

**TOWN COUNCIL OF DEWEY-HUMBOLDT  
REGULAR MEETING NOTICE**

**Tuesday, August 1, 2017, 6:30 P.M.**

**COUNCIL REGULAR MEETING  
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL  
DEWEY-HUMBOLDT, ARIZONA**

**AGENDA SUMMARY**

1. **Call To Order.** Mayor Nolan called the meeting to order at 6:30 p.m.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Led by Councilmember Hamilton.
  - 2.2. **Invocation.** Given by Councilmember Timmons.
3. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt; Vice Mayor Mark McBrady; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Councilmember Treadway spoke of visiting the Museum before they closed over the week-end and spoke highly of the Spanish American War exhibit.

Mayor Nolan spoke of just having concluded a farewell reception for the outgoing Town Manager Yvonne Kimball. Mayor presented TM Kimball with a plaque of appreciation for her service to the Town from January 2012 to August 2017, thanking her for her dedication. Mayor Nolan cited that this is the first time that a Town Manger has been awarded in this manner. TM Kimball thanked Mayor, Council and the Staff noting she would miss them. Mayor presented her with a gift from Council, as well.
5. **Town Manager's Report.** Update on Current Events.
  - 5.1. **Code Enforcement Biannual Activity Report #1.**

Community Planner/Code Officer Steven Brown presented his biannual report on code enforcement by PowerPoint presentation. He stated the volume of complaints remains low. His presentation included some before and after photos of violation situations. CP Brown went over the complaint process and summarized that it can be a discouraging, time-consuming process but they are making progress.
  - 5.2. **Town Manager Transition – Projects or issues that need immediate attention of the Interim and/or Permanent Manager.** Possible matters and projects are related to Town General Administration, Finance, Public Works, and Community Development.

Town Manager Kimball spoke of coming up with a five-page memo of items providing status and the updates that need to be addressed in the future for Council. She mentioned that she forgot to include the widening project of State Road 169 and she failed to mention Board of Adjustment and Open Space and Trails committee updates. She chose not to go through it line by line, but if it generated questions, those could be addressed. Mayor Nolan noted this would be good information to share with the Interim Town Manager.

Mayor Nolan asked about the communication from Brian Beck. TM Kimball explained the premise of the letter recommending the addition of a new zip code for properties effected by the Superfund impact. Councilmember Hughes spoke of this not being recommended by the EPA or the County Assessor's Office and he did not think it would be a good idea for this Town. Mayor Nolan agreed that this was not an option.

Councilmember Hughes commended TM Kimball's memo and what a benefit it would be to the Interim Town Manager.

## **6. Consent Agenda.**

### **6.1. Minutes.** Minutes from the July 11, 2017, Special Session Meeting.

Councilmember Hamilton made a motion to approve the minutes from the July 11, 2017, Special Session Meeting, seconded by Councilmember Hughes. The motion passed unanimously.

## **7. Comments from the Public (on non-agendized items only).**

Jerry Brady spoke of the Goodwin Fire and floods bringing to light many deficiencies in the emergency preparedness. Many of the roads do not meet standards for emergency ingress and egress. He also spoke of deficiencies in the water source for emergencies.

## **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. Zoning Anomaly (split zoning) Issue: Planning & Zoning Commission report to Council and possible Council direction to submit a letter to the properties that have split zonings.** (directed at the April 18, 2017, Council Meeting)

Community Planner, Steven Brown, and Planning & Zoning Commission Vice-Chair, Jeff Siereveld, began to speak on Item 8.2. Councilmember Hamilton asked to go back to Item 8.1.

There was extensive Council discussion regarding the split zoning issues and anomalies including concerns regarding flooding potential; excessive lot splitting and the potential home density, as a result; and having property owners come to Council individually. There were varying Council opinions.

There was further extensive Council discussion with differing opinions and the topic of variances instead of a zoning change was suggested.

CP Brown spoke against variances. He recommended a zoning change rather than a variance.

Vice Chair Siereveld reminded Council that P & Z's concern was how you would be able to do this for one or two and the attempt to avoid people feeling that certain property owners were favored. P & Z was trying overcome that possibility. He stated these are recommendations to the Council, not decisions from P & Z.

CP Brown reminded Council that they asked P & Z to look at this and that P & Z debated this as much as Council. CP Brown explained what the process would be regarding the letters to property owners. The recommendation was to speak with the involved parties and get their opinion on what type of zoning they would seek.

Councilmember Hamilton noted there were a lot of differing opinions on this matter. He made a motion that 12 acres or less, the owner gets to decide the zoning, anything later would not be considered at this time. Seconded by Doug Treadway.

Vice Mayor McBrady asked that a clarification on the map be pointed out as to which lots Councilmember Hamilton was speaking of. He asked how many lots were being considered. It appeared to be approximately 12 lots.

Mayor Nolan cited there was a motion and a second, and asked for questions.

Councilmember Wendt asked if the homeowners would be required to pay \$500 for rezoning. She recommended the Town not pay the expense and that the Town should not have paid for the 200-foot annexation strip previously.

#### Public Comment

Leigh Cluff spoke of living here 33 years. She spoke of not having control over property if you don't own it. If you want to control property, then you need to buy it.

Jerry Brady spoke of a number of issues that don't show up on the map and the need for local road improvement district before increasing the residential density on the road. He also spoke of Yavapai County having a number zoning anomalies.

Councilmember Timmons asked Ms. Cluff if she would expect the Town to pay if she split and rezoned her property. Ms. Cluff said she was taught to pay her own way, they should pay their way.

Councilmember Timmons made a motion to send a letter to those property owners and let them chose what they want to do with each individual property.

CP Brown spoke of needing to address the motions that were on the floor. Mayor Nolan clarified that you can have a number of motions on the floor.

Councilmember Timmons questioned how many issues of this nature CP Brown had received on this zoning issue. CP Brown stated that three property owners have approached him, the three lots he had pointed out on the map. CM Timmons inquired what has kept the owners from rezoning. Community Planner Brown noted it is a long process and would deal with 35 separate processes vs. one bulk process. It would be more efficient for the property owners and the Council. CP Brown noted that what CM Timmons was proposing, is exactly what P & Z's recommendation was to Council. This letter would allow Council to see the level of interest from the property owners.

Councilmember Wendt thanked the P& Z Commission for their efforts. Her recommendation was to work on the three lots of those property owners who have approached the Town. She disagrees with free gratis. She is with Ms. Cluff that you pay your way. This should be limited to the three.

CP Brown noted that P & Z Commission never recommended that the fees be waived.

Mayor Nolan spoke of Council getting off the subject and that the motion needed to be addressed. He asked Town Clerk Gibson to restate the motion.

Councilmember Hamilton's motion was restated: That 12 acres or less, the owner gets to decide the zoning, anything larger would not be considered at this time. Seconded by Doug Treadway.

Mayor Nolan asked for a roll call vote. The motion failed by a 4-3 vote with CM Hughes, CM Wendt, Vice Mayor McBrady, and Mayor Nolan voting against.

Mayor Nolan noted Councilmember Timmons' motion to send letters, seconded by Councilmember Hughes. CM Timmons restated her motion, as requested by Mayor Nolan: To send letters to anybody on the line who wants to change it, they can come in and apply for a zoning change, CM Hughes withdrew his second.

Town Manager Kimball asked to interject to clarify a few things. The letter being sent out to the property owners bordering the line, advises them that their property is split zoning and they have to option to rezone it one way or the other. It insinuates that the Town may initiate the zoning, which may imply the Town may pay the Cost. That could be taken out and changed to indicate

that the Town would like to hear what they want to do. The Council also has the choice to not send the letter. If you do send the letter, you will receive calls for an explanation, they can receive an explanation and be allowed to make a choice, and these results can be brought back to Council. It will not obligate Council to do anything. CP Brown confirmed this and that the Town is not obligated to anything and can analyze the results.

Councilmember Treadway felt this was a logical way to approach the issue. CM Treadway made a motion to accept the recommendation of P & Z and Staff, send the letters out to the individuals to query what the public thinks, get those results and then Council can analyze them.

TM Kimball pointed out the change to the letter that Council wants to hear from them regarding what they would like to do, with no obligation for the Town.

Councilmember Hughes seconded the motion.

Vice Mayor McBrady made a motion to send the letter out to the three specific property owners only. He clarified and explained his reasoning behind this motion. Seconded by Councilmember Timmons. Councilmember Wendt seconded the motion, as well, noting that she raised her hand. Mayor Nolan clarified that the most recent motion was to approach the three letters involved who have made inquiries. CM Timmons asked for clarification on whether you have to raise your hand to second a motion. Mayor Nolan stated that no, you do not have to raise your hand to make a motion.

Mayor Nolan asked for a roll call vote.

CM Timmons inquired about the previous motion and her experience in other settings of only one motion being allowed at a time. Mayor Nolan cited that this was incorrect.

Roll call vote: The vote failed by a 4-3 vote with Councilmember Hamilton, Councilmember Hughes; Councilmember Treadway; and Mayor Nolan voting against.

Mayor Nolan brought forth the next motion made by Councilmember Treadway, seconded by Councilmember Hughes to go ahead and send the letters, revised a little bit, to let the people know we are just inquiring about what they want to do. Mayor asked for a roll call vote. The motion passed by a 4-3 vote with Councilmember Timmons, Councilmember Wendt and Vice Mayor McBrady voting against.

CP Brown asked for clarification. Mayor Nolan directed CP Brown to send the revised letter after consultation and review from TM Kimball and the Town Attorneys.

## **8.2. 2009 General Plan update: Planning & Zoning Commission Report to Council and possible Council direction to implement the update strategies recommended by P&Z. (directed at the May 16, 2017, Council Meeting)**

Community Planner Steven Brown introduced Jeff Siereveld, Vice Chair of the Planning and Zoning Commission and speaking of recommendations to Council on this matter.

Councilmember Treadway left the dais at 8:17 p.m. and returned at 8:19 p.m.

Vice Chair Siereveld explained the recommendation of the P & Z Commission. The Commission would prepare a draft strategy for approaching the update of the General Plan; P & Z presents this to Town Council the draft strategy; Council approves the development by the P & Z of the request for the qualifications for consultant to assist the Town in the update of the General Plan, P & Z prepares a request for qualifications for RFQ for a consultant to assist the Town in the General Plan Update, Staff advertises the RFQ indicating the interest in receiving the RFQ.

Councilmember Hamilton had two questions. He noted that the recommendation referred to Staff going over the scope of work. CP Brown indicated that there isn't a scope yet, this would be determined with the help of the consultant. CM Hamilton noted that this was approved by P & Z with one member voting against. He wanted to know who the member was and what their reasoning was. CP Brown said he would have to review the meeting minutes to provide this information. CM Hamilton asked how many members there were presently on P & Z. Vice Chair Siereveld stated there were five active with one having resigned and one member moving out of the area. Mayor Nolan confirmed that there was still a quorum.

CP Brown indicated P & Z is looking for Town Council to approve the development by the P & Z of the request for qualifications to bring back to Council.

Mayor Nolan noted P & Z's hard work on this project.

#### Public Comment

Leigh Cluff recommended that the letter on the first issue regarding zoning not be sent out until the Interim Town Manager was in place. Mayor Nolan noted that Ms. Cluff was off topic. Ms. Cluff indicated that she raised her hand before they had moved on.

Jerry Brady spoke of federal and state laws having significant changes to requirements. He recommended that Council review the City of Prescott's Intermodal Plan and use the points that they like. Absent from this and it will become apparent in the General Plan, you only have two legislative jurisdiction under State Law which is public health and safety and the public purse. You have two requirements and that is fiduciary or public financial public duty, which is due diligence research and due diligence disclosure.

Councilmember Timmons left the dais at 8:25 p.m. and returned at 8:28 p.m.

Mayor Nolan inquired as to the expected timeline. Vice Chair Siereveld said this has not been discussed. CP Brown indicated that the deadline for the General Plan is January 2019. He felt a consultant search would take approximately three months.

Councilmember Treadway spoke of the Interim Town Manager and possibly consulting with the ITM on this matter. CP Brown pointed out that the Town Manager may be leaving, but the Town still has a Community Planner. Mayor Nolan noted that the Town has a good Community Planner.

Mayor Nolan made a motion to approve the P & Z's recommendations on the General Plan, seconded by Councilmember Timmons. There were no other questions. The motion passed unanimously.

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

#### **9.1. Discussion and possible action to notify the Landlord of the Tenant's wish to exercise its one-year extension from the Town Hall lease (Town Hall located at 2735 S. Highway 69, Dewey-Humboldt).**

Vice Mayor McBrady recused himself from this agenda item at 8:29 p.m.

Councilmember Hamilton spoke of not having much option in this issue. CM Hamilton made a motion to notify the Landlord to exercise the one-year extension on the Town Hall lease, seconded by Councilmember Treadway. The motion passed unanimously.

Vice Mayor McBrady rejoined the meeting at 8:30 p.m.

**9.2. Resolution 17-128 Amending the 2009 General Plan related to clarifying the process for minor amendments to the General Plan.** Possible approval.

Community Planner Brown spoke of this issue being raised was that he was reviewing what the General Plan says about the process of minor amendments and major amendments and he noted a problem in the language wherein it said that a minor amendment only required one P & Z hearing, which is not true, as there needs to be a Council hearing as well. So, the revision points that out.

Councilmember Hamilton spoke of this being a necessary correction. He made a motion to approve the Resolution 17-128 Amending the 2009 General Plan, seconded by Councilmember Wendt. The motion passed unanimously.

**9.3. Administrative Regulation: AR 17-02 Office Hours and Work Schedule.** Possible approval of the Administrative Regulation.

Town Manager Kimball spoke of having promised Council a policy on this issue some time back and this is the product.

There was Council discussion regarding staff coverage issues that can be caused with the small volume of Staff members. Town Manager Kimball said that could happen despite the actual office hours. Councilmember Wendt spoke that a skilled Manager knows how to work that. Councilmember Timmons noted that with small staff you might have to deny vacation time and get creative. Councilmember Treadway reminded his fellow Council Members that, at times, there are extenuating circumstances and that it is not the end of the world.

Councilmember Hughes thanked Staff for handling the current schedule and spoke of his appreciation for this schedule that benefits the community.

Councilmember Hamilton asked why the Town Manager's approval by signature was required, when this is actually an Administrative Regulation with Council oversight. Town Manager Kimball spoke of this being covered in the Town Code regarding Administrative Regulations. She indicated that it could be changed requiring Town Council approval, as well. She indicated this format was in place when she arrived. The Code changed, but the format did not. She brings everything to Council for approval before signing. Councilmember Hamilton recommended changing the process. Mayor Nolan spoke of this being off topic and that a CAARF would be in order.

Councilmember Hamilton made a motion to approve Administrative Regulation: AR 17-02 Office Hours and Work Schedule, seconded by Councilmember Hughes. The motion passed unanimously.

Town Manager Kimball asked to make a couple more comments noting that the Town Manager is not included in this policy. She has found that the Town Manager needs to cover, if there are any staff shortages. The Town Manager serves at the pleasure of Council. This can be changed whenever Council wishes.

Councilmember Timmons asked if the days off are switched on a rotating basis. Town Manager Kimball spoke of there being flexibility but that has found that consistency makes it easier.

**Public Comment**

Jerry Brady pointed out that police, firefighters, military and other emergency first responders deal with this all the time and request leave two weeks in advance. He spoke of difficulties experienced during the Goodwin Fire and Flooding. People were called back from holidays, but essential services were maintained in many cases, not all, because people in charge were not

around. The problem was that the communication system also failed. These are things to consider during emergency planning and preparedness.

**9.4. Administrative Regulation: Amending AR 09-02 Cash Handling.** Possible approval of the Administrative Regulation.

Town Manager Kimball noted this was a housekeeping issue as well. This was originally developed in 2009 and this has been revised to meet the current needs.

Councilmember Treadway asked who the designated cash handlers in the office are. Town Manager Kimball noted that the Community Development Technician is primary, the Office Assistant may back up the CDT and the Town Clerk may need to take in cash at times.

Councilmember Treadway made a motion to approve the amendment to AR 09-02 Cash Handling, seconded by Councilmember Wendt. The motion passed unanimously.

**9.5. Whether to allow handing out documents at a Council Meeting.** [CAARF submitted by CM Hamilton]

Councilmember Hamilton gave an overview of his CAARF mentioning that when presenters are allowed to hand out documents at a meeting, the public does not get to see what Council is basing their decisions on. He feels these hand out items should be included in the agenda packet and Council can research it as well. He recommends that the documents need to be presented ahead of time, if they are being presented to Council. This would apply to issues that are on the agenda coming before Council that require decision.

Councilmember Wendt disagreed and gave a scenario that happened in legislature. She said documentation must be allowed to come in at the last minute.

Public Comment

Jerry Brady spoke of the Armistice of Mexico. He also noted that under Arizona Public Meetings Law and Public Record you could provide comments before and after hearing. The Order for Publication requires for public commentary.

Councilmember Hamilton asked for legal consult. Town Attorney Goodwin said this is a Council procedural decision, not governed by any law.

Public Comment

Leigh Cluff spoke putting off voting, if there were hand out documents to be researched. Maybe one of you don't want to accept it and the others do.

Jerry Brady spoke of an addition to his earlier statement that it is correct that Council does have to consider anything from the public. Arizona has the most liberal laws in the United States regarding public participation. He spoke of the 30-day order for publication. He noted that he normally submits his comments in advance. Tomorrow, he will submit a map of the anomalies in this survey district and the Council will be amazed.

Councilmember Timmons spoke of being confused as to what the detriment would be to receiving additional information.

Councilmember Hamilton explained that he is only attempting to get the information and have a chance to research. People in the audience don't know what was handed out, Council doesn't have a chance to research, but their decision is being influenced. A document should be more credible, but whether it is or not, is not always true. That is why he would like to see these in advance for more transparency.

Councilmember Wendt spoke of people having the ability to bring in things that they want to share a.s.a.p. People have the right to submit documents on the spot.

Councilmember Treadway agreed that he would like to have to time to review documents and have it brought back up at a later meeting, allowing the public review, as well.

Councilmember Timmons agreed with Councilmember Treadway and Ms. Cluff that things can be brought up at the next meeting. The more information the better. She does not see not allowing extra information at a meeting.

#### Public Comment

Jerry Brady spoke of a duty to report and the need to bring forth important information before the next meeting. Failure to report makes you liable.

Leigh Cluff asked Mayor Nolan if she could ask Councilmember Hamilton a question. Mayor Nolan asked that she direct her question to the body. She then asked CM Hamilton for a specific example. CM Hamilton spoke of recently during a meeting addressing the Animal Ordinance there were handouts. People asked him later what was handed out and he did not know. It could have been included in the Meeting Packet. CM Hamilton explained that this was directed at presentations not the general public. CM Hamilton spoke of this not going anywhere and that Council needed to move on. Ms. Cluff responded to CM Hamilton that she was at the meeting and she knew exactly what the handouts were. There were no questions, she talked to several people and no one had a problem.

Councilmember Wendt agreed that Council needed to move on.

#### **9.6. Change AR No 10.07 [Policy for recruiting, hiring, and managing new employees] Section 3 to read: All recruiting efforts “for a permanent position” shall be... (see attachment) [CAARF submitted by CM Hamilton]**

Councilmember Hamilton spoke of times when it is necessary to hire an interim immediately and there is not time to advertise. This language should only apply to permanent positions, not interim.

Councilmember Timmons asked for clarification, noting confusion, as to whether this was to be changed for a permanent position, not interim. She believes that TM Kimball has trained employees to continue operating regardless of vacancies. She believes that Staff are cross-trained and is not sure that this applies.

Councilmember Wendt spoke of this being busy work. We should be looking at carrying out any hiring in a timely manner, not just permanent positions.

Councilmember Hamilton gave a scenario of the Town Clerk being unavailable tomorrow and no one being trained to fill that vacancy. Council’s hands are tied. You have to be able to advertise for an interim immediately.

Councilmember Treadway asked Town Manager Kimball for her input. TM Kimball referred this to Town Attorney Goodwin, who explained that she was the one who noticed, after reading the rule, it applies to temporary and interim positions, there was no ability go out and recruit. She said this needed clarification. She gave options of how to fix it, such as temporary employees being hired without going through a formal recruiting process. Attorney Goodwin confirmed that she raised the issue, as it was not practical as written. This revision under 5.2 would confirm that temporary employees could be hired without going through a formal recruiting position.

There was further discussion regarding the recruiting process and definition of recruiting, temporary positions, small staff replacement difficulties and language in the policy that did not apply to the Town.

Councilmember Treadway made a motion to approve what the Attorney recommended: Change AR No 10.07 [Policy for recruiting, hiring, and managing new employees] Section 3 to read: All recruiting efforts “for a permanent position” shall be... [see attachment], seconded by Councilmember Wendt.

Leigh Cluff inquired if the conversation about the revisions took place between Town Manager Kimball and the Attorney, only. Attorney Goodwin clarified that she became aware of the issue and shared the information with TM Kimball. Ms. Cluff indicated that it appeared that the Council was not aware of this and wondered how it was that Councilmember Hamilton seemed aware. Attorney Goodwin explained that she and TM Kimball had a conversation about this issue. TM Kimball spoke of this being addressed during the Council discussions involving the recruitment of the Interim Town Manager.

There was further Council discussion regarding the revision of the wording of the Administrative Regulation.

Mayor Nolan noted there was a motion on the floor and called for the vote. The motion was passed by a 6-1 vote, with Councilmember Timmons voting against.

**9.7. Ethics Complaint against the Mayor for violation of Town Code 30-109 Section E – Need for a legal ruling. (see attachment) [CAARF submitted by Councilmember Hamilton]**

Councilmember Hamilton spoke of a special meeting that was held and there was nothing on the agenda item allowing Public Comment. The Town Code allows for Public Comment on agendized items. So, this brings up whether the Town Code or Open Meeting Law prevails. He knows that OML says that for non-agendized items, you have to have it on your agenda, but it doesn't say anything about agendized items. Did this need to be on the agenda or did the Town Code cover this.

Attorney Goodwin said they might be talking about two different things. You need to have it on the agenda, if you are going to allow people to come forward to make Public Comment. She believes what the CAARF is about is that the Mayor did not permit Public Comment on an agendized item. In summary, Councilmember Hamilton was correct, on that agendized item, the Mayor should have allowed Public Comment.

Councilmember Hamilton spoke of the Attorney answering the question. He indicated that he was dropping the Complaint.

Mayor Nolan spoke of why he did that. He spoke of being in the middle of a fire, the road was closed, nobody could get to the meeting and the residents could not get to the meeting, and some were evacuated. He decided that Council did not need Public Comment. Mayor Nolan asked if Councilmember Hamilton if he had anyone in mind, who wanted to speak. Councilmember Hamilton spoke of Mr. Goodwin asking to speak and was refused and that Mr. Goodwin quoted the section and Mayor told him no. Mayor Nolan said he knew what Mr. Goodwin wanted and he knew what Mr. Goodwin was going to advise, is no longer handled by the League. Mayor Nolan spoke again of feeling it was unnecessary to have Public Comment at that meeting and that it was not needed.

Councilmember Treadway spoke of appreciating the Mayor's reasoning, however, it was a good learning experience, Public Comment is allowed, and they need to move on.

Mayor Nolan said he made the decision. He referred to a rule under Robert's Rules of Order and that they are to follow that except for Town Code exception.

Councilmember Hamilton recommended moving on.

#### Public Comment

Leigh Cluff thanked the Mayor for all he does. She appreciates that he held the meeting even though he was under evacuation and no one knows what it is like unless they are actually evacuated.

Jerry Brady spoke of having done major emergency planning the Department of Defense. There were 3,000 complaints filed against Yavapai County regarding the evacuation process. He cited that Mayor Nolan's procedure he followed was consistent with Federal and State Law.

### **9.8. Ethics Complaint against Victoria Wendt and Amy Timmons for violation of Town Code 30.109. [CAARF submitted by Councilmember Hamilton]**

Councilmember Hamilton cited that he had previously noted that he would be filing an Ethics Complaint but had to wait 30 days for the new Code of Ethics to go into effect. The only process in that Code is that you have to submit a CAARF, so he met the process.

Mayor Nolan asked which part of 17-126 Councilmember Hamilton was specifically noting that he violated.

Councilmember Hamilton said the process does not require this.

Attorney Goodwin says there is no violation noted.

Councilmember Timmons asked Councilmember Hamilton to help them improve in the future and asked for specificity.

Councilmember Hamilton stated that he was trying to demonstrate was that there needs to be process to make this fair. The last code had processes for when, what, etc... Since the Attorney said it needed definition, he shared that this is something that he has done as well; almost every Council Member has done it, speaking without being called on by the Mayor. He is trying to say that without process you don't have much to go on. With this said, what is the next step.

Attorney Goodwin pointed out that there is another provision in the Town Code that deals with Points of Order in Robert's Rules, that if you see something wrong, you call Point of Order and it can be dealt with immediately.

There was further Council discussion about the process and Point of Order with Councilmember Timmons calling a Point of Order on Councilmember Hamilton for speaking without being recognized by the Mayor. There was further discussion about the lack of process and that this is nitpicky and Council needs to concentrate on team building and working together.

#### Public Comment

Robert Baker spoke of the absurdity of the conversation over the last 15 minutes. They need to adjourn and come back and do the people's business.

Leigh Cluff spoke of the complaint being incomplete and that Councilmember Hamilton spoke of turn twice today. She spoke of this being prejudiced against women.

There was further Council discussion regarding whether there is Attorney General involvement in complaint of this nature; wasted time; and attorney fees.

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

**11. Adjourn.** The meeting was adjourned at 9:55 p.m.