

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

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JULY 5, 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 Arlene Alen, Jack Hamilton, Dennis Repan, Nancy Wright; and Mayor Terry Nolan were present. Council Member Mark McBrady and Vice Mayor Doug Treadway were absent.
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.

Mayor Nolan thanked the Town Staff, in particular, Town Clerk Judy Morgan, for her efforts in upgrading the Council Chambers' audio system.

Victoria J. Wendt introduced Isaac Shumway as working on a Boy Scout citizenship badge. Isaac Shumway spoke on what the requirements were to attain the badge.

5. **Town Manager's Report.** Update on Current Events.
 - 5.1 **Town logo and slogan – State Trademark process update.**

Town Manager Kimball gave an overview on what Council approved on the trademark and slogan. Town Council desired trademarks for the logo and slogan. The State has been accomplished. Federal level applies only to the slogan, not the logo. The Town Attorney will proceed with the Federal application on the Town slogan.

Councilmember Hamilton asked about Council direction and if it included the Federal. He believed that the Council had chosen to not pursue Federal level due to the cost.

TM Kimball will check on this, and if Federal level was not desired, she will stop that process. Councilmember Repan thought that the instruction was just the state level. Councilmember Alen spoke on it being moot, since the logo apparently can't be trademarked federally. CM Alen thought it would be cost-prohibitive to pursue the Federal level.

- 5.2 **Main St./SR 69 traffic light dedication ceremony scheduling.**

Town Manager Kimball gave an overview of the traffic light work, with the anticipated timeline for completion estimated to be mid-July and shared that ADOT District Engineer Alvin Stump would like to attend the dedication ceremony. There was further Council discussion regarding testing, start-up date, and the parties strategic to the completion of the project, to be included in the dedication, as well as possible dates for the ceremony.

6. **Consent Agenda.**

6.1. Minutes. Minutes from the April 26, 2016 Special Budget Workshop #1 Meeting.

There was a motion to approve the minutes of the April 26, 2016, Special Budget Workshop #1 Meeting made by Councilmember Alen, seconded by Councilmember Hamilton, and approved unanimously.

7. Comments from the Public (on non-agendized items only). None

8. Discussion Agenda – Unfinished Business.

8.1. Discussion and possible adoption of Resolution No. 16-122 to authorize the acquisition, by condemnation, purchase or donation of real property located at 13101 E. Phoenix Street, Dewey-Humboldt, Arizona. (continued from the June 21 meeting).

Councilmember Hamilton made a motion to defer Agenda Item 8.1 until after Item 9.3 on the agenda, seconded by Councilmember Alen, approved unanimously.

8.2 To accept or reject the results of the Citizens Survey as presented to Council. [CAARF requested by CM Repan]

Councilmember Repan gave an overview of his CAARF pointing out that there was a motion to accept the Citizens Survey so payment could be made on the bill, but that there was to be further Council discussion on whether to accept the Survey or not.

Mayor Nolan inquired if there was a bill submitted for this work.

Town Manager Kimball shared that the original invoice was to have been for \$8,500 but Ms. Wright issued a credit reducing the invoice to \$7,500 and this invoice was payable to Yavapai College.

There was Council discussion about the acceptance or rejection of the survey and possible delay on a motion until there was full Council.

Mayor Nolan made a motion to hold off until there was a full Council to vote on it, seconded by Councilmember Alen, approved unanimously.

TM Kimball reminded Council that Ms. Wright was to come back in July to update Council on the survey but had a conflict that prevented her attendance.

There was further Council discussion regarding whether there was an issue left outstanding by Ms. Wright, as well as the need to either accept or reject the report having a bearing on the need to have Ms. Wright come back. Council directed TM Kimball to check and see if there was an issue that required Ms. Wright's clarification and attendance at another meeting.

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

9.1. Three Public Body Policies/Procedure Guidelines {as the result of the resolution codification correction process}. (As directed at June 21, 2016, Council meeting)
Discussion and possible approval.

9.1.1. PG TC 16-02 Policy Mirroring Resolution 07-35 Allowing Firearms at Town Hall.

Mayor Nolan read the policy.

Councilmember Hamilton made a motion to approve PG TC 16-02 Policy Mirroring Resolution 07-35 Allowing Firearms at Town Hall, seconded by Councilmember Alen.

Mayor Nolan called for Public Comment, there was none.

The motion was approved unanimously.

9.1.2. PG TC 16-03 Policy Mirroring Resolution 08-56 National Incident Management System (NIMS) Training for Public Officials.

Councilmember Hamilton made a motion to approve PG TC 16-03 Policy Mirroring Resolution 08-56 National Incident Management System (NIMS) Training for Public Officials, seconded by Councilmember Repan.

Mayor Nolan called for Public Comment.

Public Comment – Victoria J. Wendt asked for clarification on what exactly the NIMS training is, if it is new or if it was an annual training.

Mayor Nolan gave an overview of the training.

The motion was approved unanimously.

9.1.3. PG TC 16-04 Policy Mirroring Resolution 08-62 Records Retention and Disposition Schedule.

Town Clerk Judy Morgan gave an overview of the current retention schedule, which is Arizona State Library and Public Records' established schedule.

Councilmember Repan made a motion to adopt PG TC 16-04 Policy Mirroring Resolution 08-62 Records Retention and Disposition Schedule, seconded by Councilmember Hamilton.

Mayor Nolan called for Public Comment, there was none.

The motion passed unanimously.

9.2. Gain consensus on council opinion for response letter to Senator McCain as requested by his staff post the EPA response to Sen. McCain's letter on behalf of D-H to be written by staff. [CAARF requested by CM Alen]

Mayor Nolan gave an overview of the item. Mayor Nolan felt in his opinion that the EPA letter was boilerplate.

Councilmember Alen spoke to Senator McCain's office and their feeling, as well, was that this was a boilerplate letter and are waiting to hear from Town Council for further direction.

Councilmember Repan recommended that this matter be moved to a work study when all Council Members are present.

Councilmember Alen agreed that this should be moved to a work session.

There was discussion regarding future meeting agendas and Council Member schedules. There was Council consensus to address this item at the August 9, 2016, Work Session.

9.3. To discuss and take action on the letter we received from the EPA. [CAARF requested by Mayor Nolan]

Mayor Nolan addressed his CAARF under Agenda Item 9.2.

Mayor Nolan explained that the Council would now be moving to Executive Session.

8.1 Discussion and possible adoption of Resolution No. 16-122 to authorize the acquisition, by condemnation, purchase or donation of real property located at

13101 E. Phoenix Street, Dewey-Humboldt, Arizona. (continued from the June 21 meeting).

Councilmember Hamilton made a motion to defer Agenda Item 8.1 until after Item 9.3 on the agenda, seconded by Councilmember Alen, approved unanimously.

8.1.1 Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding contemplated litigation to acquire property located at 13101 E. Phoenix, Street, Dewey-Humboldt, Arizona; and 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 purchase of such real property.

Councilmember Repan made a motion to recess into and hold an executive session for the purpose stated under this agenda item. It was seconded by CM Hamilton and approved unanimously. Council recessed into executive session at 7:23 p.m.

8.1.2 Reconvene into Open Session.

The Council reconvened to Open Session at 7:50 p.m.

Mayor Nolan noted that at this time the resolution would not take effect. Council will not look at condemnation at this time.

Councilmember Hamilton made a motion that the Council would not pursue condemnation of the property. Mayor Nolan did not feel a motion was required as the Council was no taking action. Mayor Nolan restated Mr. Hamilton's motion and asked for a second. Councilmember Wright seconded the motion. Councilmember Hamilton asked the Town Clerk to read his motion. The Town Clerk restated the motion. Mayor Nolan called for a vote. The motion passed unanimously.

10. Public Hearing Agenda. None

11. Adjourn. The Meeting adjourned at 7:55 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk