

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
JULY 7, 2015, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JULY 7, 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 6:32 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; Vice Mayor Jack Hamilton; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Mayor Nolan announced the Volunteer of the Year picnic will be held on August 7th from 5-7pm.
5. **Town Manager's Report.** Update on Current Events.

Town Manager Kimball spoke on a DVD made, called "Legends of Whiskey Row" that used the Humboldt Station boardwalk for the depiction of "Turn of the century Prescott". A copy of the DVD was provided to the Town by Mr. Frisk.
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the April 30, 2015 Special Budget Meeting, May 5, 2015 Regular Meeting and May 12, 2015 Special Study Session.

Councilmember Wright made a motion to approve the April 30, 2015 Special Budget Meeting, May 5, 2015 Regular Meeting and May 12, 2015 Special Study Session minutes, as presented. Councilmember Repan seconded the motion and it passed by a unanimous vote in favor.
 - 6.2. **Notice of Intention to establish a \$750 non-refundable application fee for Right-of-Way Vacation applications and direct the Town Clerk to publish as required by law.** Possible council declaration of the intention to establish the fee (directed at the June 9, 2015 meeting).

Town Manager Kimball gave an overview of the process to date and explained a declaration of intention to establish a fee and publish as required by state law. A formal resolution will need to be adopted with this scheduled for the first meeting in September.

Vice Mayor Hamilton made a motion to accept the declaration intention to establish the fee and direct the Town Clerk to publish by law, seconded by CM Wright. It was approved unanimously.
7. **Comments from the Public (on non-agendized items only).**

Jerry Brady spoke on GIS public land management information.
8. **Public Hearing Agenda.**
 - 8.1. **Public Hearing on the FY2015-16 Budget.**

The public hearing was opened at 6:47 p.m.

Earl Goodwin spoke on increasing town services; using more of the town funds rather than banking it for emergencies; recommended they set a work session to discuss a plan for these funds and if not spending the money, then reducing the sales tax.

Jerry Brady spoke on state funding, using these monies for infrastructure, roads, etc., reduction of debt or building reserves.

Paul Manganella spoke against supporting the museum but suggested building a museum on the town's land.

Public hearing was closed at 6:53 p.m.

9. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

9.1. Resolution 15-117 to adopt the FY15-16 Budget in the amount of \$3,978,062 in total expenditure in all funds. (Budget document posted separately online) Discussion and possible adoption, rejection and/or postponing adoption.

Mayor Nolan recommended increasing the amount paid to Dewey-Humboldt Historical Society (DHHS) for museum rent to \$600 per month.

There was discussion on what amount was budgeted for elections, in the event a recall election is called.

Mayor Nolan made a motion to approve increasing the funding to the DHHS for museum rent of \$600 per month, seconded by CM McBrady.

There was discussion on the recall effort and the perceived connection to the Dewey-Humboldt Historical Society; supporting the museum effort but with a path toward self-sufficiency; whether the DHHS is backing the recall effort or if it is just an individual; whether to consider decreasing the town's support for the museum rent.

Public comment was taken on this item.

Jerry Brady spoke on the election process for recall; General Development Comprehensive Plan for the County; importance of history-based tourism for this region; Intermodal Transportation plan; funding for the town's use.

Earl Goodwin spoke on decisions made to support certain services such as the library and museum; staying out of the museum's business but contributing to it as a community based non-profit group; considering contribution to museum rather than "reimbursing their rent".

Bart Brush spoke in support of the Council's continued financial support for the museum.

Jerry Brady spoke on funding for museum if done through the town.

Bart Brush spoke on the progress of the museum over the last three years and its fundraising efforts.

Councilmember Repan spoke on the Council's desire to wean the DHHS off from public funds, and then a recall effort is being done by an executive member of the DHHS. He spoke on keeping a reserve for a rainy day to safeguard against economic fluctuations and stated he is not being able to vote on this issue at all right now.

There was discussion on funding other non-profits; cost for a recall election; whether the DHHS is being punished for one man's recall effort.

CM Repan spoke on a recent decision by GPREP to not accept a reduction in contributions by any government entity for membership and a decision will probably need to be made before the end of the year whether to stay in or get out of this membership.

A vote was taken on the motion to approve increasing funding to DHHS for museum rent of \$600 per month. The motion failed by a 2-5 vote, Councilmembers Alen, Repan, Treadway, Wright and Vice Mayor Hamilton voting against.

Mayor Nolan spoke on giving staff raises up to 5% (combined COLA and merit). There was discussion on the prior decision to allow a pool of money for a bonus rather than a merit raise and approving a COLA raise of 1.75%; whether to open the budget back up for modifications or to keep it as is.

Mayor Nolan made a motion to increase the salary raises for staff up to 5%. The motion failed for lack of a second.

Vice Mayor Hamilton spoke on meeting protocol rules not allowing opening the meeting back up to the public for comments. Mayor Nolan stated he was chairing the meeting and would allow more discussion as the code is not clear on this. VM Hamilton stated he would file another ethics complaint against the mayor. VM Hamilton called a point of order. A vote was taken on this which passed by a 6-1 vote in favor, Mayor Nolan voting against.

VM Hamilton called a point of order to follow the code that says the public speaks one time on the issue before the council, and the discussion is on the resolution to adopt the budget. It passed by a 5-2 vote in favor, CM McBrady and Mayor Nolan voting against.

Vice Mayor Hamilton spoke on adopting the budget as it is with the option of amending it at a later date.

Jerry Brady called a point of order stating accountability standards, not adopting the budget as a whole; if the Council is not performing its fiduciary duties it is a felony.

Vice Mayor Hamilton called a point of order on the public comment by Jerry Brady.

Jerry Brady stated this could be referred to the Attorney General for his opinion.

Vice Mayor Hamilton stated Mayor Nolan was in violation of the town code as a point of order can only be raised by the public body. Mayor Nolan explained he is chairing the meeting and wants to listen to the public on issues.

Town Manager Kimball explained the discussion is not related to the budget and asked for Council to resume budget discussion.

Councilmember Repan pointed out a grammatical error on the resolution (2014 reference should be changed to 2015). TM Kimball explained that would be corrected.

Councilmember Treadway made a motion to adopt the FY 2015-16 Budget (in the amount of \$3,978,062 in total expenditure in all funds) as presented through resolution 15-117, seconded by Vice Mayor Hamilton. It was approved by a 5-2 vote in favor, Council members McBrady and Wright voting against.

Town Manager Kimball asked for and received clarification on two items regarding the budget as was discussed at this meeting: COLA is 1.75%; one-time bonus will be used as a management tool at the Town Manager's discretion to distribute, and the Town Manager's bonus is at the Council's discretion.

9.2. To appoint a Council Member to the (AMRRP) Risk Fund Committee. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview and asked if any Council was interested in being nominated.

There was discussion on whether a staff member or a Council member should be on the committee; advisory committee versus board of trustees with the board containing elected officials and staff members.

Councilmember Alen stated she would be willing to do it if there is an opening.

Councilmember Wright made a motion to provide CM Alen's name as a nominee to the committee, seconded by CM Repan. It was approved unanimously.

Town Manager Kimball asked if the Mayor will prepare the nomination paper and CM Alen would need to provide a one paragraph bio to submit with the paper. Staff will prepare the nomination notification.

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

10.1. Transaction Privilege Tax (TPT) Collection Intergovernmental Agreement (IGA) with Arizona Department of Revenue (ADOR). Possible approval, modification or rejection.

Councilmember Repan made a motion to accept the Transaction Privilege Tax (TPT) Collection Intergovernmental Agreement (IGA) with Arizona Department of Revenue (ADOR), seconded by CM Alen. It was approved unanimously.

10.2. IGA with Yavapai County Flood Control District for FY 2015-16 drainage project. Possible approval, modification or rejection.

Councilmember Wright made a motion to approve the IGA with Yavapai County Flood Control District as presented, seconded by CM Treadway. It was approved unanimously.

10.3. Nomination of designated representative and alternate to NACOG for new Fiscal Year. [Letter from Chris Fetzer/NACOG regarding annual designation of representative to NACOG]

Mayor Nolan gave an overview and then nominated Councilmember Doug Treadway, who accepted the nomination. Councilmember Wright (the current representative to NACOG) explained she had asked to have this on the agenda as she does not wish to continue on as the representative due to the time commitment involved.

Mayor Nolan made a motion to nominate Councilmember Doug Treadway as the designated representative to NACOG for the new Fiscal Year, seconded by CM McBrady. It was approved unanimously.

Councilmember Wright explained there are only 5 meetings a year. Mayor Nolan spoke on choosing an alternate to NACOG also. Mayor Nolan nominated Councilmember Repan as alternate to NACOG. CM Repan accepted the nomination.

Mayor Nolan made a motion to designate Councilmember Dennis Repan as the alternate representative to NACOG for the new Fiscal Year, seconded by CM Wright. It was approved unanimously.

10.4. Renewal of the Franchise Agreement with Cable One for the period from July 2015 to July 2025. Possible approval, modification or rejection.

Mayor Nolan made a motion to approve the Renewal of the Franchise Agreement with Cable One for the period from July 2015 to July 2025, as presented. Councilmember McBrady seconded the motion. It was approved unanimously.

10.5. Discussion and possible action on cancelling all Town Council meetings for the Month of August. [CAARF requested by CM Wright]

Councilmember Wright gave an overview explaining her suggestion. Council reviewed those items scheduled for Council meetings in August and considered the timeliness of them; the need to change the town code if considering permanently not holding meetings in August; cancelling the August 18th Regular Council meeting as the Council will be attending the League Conference.

Vice Mayor Hamilton made a motion to approve cancelling the August 18th Regular Council meeting due to the League Conference, seconded by Councilmember Wright. It was approved unanimously.

10.6. Consideration to apply for a Fire Break on the West side of Town. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his request explaining last year they were not granted funding for this request but they could re-apply for this year, as he heard money will be available. There were questions on whether this was a reimbursement grant and if it needed a NEPA study.

Public comment was taken on this item.

Jerry Brady spoke on a firebreak (fire protection) being part of the funding for the trailhead, which will reduce costs and better utilize funding.

Mayor Nolan made a motion to approve applying for a grant for a firebreak, seconded by Councilmember Treadway. It was approved unanimously.

Town Manager Kimball asked for clarification for expectations of staff. Once the application comes out then staff will move forward on applying for the grant, but not until then.

11. Comments from the Public.

Jerry Brady spoke on fire protection on private lands; changes to the way you apply for firebreak grants; funding in August for these grants.

12. Adjourn.

The meeting was adjourned at 8:38 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk