

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

**Tuesday, April 18, 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.** The meeting was called to order at 6:30 p.m. by Mayor Nolan. Mayor Nolan read the introduction section of the Agenda.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Done.
  - 2.2. **Invocation.** Given by Council Member Amy 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.**

**4.1. Dewey-Humboldt Historical Society Business Plan 2<sup>nd</sup> presentation.** [As defined by Accountability contract between Town and DHHS]

The presentation was given by Carl Marsee, President of the Dewey-Humboldt Historical Society (DHHS). Mr. Marsee spoke that the Council is given an update twice a year. He gave updates of changes to the Board and reviewed the terms of the agreement between the Town and DHHS. There were 1,233 visitors to the museum last calendar year. Mr. Marsee will provide guest check-in sheets to each Council Member. There are three new exhibits in the works. One of the exhibits will be the entire collection of Mr. Gamel, who represents the Arizona Roughriders. The second exhibit is a documentary of Dewey-Humboldt, a 10-15 minute video of the area, which will feature materials obtained from drone video of the Main Street and Smelter area. This should be completed by the end of the year. The third project is the Hammer Mill from the mine and will be a large exhibit outside the museum. David Nystrom is now in charge of publicity i.e. Facebook; internet; Trip Advisor... The museum does not charge a fee, strictly based on grants, donations, and fund-raising. Any excess funds are used for exhibit updates, which change continuously. The Aqua Fria Festival date is October 5, 2017. DHHS is hoping for the continued support from the Town for both rent offset and the Festival sponsorship.

Mayor Nolan thanked the DHHS for what they do, representing the Town and area as an asset.

Councilmember Treadway concurred with the Mayor's comments and expressed gratitude. He inquired if there is a continuous rise in visitors. Mr. Marsee said over the last couple years – yes. This year things are going well and they are expanding advertising.

Councilmember Wendt spoke of attending a conference on grants recently. The majority of grants being available only to 501C3s. She encourages David Nystrom to write those grants. She spoke on opportunities out there through grants. Mr. Marsee spoke of the museum over the years receiving five grants. They are currently negotiating with the landlord on a long-term lease.

Councilmember Timmons thanked Mr. Marsee for all the work DHHS does. She participated in the Aqua Fria Festival last year and had a great time.

Councilmember Hamilton thanked Mr. Marsee for his presentation and offered the Council's support.

#### **4.2. Firewise Board Representative Bob Baker presentation.** [CM Wendt request at the April 4<sup>th</sup> meeting]

Bob Baker of the Firewise committee was present and gave a presentation which included cars that were overcome by fire on a highway. He spoke of two areas within D-H that were assessed by the Central Arizona Fire & Medical Authority and were determined to be a high wild fire danger. One area is the Blue Hills western section and the second is Foothills northeastern section. Mr. Baker displayed the General Plan Circulation Plan map which shows a circulation road of Prescott Dells Ranch Road. He spoke on a section of land that would need to be crossed to create that circulation road, which is BLM land. The Firewise board supports the Council in initiating a dialogue with the BLM to discuss the prospects and procedures for an attempt in gaining approval for connection through the BLM tract. Also, the support of Central Arizona Fire & Medical Authority, Yavapai County Emergency Management; Arizona State Forestry; and the Prescott National Forest officials would be an added voice to the effort to gain additional egress. The Firewise Committee officially asks the Council to formally request official recognition of this support.

Councilmember Hamilton asked if Mr. Baker would be willing to pay a property tax for the Town to develop more roads and maintain them. Mr. Baker said he already pays property tax. Councilmember Hamilton clarified that D-H does not have a property tax. Mr. Baker said he was not prepared to answer that question. Councilmember Hamilton asked if Mr. Baker felt that eminent domain should be used to acquire the access. Mr. Baker replied no. Councilmember Hamilton asked if he thought the Town should force citizens to be part of the Firewise program. Mr. Baker asked how they could do that. Councilmember Hamilton said that a regulation could be passed that people have to maintain a certain perimeter around their homes be firewise-safe, or did Mr. Baker feel it should remain voluntary. Mr. Baker said in his opinion, no. Councilmember Hamilton said he was trying to find out Mr. Baker's opinions and what the public is willing to do to achieve these projects. Mr. Baker replied that he does not represent the public, he is just one person. Councilmember Hamilton said that he was interested in Mr. Baker's opinion as he lives in that area. Councilmember Hamilton asked about regulated fire alarms and if Mr. Baker has had formal training in forest fire fighting. Mr. Baker replied that these questions did not pertain to his presentation. Mr. Baker said he did not have formal forest fire training. Councilmember Hamilton explained his reason for asking these questions, although he realized that Mr. Baker would not necessarily be prepared, he just wanted a sense for how the people felt.

Councilmember Wendt asked Mr. Baker if they get permission to proceed with the BLM access, what he would like to see for a road in that area. Mr. Baker would like to see at least two avenues of egress. The illustration was meant to show bad things can happen, if there is only one way out. He realizes that this process could be lengthy and the process with the BLM will be the longest. Get it initiated to find out what has to be done. A graded road is needed through there which is passable during an emergency, even if it is gated, to be opened by YCSO. Just getting the process started is what they are asking Council to do on an official basis.

Councilmember Treadway thanked Mr. Baker for his presentation. He understands the grave situation for more than just the Blue Hills area. Having worked for the Federal Government over 30 years he understands the need to get this conversation started.

Councilmember Hughes agreed with Councilmember Treadway. If the corridor roads are granted, what would the assessment score drop to. Mr. Baker said possibly mid-range, but there are still

other hazards. Mr. Baker also spoke of being told that firefighters will work to save homes that have been cleared.

Vice Mayor McBrady worked with firefighters in California. He recommended water storage tanks in that area, getting access to wells on donated property, adding signage to the corridor roads, having sirens or alarms with a practice plan. Mr. Baker agreed with Vice Mayor McBrady but urged egress as the first priority due to the hazard in the National Forest hills above the Town. Vice Mayor McBrady asked if there is a community group that is starting, there needs to be community leaders working on this on an ongoing basis. Mr. Baker explained this would be the Firewise group. There is also a Neighborhood Watch in the Blue Hills area which is effecting positive change.

Councilmember Hamilton spoke of being in support of Council talking with BLM to get this going. He disagrees with using Prescott Dells Ranch Road (PDRR). He spoke of experience in fire-fighting and his knowledge of how fire travels. He feels PDRR would be risky and dangerous. He recommends the northern road along Henderson and Kachina. Those roads are mostly town-owned. He believes there are better solutions. Mr. Baker thinks at this point his job is to get things moving on the BLM and it's the Council's job to work out the details.

Councilmember Hughes spoke of the rancher with the grazing area mentioned by Mr. Baker having only been granted permission to graze 100 cattle which is not enough to control the brush.

Councilmember Wendt asked Mayor Nolan if a motion could be made on Agenda Item 9.2. Mayor Nolan asked to receive public comment first. Councilmember Wendt invited Councilmember Hamilton to join the Firewise Meeting being held the next night with his ideas on ingress/egress. She thanked Mr. Baker for his presentation.

Public Comment was taken

Carl Marsee spoke of something positive happening in the Blue Hills area last year (the Trailhead). It is an excellent area to be used for firefighting due to area for staging equipment.

Leigh Cluff asked Mr. Baker to point out where his access would connect to the proposed egress route. Mr. Baker pointed out his exit route. Ms. Cluff asked what would happen if there was a fire on Wicklow, stating that no one on the south side would get out. Ms. Cluff spoke in support of Mr. Baker's recommendation and then working on an alternate route over at Kachina later. She spoke of the questions that were asked of Mr. Baker and that they may not reflect her opinion. She spoke of that Blue Hills area being a loop, there is no way out.

Councilmember Hamilton responded that a local fire is not a massive fire and a local fire it would be handled by the local fire department.

Mr. Baker spoke of his slide that showed the fire that overtook vehicles on the road and that it was only a 35-acre fire and that was the destruction. If Henderson, Kachina and Newtown are blocked the Blue Hills residents can't get out. Just need to start the initial process with BLM, you can do anything after that. It doesn't matter the size of the fire, if you are trapped, you are trapped.

Councilmember Timmons commended the Firewise Committee on their efforts. She spoke of understanding how fires can lock people in. She encourages starting the process with BLM.

Mr. Baker requested Council to contact as many agencies as possible to get the ball rolling.

Councilmember Wendt spoke of a secondary egress and starting a dialogue with BLM.

Vice Mayor McBrady spoke of the unpredictability of fire and the need to have as many options

as possible.

Public Comment was taken.

Linda Horvath spoke of the Crown King fire and that there was ash falling in her yard up on Shirley Lane. Another egress is needed.

Leigh Cluff keeps hearing talk of grasses. She was the first person in the Blue Hills to firewise her property. There was 18,000 lbs. of packed oak shrub, not grass.

Tom Thurman, Chairman of the Yavapai County Board of Supervisors, offered support in the way of a resolution to use for the all the agencies and BLM for this purpose.

Mayor Nolan thanked Mr. Baker for his presentation.

Mayor Nolan requested to bring Item 9.2 forward on the agenda. There was consensus to do so.

### **9.2 Possible Council direction of a letter to BLM in support of a right-of-way to be developed, as requested by the Firewise Board.**

Councilmember Wendt made a motion to approve the development of a letter to approach BLM for permission to cross the BLM property, seconded by Councilmember Timmons.

Councilmember Hamilton recommends the letter be kept more general without locking it into that particular piece of property. Be broader, just ask about developing a road across BLM.

Mayor Nolan thinks the letter needs to be directed to this piece, so they can at least get a response.

Councilmember Treadway recommended addressing the letter to the District Manager, Mr. Hawes, that the Town of D-H plus the County Supervisor would like to engage in a discussion regarding development of a of a road across BLM for emergency ingress/egress in the Blue Hills area.

Councilmember Hamilton said he was in support of this.

Mayor Nolan spoke of the motion on the floor. Councilmember Hamilton asked to have the motion restated.

Town Clerk Morgan read the motion: Develop a letter to approach BLM for permission to cross that property. Councilmember Hamilton asked for the wording to be changed to "cross their property".

Mayor Nolan asked for a vote.

Mr. Baker offered that he had the property number. Mayor Nolan said that wasn't needed at this point. Community Planner spoke of having the specific parcel number. Councilmember Hamilton spoke of being more general, not specific on the piece of property.

Mayor Nolan called for a vote. The motion passed unanimously.

## **5. Town Manager's Report. Update on Current Events**

### **5.1. January 1 to March 31, 2017 Financial Report.**

Town Manager Kimball provided the budget numbers at the 9-month period and that things are looking good. She expects surplus as they are under budget. There are a few items over budget but nothing significant, such as elections. Neighborhood Outreach will come in under budget, that line item covers such things as the museum rent grant, Agua Fria Festival grant; water grants, etc... The \$100 water grants are being pushed but have not received many requests, nowhere near the

\$10,000 set aside; Dumpster Days; and Firewise has in-kind contributions to help this out. Over \$24,000 was transferred from the General Fund to the HURF Fund. Public Works Director Hanks reports that all projects are on track with a large one coming up for \$168,000 from HURF for chip-seal overlay project. There will be dirt road grading over the next three months. A one-time expense is the Level 2 maintenance on roads. The CDBG revenue and expenditure balanced out. Flood control funding (\$60,000 received) was all spent except for a few thousand dollars for materials to be used in-house. Town Manager Kimball does expect a surplus at the end of the year.

Councilmember Treadway noted that Public Safety is over 83% at this point and inquired if this would go over budget. Town Manager Kimball pointed out that the OSP Emergency Response is covered by an IGA with the County Emergency Management and that is paid by an annual fee and is already paid. By the end of the year it should come to about a 99% expenditure. Councilmember Treadway also noted the decrease in legal expenditures and commended this savings.

Councilmember Wendt inquired if the Firewise expenditures is covered under the Neighborhood Outreach. Town Manager Kimball confirmed this, but cited that the amount is not significant. Councilmember Wendt asked what the balance of the Firewise fund is. Community Planner Brown spoke of it being approximately \$2800.

Town Manager Kimball reminded Council that there is a budget discussion on Tuesday, 4/25/17, at 9:00 a.m. The draft worksheet looks good and she will present that to Council for next week's budget session.

## **5.2. Acknowledgement of the March 2017 Council Retreat report.**

Mayor Nolan noted that the retreat was a good session and the notes were good. Councilmember Treadway stated that he acknowledges the report. Mayor Nolan spoke that he hoped everyone read their copy.

## **6. Consent Agenda.**

**6.1. Minutes.** Minutes from the February 7, 2017 Regular Meeting, and March 14, 2017 Retreat Meeting.

**6.2.** Mayor Nolan made a motion to accept the minutes from the February 7, 2017 Regular Meeting, and March 14, 2017 Retreat Meeting, seconded by Councilmember Treadway, motion passed unanimously.

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

Leigh Cluff asked if D-H has thought of paying the Firewise grant up front with people paying the Town back. Councilmember Wendt said they are currently working on some processes for this. Ms. Cluff noted that there is a lot of brush being hauled out of the Blue Hills area. Mayor Nolan noted there is a clean-up day being held in Mayer in early May which is accepting debris and brush.

**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.

None

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

**9.1. Award the Enterprise Technology (or IT) Services contract.** Possible awarding or rejecting the contract.

Mayor Nolan noted that a bid was received from Four D LLC, the same IT service provider for the last eight years. This was the only proposal received.

Councilmember Hughes spoke of this being a two-year contract, with three subsequent one-year renewals.

Councilmember Timmons inquired if this bid request was advertised or if it just renewed every year. Mayor Nolan explained that it was advertised properly on the website and in the newspaper. Councilmember Timmons asked if it was a local service. Mayor Nolan confirmed this.

Councilmember Treadway asked Staff if they were satisfied with the service provided by Four D. Town Manager Kimball explained they have been with the Town a long time. She cited that Four D LLC provided conscientious, consistent service.

Councilmember Hamilton made a motion to award the Enterprise Technology (or IT) Services contract to Four D LLC, seconded by Councilmember Hughes, the motion passed unanimously.

Mayor Nolan inquired about the liability insurance provided in the contract. Town Manager Kimball noted that all professional service providers are required to have this type of coverage. Councilmember Hughes clarified his understanding of this type of coverage.

## **9.2. Possible Council direction of a letter to BLM in support of a right-of-way to be developed, as requested by the Firewise Board.**

This item was moved forward on the agenda ahead of Agenda Item #5.

## **9.3. Planning and Zoning Commission report to Council seeking direction regarding Zoning Anomalies.**

Community Planner (CP), Steven Brown, and Planning & Zoning Commission Chair, Victor Hambrick, were in attendance to speak on this report to Council. CP Brown explained that on 2/21/17 the Council assigned a list of work tasks for the P & Z Commission. The top priority of that list was a discussion regarding troubling, existing zoning anomalies. Following a review of the problem areas at the 3/9/17 the Commission directed Staff to examine two issues for them and to bring this information to them at the 4/6/17 meeting. The Commission directed staff to provide any references in the Town Code State and State Statutes governing the process of amendments and at the 3/9/17 meeting Staff discussed with the Commission the process of amending the zoning map. Commission also asked Staff to research if the zone change would affect any tax value on the property. Staff, in communication with Yavapai County Assessor's Office, learned that the change of zoning of a parcel would have no effect on the tax appraisal. This was verified by looking at other properties of the same size vacant properties in different zoning categories, those parcels were valued the same in each case. The only impact realized was if the use changed. The strategy developed by the P & Z Commission at the 4/6/16 meeting was included in the packet. The zoning required by the State Statutes has to be consistent with the General Plan. The General Plan for Dewey-Humboldt says that the bulk of the area of the Town is to be low density. Changes to zoning must be consistent to the General Plan. There are public hearing processes involved, with the first step being to invite the property owners of this area, to gain input from them before proposing anything. They would be invited to two public hearings, one before the P & Z Commission, one before the Town Council. CP Brown explained the protest process in regarding rezoning.

Victor Hambrick, Chair of the P & Z Commission, shared a letter that is what P & Z is recommending to the Council. The process used by the commission as they were coming up with the proposal, was to put common sense to play regarding those islands that are out there which are parcels

with two different zonings. There needs to be consistency throughout the areas that do not create zoning islands. No commercial properties are involved, only residential. Commercial property was not included in this proposal, residential only.

Councilmember Hamilton asked if this was dual-zone only. Chair Hambrick explained it would be the whole blue area on the projected map which is currently a zoning island.

Councilmember Timmons inquired what they were proposing to change the zoning to, in layman's terms. Chair Hambrick's recommendation would be to do something that would stay with lower density zoning to match the surrounding areas.

Mayor Nolan inquired if the rezoning would allow property owners to split parcels. Chair Hambrick assumed they could split whatever the surrounding area zoning dictated.

CP Brown spoke of the zoning definition for R1L (limited to site built only). There is no rationale for why the zoning existed the way it did. Four individuals approached CP Brown on how to go about splitting their property. The current zoning does not allow this to be accomplished. CP Brown researched this with the County and there is no explanation why these zoning anomalies occurred.

Councilmember Timmons said that they are going to stay with four-acre parcels. Chair Hambrick explained they would be zoned R1L70, in an attempt to correct the island. Councilmember Timmons spoke of other towns with similar situations, where things are not disclosed, things change and end up turning into a high-density, out of town investor-type situation where people are coming in and packing the homes in there. Chair Hambrick spoke again on how unique this zoning issue is and is not sure how it happened. The Commission looked at being fair to the landowners, not to create a negative impact for them regarding their property.

Councilmember Treadway spoke of the potential for four-acre parcels to be split into 1.6 acres parcels. The key is finding out what the property owners want to do. Could this be done on a case by case basis? Chair Hambrick explained that if Council or the Town initiates this, he would not recommend a case by case. Chair Hambrick explained P & Z is trying to make the parcels consistent within an area. P & Z is looking for Council to give direction on this.

CP Brown spoke of looking at the steps and strategies that the Commission recommended: 1.) Council directed P & Z to work with staff and develop a map on the properties 2.) Invite property owners impacted to provide their input.

Councilmember Wendt spoke of sitting in on a Council Meeting last year where she said there were only eight lots involved, somehow, this has now increased to 33 lots, which if they were to split them, it would triple the density in this area. Councilmember Wendt spoke there needs to be community input, citing that when she was voted into this position, they didn't want the town's density increasing, they wanted to stay rural country. She understands dealing with the original eight lots spoken of, understands straightening out the zoning situation as long as they go through what everybody else goes through, and they take care of the costs involved. She has a problem with tripling density and having lot splits as it is benefiting these people. How will the Town recoup the costs. Chair Hambrick is not aware of the eight parcels Councilmember Wendt referred to. The costs would be looked at as a blanket process over the three pockets. Councilmember Wendt asked if Staff could look into this previous meeting she attended for clarification on the eight lots proposed.

Chair Hambrick explained that P & Z did not look at this as a density issue, they looked at this as an issue on the side of the Town or the County, which was not the fault of the property owners.

There is nothing in the proposal that went against the General Plan nor does it create a huge development issue. Just need to fix the problem that was created by a government entity along the line.

Councilmember Hamilton spoke of fixing lots that have dual zoning, but if they don't have dual zoning, leave it alone. He spoke of some of the lots being large and there are problems with access and water supply. Just address those with the split zoning, contact the owners and ask what zoning they want to go with. He spoke of avoiding a decrease in property values. He does not recommend changing the whole section.

CP Brown clarified that he is not sure where some of the numbers were coming from. He does not recall any conversation regarding eight properties at a meeting last year. He understands Councilmember Hamilton's recommendation to address the edge properties. They are the ones unable to do what they want with their property. The only place in the county that you find this type of zoning, RL-175, is in the forestlands and very rural areas, not in the middle of an area that already is 1.6 acre zoning and you have this island of four-acre zoning, disproportionately putting the property owners at disadvantage.

Chair Hambrick clarified that this was not an issue regarding density or growth. Anyone could check the meeting records to substantiate this. He spoke of any splits being subject to state subdivision regulations or area regulations. Just because you change something that is an anomaly does not mean you are going to automatically throw something into a high density situation.

Vice Mayor McBrady spoke of the Town needing to find out why these areas are zoned the way they are, this didn't happen overnight. He spoke of this whole area being split over the years. Vice Mayor McBrady spoke against properties with a small portion of erroneous zoning to not be considered for zone change.

Councilmember Timmons inquired if the people who have approached the Community Planner actually live on the property, or are they from out of state looking to invest in their retirement as opposed to living here. CP Brown explained that the people that approached him live on the property, were looking to split the property, and continue to live on the property. Councilmember Timmons asked if the density were increased what effect would that have on existing, surrounding properties with animals.

Councilmember Hamilton spoke of Anomaly 2 and Anomaly 3 being different from Anomaly 1. Contact dual-zoned property owners and find out which way they want to go. CP Brown spoke that the difference would be if you could have a manufactured home. Councilmember Hamilton recommended the lots along Prescott Dells Ranch Road be dealt with individually. Let the smaller parcel owners make the decision on zoning. This way the Town is not forcing zoning selections on them. He views a Town Meeting on this subject a mistake.

Vice Mayor McBrady spoke of Anomaly 3 and that manufactured homes would be allowed in an area that was formerly site-built and this would be a mistake. CP Brown explained that nothing would be done without community input.

Mayor Nolan said that he believes the intention was to achieve zoning consistency. Chair Hambrick spoke that the Commission received a list of tasks from the Council. They took this task from the list and tried to lay out a process and decided that they needed direction from Council in their effort to serve the people of the Town. Chair Hambrick cited that this issue quickly seemed to turn into a debate on density and that was not the intention. The Commission is not trying to

change the zoning, the goal was to receive direction from Council to try to fix the problem on people's properties and fix the zoning inconsistencies.

Vice Mayor McBrady said he has never heard of this problem. CP Brown spoke of the complaints received and that this issue is similar to what happened with the 200-foot strip county island on the northern border of town. Vice Mayor McBrady asked how many people have contacted CP Brown. CP Brown answered that he has received four phone calls in the last 45 days. Vice Mayor McBrady asked how many were received before that, CP Brown replied that before that he doesn't recall any.

Councilmember Treadway spoke that the focus was being lost. He appreciates P & Z's efforts. He is not in favor of higher density, but the people who own the property deserve to have input. Look at the situation and address the problem.

Councilmember Timmons spoke of the Town's motto (Arizona's Country Town) and how the zoning changes would affect density. CP Brown explained the original intention of seeking a uniform pattern in zoning. Councilmember Timmons asked for clarification on the overhead map regarding R1 and R1L zoning.

Councilmember Hamilton spoke of not understanding the last time this issue was explained at a Town meeting. He disagrees with the directive regarding developing an ordinance and map. Council directs Staff, P & Z does not, they give advice but they are not directing Staff. Council should develop the ordinance. P & Z should give their recommendations to the Council, and then the Council will do what needs to be done. Staff does not take direction from P & Z. CP Brown took responsibility for that misinformation and agreed with Councilmember Hamilton. He recommended that language be added to correct this. Councilmember Hamilton said the density factor should be looked at otherwise it would probably not be passed by Council.

Councilmember Hughes spoke that he believes that P & Z Commission is here to figure out what to do with the border properties with the R1s and RLs and they are looking to Council for direction. Councilmember Hughes believes that Council wants them to concentrate on the split properties and come up with an idea for resolution, as well as what the densities would be.

Councilmember Treadway reminded everyone that just because they have a 10-acre lot doesn't mean they have to, or that they are going to divide it.

Councilmember Wendt spoke of Blue Hills being a prime example of what happens when you allow lot splits. There is a conglomeration of properties with little to no infrastructure and definite lack of water. Her recommendation is to deal only with the problems of split lots.

Councilmember Treadway concurs that Blue Hills is a hodgepodge. He believes they should get input from the affected property owners. No one has to divide their lots.

Mayor Nolan spoke of rezoning his own property. People who live on large lots aren't going to split them, they will maintain them. He spoke that the whole idea is to generalize zoning.

Councilmember Timmons asked the Mayor who paid for his rezoning. Mayor Nolan replied that he did. Councilmember Timmons asked who will pay for all these changes that are being proposed. Mayor Nolan explained that it was his choice to rezone, this situation is trying to correct an issue that was developed some time ago. Councilmember Timmons asked Chair Hambrick how far back this anomaly occurred. Chair Hambrick spoke of CP Brown assisting in trying to track this down. There was no firm information gleaned.

Chair Hambrick spoke again that this was not of P & Z's doing. They were given direction by Town Staff and knew they needed Council direction. Chair Hambrick spoke of an anonymous letter that was circulated, recommending anytime someone receives an anonymous letter they should just throw it away. Councilmember Timmons interrupted Chair Hambrick and he requested her to stop and let him finish. Councilmember Timmons continued to speak and Mayor Nolan asked Councilmember Timmons to let Chair Hambrick finish. Councilmember Hambrick said that the commission did not look at this as a density issue and this was not what he was here to discuss. The P & Z Commission will follow Council direction. Chair Hambrick spoke of the anonymous letter personally attacking him, and that he has no interest in a property referred to in the letter. He spoke of his background in real estate development, assessment, and ranching. He also spoke of his personal belief on this Town being similar to others who want to be a community but want to stop taxes, stop development, and there are no commercial properties built, yet the definition of community requires commercial property or you become a ghost town and die. Chair Hambrick summarized that those things are not what they were to be talking about tonight. Councilmember Timmons requested permission to ask her question. Mayor Nolan acknowledged Councilmember Timmons. She inquired of Chair Hambrick how far back this anomaly occurred. Chair Hambrick explained that he started out by informing her that CP Brown researched this and they were unable to determine when this occurred. Councilmember Timmons said that the people on those properties were either born on the property or purchased the property as it was. Chair Hambrick said this was possible, but he really has no idea. Councilmember Timmons spoke on being okay with people changing their zoning, but why should the Town have to pay for it. Chair Hambrick spoke of the advantage of it being handled in a whole process rather than each case being handled individually, which could be very costly.

There was further discussion regarding the costs of the process and if it would be assumed by the individuals or the Town.

Councilmember Timmons presented a hypothetical zoning situation to Councilmember Treadway, as she did not think that he understood her concerns. She also spoke that once the current zoning is done uniformly, the next group of people will want theirs done uniformly too.

Chair Hambrick requested that Council propose what they want to have happen. P & Z is looking for staff direction, or they may choose to do nothing at all.

Councilmember Hamilton spoke of sympathizing with being the victim of anonymous letters, as he has been the target of several. Chair Hambrick interrupted and explained that he is not a victim and did not mean to put it that way. He has been in the public eye several years and has harsh things said about him. He has no personal interest in the outcome of this situation. Councilmember Hamilton spoke of Anomaly 1 not being a problem unless the land is split. If you have a public hearing, you will open a can of worms. CP Brown spoke that participation may get messy, but is necessary.

#### Public Comment

Leigh Cluff apologized to Councilmember Timmons citing that she was treated rudely when she was told to stop speaking and that it should have been handled more politely. She spoke on a situation the Blue Hills area that created higher density and the Council needs to look at the big picture.

Garry Rogers spoke of being opposed to increases in density through zone changes. He is glad the Council feels this way. This is Arizona's Country Town, and low density needs to be maintained.

Denise Rogers agrees on this density issue. The potential is already present for 12,000 houses. Ms. Rogers recommended a different type of mapping to make it easier on the viewing. She summarized stating that she is opposed to all one zoning density.

Mayor Nolan spoke of 70,000 square foot lots not being considered small lots.

Councilmember Timmons asked if the blue area on the map starts the higher density. Why not consider them on an individual basis. What is considered the anomaly? She asked CP Brown what his proposal is.

CP Brown explained that only areas identified in Town with no rhyme or reason for drawing that zoning to those shapes are being addressed. CP Brown spoke of the P & Z not having a proposal, Council needs to provide direction on what to do, receive public input, then make those changes.

Councilmember Hamilton spoke of farms being sold and developed. Prescott Dells Ranch Road was originally 40 acre lots. It became a wildcat subdivision since the road was never taken over as there are no standards. The foothills were developed with standards, so that is why those roads are maintained and town-owned.

Mayor Nolan spoke of the lots along Prescott Dells Ranch Road having been all one parcel and a veterinarian wanted to use that area for a large animal ranch and everybody said no. Now you have all those small lots along that road from the highway in. Obviously, the people wanted higher density than what was there.

CP Brown suggested that a way to move forward, is to look at the strategy that the P & Z developed, as requested by Council, on Page 130. The first step would be to develop a zoning map amendment for the three identified areas. He believes he hears some Council consensus that this be restricted just to the areas that are split, limit the proposals to that. The Commission would invite the impacted property owners to a meeting to get their input and hear their concerns. The next step after that meeting would be to go back to Council, report the input they received, and get a direction from Council to have the attorneys prepare an ordinance that would bring about the change. Following the review of the proposed ordinance by Town Council and P & Z, the public hearings would be scheduled, allowing more public input, both the impacted property owners and the abutters. He knows that public input can get messy, but it can't be avoided if you are doing a legitimate job.

Mayor Nolan made a motion that Council follow the recommendations presented by P & Z (Page 136) and have Staff work out the details, Councilmember Treadway seconded the motion.

Councilmember Hamilton asked for clarification on the motion. Mayor Nolan explained that it was in support of the recommendation on Page 136. Councilmember Hamilton disagrees with the recommendations. Mayor Nolan told Councilmember Hamilton that he could vote that way.

Mayor Nolan reiterated his intention to follow P & Z's recommendation to work this out, whatever way they chose to do it, but keep the Council abreast of the progress, and he will attend the Public Hearing.

Mayor Nolan called the vote. The motion failed by a 4 – 3 vote, with Councilmember Hamilton, Councilmember Wendt, Vice Mayor McBrady, and Councilmember Timmons voting against.

Councilmember Timmons made a motion to ask Planning & Zoning to fine tune their request and then bring it back before the Council. The motion did not receive a second and was lost.

Mayor Nolan asked Councilmember Timmons to be more specific with her motion.

CP Brown spoke that what he heard from Mrs. Rogers was a request for a more graphically explanatory drawing. Mayor Nolan felt it was defined. CP Brown said that was obviously not how the audience felt.

Chair Hambrick spoke of needing a clearer motion. He understood Councilmember Hamilton's questions regarding Page 136. He felt the direction from Council was to come back and identify some of those issues discussed tonight and give information on the best way to handle those.

Councilmember Hamilton spoke of separating out each anomaly and dealing with one at a time. He does not think Anomaly 2 or 3 are that difficult, but Anomaly 1 is. Councilmember Hamilton made a motion that P & Z come back with a plan to address the parcels that have split zoning in Anomaly 1, seconded by Councilmember Treadway.

Mayor Nolan requested the motion be read back. Town Clerk Morgan read the motion: To have P & Z come back with a plan to address the parcels with split zoning in Anomaly 1.

Councilmember Timmons asked CP Brown what anomaly applied to the four people who requested land splits. CP Brown answered that they were all in Anomaly 1.

Mayor Nolan requested the vote. The motion passed with a 6-1 vote, Vice Mayor McBrady voting against.

Mayor Nolan thanked Chair Hambrick for his participation.

**9.4. Request for approval of travel expenses at 2-day NACOG Regional Council meeting in Williams, AZ; and Council's consideration to waive prior approval to 2-day meetings.**  
[CAARF requested by CM Treadway]

Councilmember Treadway explained that this meeting was increased from a one-day to two-day meeting and was requesting that if this reoccurred he would have prior approval. He explained there was a networking event that he would attend as well.

Mayor Nolan made a motion for approval of travel expenses at two-day NACOG Regional Council meeting in Williams, AZ; and Council's consideration to waive prior approval to two-day meetings, seconded by Councilmember Timmons, the motion passed unanimously.

**9.5. Discussion and possible action regarding the extension of the current Town Hall Lease.**

Mayor Nolan made a motion to move to Executive Session, seconded by Councilmember Treadway.

Councilmember Hamilton spoke of not seeing any need for an Executive Session.

Town Manager Kimball said that if Council wants to exercise the extension with no complications, that there is no need of an Executive Session, that is one option, she doesn't know if Council wanted to consider other options.

Mayor called for a vote on the motion, the motion failed unanimously.

Vice Mayor McBrady recused himself from the discussion and left the dais at 9:38 p.m.

Councilmember Hamilton spoke of there not being much for options at this time and that Council should go ahead and approve a one-year extension for the lease of the Town Hall.

Councilmember Treadway spoke of the Council only having had four months working together and there is no apparent consensus on what to do for a Town Hall, but with only eight months before extending the lease, it is reasonable to extend the lease.

Mayor Nolan spoke of negotiating with the Lessor to purchase this property. Councilmember Timmons inquired if the property was for sale.

Councilmember Hamilton noted this was not part of the agenda. Councilmember Hamilton made a motion to extend the lease.

Mayor Nolan asked if there is another extension on the lease or if this is the last one. Town Manger Kimball said there were two one-year extensions.

Councilmember Wendt seconded Councilmember Hamilton's motion. Councilmember Hamilton asked for a roll call vote. The motion passed unanimously.

**9.5.1. 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 an extension of the lease for Town Hall for one year for real property located at 2735 S. Highway 69, Dewey-Humboldt, Arizona.

Council did not go into Executive Session.

**9.5.2 Reconvene into Open Session.**

**10. Public Hearing Agenda.** None

**11. Adjourn.** Mayor Nolan adjourned the meeting at 9:42 p.m.