

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR MEETING MINUTES  
APRIL 5, 2016, 6:30 P.M.**

**A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, APRIL 5, 2016, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. VICE MAYOR DOUG TREADWAY PRESIDED.**

1. **Call To Order.** The meeting was called to order at 6:33 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, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway were present. Mayor Terry Nolan was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**
  - 4.1. **Submarine Veterans' Day 2016 Proclamation and presentation by John Dudas.**

Vice Mayor Treadway read the proclamation regarding Submarine Veterans' Day 2016. He introduced John Dudas. Mr. Dudas gave a presentation on the history of the U.S. Submarine Force and introduced the other Submarine Veterans in the audience.

Tom Warren announced a special "Tolling the Boats" event on April 18, 2016 at noon, at the Prescott Valley Military Memorial and invited the public to attend.
  - 4.2. **Fair Housing Proclamation.**

Vice Mayor Treadway read the Fair Housing Proclamation encouraging people in Dewey-Humboldt to comply with the Fair Housing Law.
5. **Town Manager's Report.**

Town Manager Yvonne Kimball spoke on the replacement purchase of a truck for the Public Works Department. She spoke on the preliminary Citizen Survey report coming out later in the week.
6. **Consent Agenda.**
  - 6.1. **Minutes.** Minutes from the February 2, 2016 Regular Council Meeting, February 8, 2016 Study Session, February 16, 2016 Regular Council Meeting, February 23, 2016 Special Session, March 1, 2016 Regular Council Meeting, March 8, 2016 Study Session, March 15, 2016 Special Session, and March 15, 2016 Regular Meeting.

Councilmember Hamilton made a motion to accept the Consent Agenda as presented (Minutes from the February 2, 2016 Regular Council Meeting, February 8, 2016 Study Session, February 16, 2016 Regular Council Meeting, February 23, 2016 Special Session, March 1, 2016 Regular Council Meeting, March 8, 2016 Study Session, March 15, 2016 Special Session, and March 15, 2016 Regular Meeting), seconded by CM Alen. It was 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. Mortimer Family Farm petition for Town to apply for a USDA business development grant on their behalf and Council re-direction if necessary.** (As directed at the March 15<sup>th</sup> Council meeting)

Vice Mayor Treadway stated the Town heard back that Mortimer Farms is not interested in pursuing the USDA grant.

**8.2. Discussion and possible appointment of applicant(s) to the position of Town Attorney.** Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purpose. When the Executive Session ends, Council may act on any matter considered on the agenda.

Councilmember Hamilton made a motion to move the 8.2. Executive Session to the end of the meeting. It was seconded by CM Wright and approved unanimously.

**8.2.1. Recess into and hold an Executive Session** pursuant to A.R.S. 38-431.03 (A)(1) Discussion or consideration of selection of one of the following firms: Sims Murray, Ltd., Musgrove Drutz Kack & Flack, PC., Gust Rosenfeld PLC., to the position of Town Attorney.

**8.2.2. Reconvene Open Session.**

**8.3. Ordinance 16-125 to amend Town Code Section 30.105 Council Agenda.** (As directed at the February 9<sup>th</sup> Work Session). Possible adoption, rejection and/or modification.

Councilmember Repan made a motion to approve Ordinance 16-125 amending Town Code Section 30.105 Council Agenda, as presented. It was seconded by CM Alen and approved by a 5-1 vote in favor, Councilmember McBrady voting against.

**8.4. Ordinance 16-126 to amend Town Code Section 30.019 Protocol at meetings.** (As directed at the February 9<sup>th</sup> Work Session). Possible adoption, rejection and/or modification.

Councilmember Repan made a motion to approve Ordinance 16-126 amending Town Code Section 30.019 Protocol at meetings, as presented. It was seconded by CM Hamilton and approved by a 5-1 vote in favor, Councilmember McBrady voting against.

**8.5. Ordinance 16-127 to amend Town Code Section 31.17 Appointments.** (As directed at the February 9<sup>th</sup> Work Session). Possible adoption, rejection and/or modification.

Councilmember Repan made a motion to approve Ordinance 16-127 amending Town Code Section 31.17 Appointments, as presented. It was seconded by CM Hamilton.

Public comment was taken on this item.

Victoria Wendt spoke against the proposed background check and fingerprinting requirement for applicants to the Commission and Committees, stating it was too stringent and would deter volunteers.

A vote was taken on the motion and was approved by a 5-1 vote in favor, Councilmember McBrady voting against.

**8.6. Council Policy on Public Body Member Recognition.** (As directed at the January 12 meeting). Possible adoption, rejection and/or modification.

Councilmember Wright recommending changing the policy to reflect current practices, providing a plaque to outgoing Council, and correct the spelling of plaque; include start

and end dates for service; put the Committee, Commission portion of policy on another meeting to rewrite, removing financial references. Council agreed.

**8.7. Administrative Regulation for Employee Recognition.** (As directed at the January 12 meeting). Possible adoption, rejection and/or modification.

Councilmember Hamilton suggested keeping the monetary award but have the Town Manager present rather than the Mayor. Councilmember Wright commented that it needs to be noted how to award the Town Manager. Town Manager Kimball stated she will take care of those things.

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

**9.1. Ordinance 16-128 to amend Town Code Section 30.046 Optional Procedure for Municipal Elections.** Possible adoption, rejection and/or modification.

Town Clerk Judy Morgan gave an overview of the purpose for the Attorney initiated ordinance.

Councilmember Hamilton made a motion to approve Ordinance 16-128 amending Town Code Section 30.046 Optional Procedure for Municipal Elections, as presented. It was seconded by CM Repan and approved unanimously (6-0).

**9.2. To allow the Down-winders organization to make a presentation to the council and community.** [CAARF requested by Mayor Nolan]

Vice Mayor Treadway gave an overview and made the recommendation to approve this presentation and proclamation.

Councilmember Repan made a motion to approve the Down-winders organization making a presentation to the Council and Community, seconded by CM Alen. It was approved unanimously (6-0).

**9.3. Ethics Hearing decision (Ethics Complaint - Piper v. Alen) to Council.**

Councilmember Repan spoke on this agenda item and wanting this to be on an Executive Session rather than the open session. There was discussion on this.

CM Repan made a motion to put this on an Executive Session at this meeting. Motion failed for lack of a second.

CM Hamilton made a motion to table this until after CM Alen's CAARF is heard at an upcoming meeting (regarding the Ethics Hearing Process - modifications to process). It was seconded by CM McBrady and approved by a 5-1 vote in favor, CM Alen abstaining from the vote.

**10. Public Hearing Agenda.** None.

**8.2. Discussion and possible appointment of applicant(s) to the position of Town Attorney.**

Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purpose. When the Executive Session ends, Council may act on any matter considered on the agenda.

Councilmember Hamilton made a motion to recess into and hold an Executive Session for discussion or consideration of one of the following firms: Sims Murray, Ltd., Musgrove Drutz Kack & Flack, PC., Gust Rosenfeld PLC., to the position of Town Attorney. It was seconded by CM Wright and approved unanimously.

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Kack & Flack, PC., Gust Rosenfeld PLC., to the position of Town Attorney. It was seconded by CM Wright and approved unanimously.

**8.2.1. Recess into and hold an Executive Session** pursuant to A.R.S. 38-431.03 (A)(1)  
Discussion or consideration of selection of one of the following firms: Sims Murray, Ltd., Musgrove Drutz Kack & Flack, PC., Gust Rosenfeld PLC., to the position of Town Attorney.

Council recessed into Executive Session at 7:15 p.m.

**8.2.1. Reconvene Open Session.**

Council reconvened into open session at 8:07 p.m. Vice Mayor Treadway stated staff has direction on how to proceed with no decision to be made by council this evening.

**11. Adjourn.** The meeting was adjourned at 8:09 p.m.

  
Terry Nolan, Mayor

ATTEST:

  
Judy Morgan, Town Clerk