property for town park purposes).

Mayor Nolan gave an overview. Councilmember Hamilton gave his opinion on wanting to keep this in a public session.

Councilmember McBrady made a motion to go into Executive Session for this agenda item, seconded by Mayor Nolan. The motion failed by a tie vote, Councilmembers Hamilton, Repan and Wright voting against.

Councilmember Repan spoke on the need to change the General Plan if intending to put in a park.

Mayor Nolan gave an overview explaining the donation of land was with strings attached to make it into a park. He asked Mr. Manganella about the well on the property.

Mr. Manganella spoke on the drainage on the property; a promise from banks to donate for the park; well on the property is 500 feet deep, good drinking water and ½ gallon a minute.

Mayor Nolan asked Mr. Manganella if he was willing to donate the land without the park stipulation. Mr. Manganella explained his general intention if for the property to be made into a park.

Public comment was taken on this item.

Al Moody spoke on his opinion about the donation reasons; asked about a judgment fine extension; drainage on the property; town's expenses if accepting donation; damage

done to asphalt by Mr. Manganella. Mr. Moody asked about who would pay the fines and fees associated with the property and if fines and fees aren't paid it might be considered a bribe. He spoke on the chip seal work and which roads are being paved.

Jerry Piper circulated pictures of the property after the grading was done, to the Council; the legality of the lot; his opposition to the park in that location; okay to place a municipal building on the property; wanting peace and quiet up there.

Councilmember McBrady spoke on being cautious due to concerns with Mr. Manganella's legal issues. Councilmember Hamilton spoke on not wanting a park up in the Blue Hills. There was discussion on CM McBrady's disclosure that he contacted the attorney to talk about this with her. Councilmember Wright spoke on the majority of the public not wanting a park in that location and the General plan not addressing parks, and urged the council to decide now whether they want a park. Councilmember Repan spoke on the overwhelming negative response from neighbors about having a park in the Blue Hills.

Councilmember Repan made a motion to withdraw Resolution 14-110-Preparatory Actions to Accept Donation for Town Park Purposes (9449 E. Newtown Ave.), seconded by Councilmember Hamilton.

Councilmember Hamilton spoke on a possible ethics violation - McBrady contacting the Attorney without proper protocol being followed. Ms. Kimball explained the situation under which this occurred. Councilmember Hamilton withdrew his statement.

A vote was taken on the motion which passed by a 6-0 vote in favor.

**4.1.1. Recess into and hold an executive session** pursuant to A.R.S. § 38-431.03(A)(7) Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property located at 9449 E. Newtown Avenue (owner address 925 S. Wicklow Place) in Dewey-Humboldt.

Council did go into Executive Session by a vote.

**4.1.2. Reconvene into Regular Meeting.**

n/a – see above.

**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.

Council reviewed the meetings scheduled for this month. June 17 at 2:00 p.m. a special budget meeting will be held, a regular meeting on June 17<sup>th</sup> at 6:30 p.m. for the public hearing on final budget and adoption. Council reached consensus to add a June 24<sup>th</sup> meeting at the regular meeting time of 6:30 p.m., in order to adopt the budget before the end of the fiscal year.

## **5. Comments from the Public.**

Paul Manganella spoke on the location of the Newtown/PNF Trailhead to the property he is wanting to donate; benefits of donation to the town; who might donate to build the park. Mayor Nolan explained to Mr. Manganella that the council just decided to not accept the donation due to the park stipulation, but he thanked Mr. Manganella for his offer.

6. **Adjourn.** The meeting was adjourned at 2:50 p.m.

---

Terry Nolan, Mayor

ATTEST:

---

Judy Morgan, Town Clerk