

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION MINUTES
JUNE 13, 2017, 6:30 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JUNE 13, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 6:32 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor Mark McBrady, and Mayor Terry Nolan were present. Vice Mayor McBrady was absent.
3. **Study Session.** No legal action to be taken.

3.1. Presentation by Debby Pomeroy to propose potential changes to Town Code Title IX, Chapter 90 Animals and possibly other related sections of code.
[CAARF/Presentation request approved by Council on 5/2/17]

Mayor Nolan introduced this item and gave an overview of Councilmember Wendt's CAARF including Ms. Pomeroy's credentials.

Councilmember Wendt explained the purpose of her CAARF as having been approached (by citizens) and Council has been dealing with the Animal Ordinances for over two years and there is a lot of confusion in this. She selected Ms. Pomeroy based on her expertise, especially, pertaining to dogs. They have revised the ordinances to separate the livestock from the dogs.

Ms. Pomeroy spoke of other communities that are pursuing the separation of livestock and dogs. For example, Chino Valley has to call the Livestock Inspectors for any issues of this nature, if it is wildlife they have to call Fish & Game. This is the main reason for pulling this apart. She also spoke of the dog barking issue in reference to the existing animal ordinance. She spoke of wanting to put in a time limit, such as five minutes of barking before a neighbor can complain. Ms. Pomeroy cited a news clipping dated March 15, 2017, from the Daily Courier regarding dog barking. She spoke of other communities having time limits and she would like Council to consider putting a time limit in their ordinance. A second news clipping dated February 22, 2017, was in reference to entering property on a "reasonable belief" or "warrantless search". She spoke of consulting two Town Attorneys on whether this power should be given to Animal Control or to the Town. The Attorneys told her absolutely not, "give them that power and they will take advantage of it". She referred to this being a part of the D-H ordinance and that Council should consider removing it from the dog ordinance. Ms. Pomeroy then spoke of the standard of care provision, and that possibly, in the future Council may want to consider a nuisance order for livestock but this does not need to be included in the dog ordinance, it only make more work for Animal Control.

There was extensive Council discussion regarding the proposed revisions with Council members sharing their viewpoints on the issues and the ordinances.

Public Comment

Leigh Cluff spoke of the dog barking situation and different situations that arise.

Councilmember Hamilton stated that Council was repeating themselves. He recommended that this be moved to a future Work Session where Staff would bring back

the Code with what is proposed compared to the existing language and also bring back the proposed Large Animal Ordinance, so that it can be worked on at the same time.

Public Comment

Nancy Wright spoke of a previous neighbor/animal situation wherein neighbor resolution was the first resolution method attempted and it was successful. She then spoke of animal abuse and that the Animal Ordinances should have consequences for that.

Mayor Nolan advised that Council consensus was to bring this back along with the large animal ordinance and the domesticated animals. Councilmember Wendt clarified domesticated animals other than dogs and cats, like Prescott Valley's ordinance 6-02-030.

TM Kimball confirmed that she would consult the Town Attorney on this. She asked Council when they wanted this to come back and it was determined August or September. TM Kimball clarified that Staff could make the codifications and then have the Attorney review it.

Councilmember Hamilton did not feel it was ready for Attorney review yet.

Councilmember Wendt asked about a version that was already being worked on. TM Kimball indicated that was not ready or she would have brought it to Council.

There was further Council discussion about livestock ordinances and the County's involvement.

Public Comment

Leigh Cluff spoke of living in the area 32 years, (referring to a previous comment) and that she does not recall Young's Farm having cows, maybe Mortimer Farms, and that needs to be corrected. She then spoke of a previous situation of a starving horse and the County being called out and nothing being done. The neighbor should have been fined.

There was further Council discussion to schedule the next session on this issue. It was determined to reschedule this to August 8, 2017, at 6:30 p.m.

4. Special Session. Legal action can be taken.

4.1. 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.

No special sessions were scheduled.

5. Adjourn.

The meeting was adjourned at 7:40 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk