

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
OCTOBER 20, 2015, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 20, 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. 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 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.** 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. **Tax Credit Giving Month Proclamation.**

The proclamation was read by Mayor Nolan.
 - 4.2. **Arizona Cities and Towns Week – October 18-24, 2015, Proclamation.**

The proclamation was ready by Mayor Nolan.
5. **Town Manager’s Report.** Update on Current Events.

Town Manager Kimball announced a Domestic Water Workshop being held at the Humboldt Elementary School, put on by the University of Arizona Extension program (Saturday, October 24th at 10 am).
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the September 1, 2015 Regular meeting and September 8, 2015 Work Session.

Councilmember Repan made a motion to approve the September 1, 2015 Regular meeting minutes and September 8, 2015 Work Session minutes, as presented. The motion was seconded by Vice Mayor Hamilton and approved unanimously.
7. **Comments from the Public (on non-agendized items only).** None.
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. **Possible action on Proposed Citizen Survey Questionnaire.** (Continued from the September 29, 2015 Special Study Session and October 13, 2015 Work Session)

Town Manager Kimball gave a background review on the survey questionnaire process to date, explaining Alex Wright has made some suggestions and wants the Council to review these and provide feedback. Ms. Alex Wright was not able to attend this meeting.

Mayor Nolan made a motion to hold this agenda item until the November 3rd meeting when Ms. A. Wright is available to be in attendance and the public will have a chance to review the materials, as well. Vice Mayor Hamilton seconded the motion. The motion failed by a

3-4 vote in favor, Councilmembers Alen, Repan, Wright and Vice Mayor Hamilton voting against.

Council proceeded with reviewing the proposed suggestions.

Vice Mayor Hamilton made a motion to leave survey question #16 as is (without Ms. Wright's suggestion), seconded by Councilmember Repan. The motion failed by a 3-4 vote, Councilmembers Alen, McBrady, Treadway and Mayor Nolan voting against.

Mayor Nolan made a motion to allow Alex Wright to clarify survey question #16 as she suggests, seconded by Councilmember Alen. It was approved unanimously.

Councilmember Repan made a motion to leave survey question #40 as edited at the October 13th meeting (tax dollars), seconded by Councilmember Nancy Wright. The motion failed by a 3-4 vote, Councilmembers Alen, McBrady, Treadway and Mayor Nolan voting against.

Councilmember Alen made a motion to send the survey back to Alex Wright and ask her to rewrite the highlighted items in the final format that she would like it to be in and bring it back as a contrast at the next regular meeting, seconded by CM Repan. It was approved unanimously.

8.2. Discussion and possible action or direction related to the Lease Agreement for Town Hall. 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.

Councilmember Repan made a motion to not go into Executive Session on this agenda item, seconded by CM Alen. Councilmember McBrady recused himself from this agenda item. It was approved by a 5-1-1 vote in favor, Mayor Nolan voting against and CM McBrady recusing himself from the vote.

Town Attorney Susan Goodwin was present and reviewed the lease agreement with the Council. She explained it has been agreed to by the landlord. Change to the lease is: base rent is the same, but collapsed it into one amount. Town to pay \$400 in a proportionate share of property taxes. This lease is for a 2-year term with 2 1-year extensions at the option of the town. She explained there were two typographical corrections she would make: 1. Second line – Suites 5, 10A, 11 (not 1)...; 2A sixth line – wording not correct and will reword to something like, "exercise the option to extend...". There was discussion on the repairs and maintenance (listed in the lease). She spoke on some corrections to the document. She will make those corrections.

Landlord Mark McBrady spoke on his behalf explaining the cost for property taxes and not having charged for those in the past. He spoke on units 13 and 14 being part of the same exterior, which is stained wood rather than paint and would like the wording changed to not include #13 for painting.

Vice Mayor Hamilton made a motion to approve the agreement with the two typo corrections the attorney agreed to make, and to modify paragraph C to not paint units #13 or #14. The motion was seconded by Councilmember Repan and approved unanimously (6-0-1 vote with CM McBrady being recused).

Town Manager Kimball clarified the amount for lease each month will be \$4418, with an additional 2% rental sales tax.

Councilmember Mark McBrady returned to the dais.

8.2.1. 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 Lease Agreement for the Town Hall located at 2735 S. Highway 69, Dewey-Humboldt, Arizona.

Council did not go into Executive Session but discussed 8.2 in open session instead.

8.2.2. Reconvene Regular Meeting. N/A

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

9.1. On-call Maintenance Contractor Contract Award.

Ed Hanks, Public Works Supervisor, gave an overview explaining it had been two years since the last on-call contractor agreement, and 1 bid was received. He spoke on increases in pricing over the last 3 years being in materials and personnel costs. He gave examples of when this service would be needed.

Vice Mayor Hamilton made a motion to approve the Earth Resources Corporation On-Call Maintenance Agreement, seconded by CM Repan. It was approved unanimously.

9.2. To Release the Council-Client Privilege on the Animal Control Ordinance Memo from the Town Attorney. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview, explaining he thought it was important to release this information to the public.

Councilmember Repan made a motion to approve releasing the Council-Client Privilege on the Animal Control Ordinance Memo (September 8th) from the Town Attorney, seconded by CM Treadway. It was approved unanimously.

Town Manager Kimball explained this item is tentatively scheduled for discussion on the November 10th Work Session.

9.3. Request Mayor's attendance at the Rural Transportation Summit. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview on his request explaining that CYMPO is requesting his attendance at the Summit, being held January 12-15th.

There was discussion on the content of the summit and Council requested a report by the Mayor on what he learned that benefits the Town of Dewey-Humboldt. Some Council members indicated they would like this report soon following the summit, rather than waiting for the annual report by the Mayor. Mayor Nolan spoke on following the town code regarding this matter (reports).

Mayor Nolan made a motion to authorize sending the Mayor to the Rural Transportation Summit, seconded by CM McBrady. It was approved by a 5-2 vote in favor, Councilmembers Repan and Wright voting against.

9.4. Approve Presentation of Brief Update on Yavapai College for November 3rd. [CAARF requested by Mayor Nolan sponsoring presentation request from Yavapai College-Barbara Robinson)

Mayor Nolan gave an overview of a request by Yavapai College to come to a council meeting to give an update on the College. Council reviewed the workload on the November 3rd meeting.

Mayor Nolan made a motion to approve allowing the presentation by Yavapai College giving a brief update at the November 3rd Council meeting, seconded by Vice Mayor Hamilton. It was approved by a 6-1 vote in favor, Councilmember Repan voting against.

Mayor Nolan explained he would not be at that meeting. He asked Council to make a recommendation of placing the new proposed science facility campus on the State property off 169 and Outback Road. Vice Mayor Hamilton thought this might not be an agendized subject matter. Town Attorney Goodwin explained it could be a consideration of the college and would be within Open Meeting Law at the presentation.

9.5. [Consideration of whether] Controversial proclamations must be approved by a majority of the Council before they are issued. [CAARF requested by VM Hamilton]

Vice Mayor Hamilton gave an overview on his agenda item, explaining he wanted to hear from Council whether they feel they need a policy on controversial proclamations. There was discussion on the one controversial proclamation recently. Mayor Nolan explained proclamations are from the Mayor not the Council. There was discussion on the cost to make town code changes. Town Attorney Susan Goodwin explained it is up to the Council if they want to come up with a procedure for proclamations.

Vice Mayor Hamilton made a motion to table this for now, but it could be readdressed in the future, seconded by Councilmember McBrady. It was approved unanimously.

9.6. Whether to support Senator Pierce's letter to Governor Ducey regarding Forest and Watershed Restoration. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview. There was discussion on this issue; the Governor's support of this issue during his candidacy; general concept support but concerns there is more than meets the eye.

Vice Mayor Hamilton made a motion to approve having the Mayor sign Senator Pierce's letter to Governor Ducey regarding Forest Watershed Restoration, seconded by Mayor Nolan. The motion failed by a 3-4 vote, Councilmembers Alen, Repan, Treadway and Wright voting against.

10. Public Hearing Agenda. None.

11. Adjourn. The meeting was adjourned at 8:44 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk