

**TOWN COUNCIL OF DEWEY-HUMBOLDT
STUDY SESSION & SPECIAL MEETING NOTICE**

Tuesday, April 3, 2018, 2:00 P.M.

**STUDY SESSION & SPECIAL MEETING
2735 S. HWY 69, SUITE 10**

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

AGENDA SUMMARY

1. **Call To Order.** Mayor Nolan called the meeting to order at 2:01 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Doug Treadway, Victoria Wendt and Mayor Terry Nolan were present. Vice Mayor Hughes arrived late at 2:03 p.m. Council Member Amy Timmons was absent.

Mayor Nolan moved Agenda Item 4.A. forward to this point in the agenda ahead of Item 3.

4. **Special Meeting.** Legal action can be taken.
 - A. **Review and waiver of the attorney/client privilege regarding the Town Attorney's January 29, 2018, opinion regarding the possible readoption of the Town's 2009 General Plan.**

Councilmember Hamilton made a motion to waive the attorney/client privilege regarding the Town Attorney's January 29, 2018, opinion, seconded by Councilmember Treadway. The motion passed unanimously.

3. **Study Session.** No legal action to be taken.
 - A. **Review of obsolete General Plan Town Code Sections §32.60 through §32.64 which are recommended for repeal. Discussion regarding General Plan Readoption.**

Town Manager Wilson gave an overview explaining there are two principal parts to this item. The first relates to provisions that were codified back in 2009 which provided citizen participation. Attached are provisions of the code that relate to that item. At the time the Council codified this, the provisions were developed to meet the requirements of the 2009 General Plan (GP) process. They were adopted as a resolution, which was sufficient to meet the statute, but based upon activity that occurred at the time it was codified. It is rare that you codify the code. Some of the statutes have shifted on this subject and parts of this resolution are obsolete and no longer fit. We need to draft new procedures for the adoption of a new General Plan. We propose that these be pulled out of the code and proceed to adopt a new process, as a resolution but not be put into the Code. It would govern the new process of engaging the citizens' participation in the new GP. For example, the current code would not accommodate the 15-member Citizen Committee, that was previously discussed, without the change. This could be brought back at the next meeting for action.

Town Attorney Goodwin clarified the distinction between the readoption of the existing plan and the adoption of a new plan. Town Manager Wilson clarified that a readoption does not require the type of citizen participation that a new plan does. They need to have a path for citizen participation that a new GP would require pursuant to statutes. We need to get something in place for the new GP and this would require writing a citizen participation formal process. The proposed 15-member committee does not meet this criteria but it does meet the criteria of the new statute. The second simultaneous event would be launching a new GP. A New GP or a readoption of the old plan for a limited time has to be in place by May 19, 2019.

Councilmember Hamilton recommended that the Town Manager contact the 15 individuals that were nominated for the GP citizen committee and explain the delay. TM Wilson stated

that if they could get this specific language cleared out, they could convene the committee and possibly use some of their recommendations on how to rewrite the procedures. He noted again that this should have never have been codified. Only ordinances are codified, not resolutions.

Attorney Goodwin added that the citizen review process applies not just to the adoption of the GP but also to major amendments.

There was Council consensus to put this on the next agenda for action, as well as direction that the members of the Citizen Committee be contacted and updated. Town Manager Wilson spoke of convening the committee.

Councilmember Hamilton is not in favor of readoption and was in favor of moving forward with the GP process to meet the deadline.

Town Attorney Goodwin spoke of the statute that governs the GP and major amendments. She described the processes for readoption, as well as adoption of a new plan. Attorney Goodwin recommended readoption of the current plan allowing the Town to focus on the new plan. She does not believe a new plan can be accomplished in nine months or a year. The Citizen Committee can work on the new plan and there would also be a simpler process for readoption.

TM Wilson went over the six basic elements of the previous GP and addressed items of concern for a new plan i.e. Superfund remediation plan; water; cultural and historic element; utilities; and economic growth. He recommended a readoption with the range of 2021 for adoption of a new plan.

There was further Council discussion regarding readoption, citizen participation and new plan adoption timelines.

Public Comment

Lynn Collins agrees a new GP needs economic and safety elements more so than a cultural element. She went over many areas that she feels should be included. She does not think they should wait four years. Use what you have and build on it. She spoke in favor of keeping low density and being behind on water planning.

Councilmember Wendt was in favor of readoption until 2020 or 2021 and taking time on the new GP.

Town Attorney Goodwin left the meeting.

B. Mayer Meals on Wheels 2nd Biannual Accountability Report. [As defined by Accountability contract between Town and MAMOW]

Christy Lambertus, Director of MAMOW, provided an update on their services noting they have expanded and new clients are being added daily. She described that, in addition to meals, they provide safety checks. There have been no budget cuts at this point but she urged people to contact Congress in support of the program. She thanked Town Council for their support and passed out a financial report. She noted there is no waiting list and everything is going well.

Councilmember Wendt clarified that 49% of MAMOW's funding is from NACOG. She would like to see this and other grants or monies of this nature noted in future reports.

C. Dewey-Humboldt Historical Society Business Plan 2nd Biannual Accountability Report. [As defined by Accountability contract between Town and DHHS]

David Nystrom, President and Board Chair of D-H Historical Society gave an update on

the society. Board elections recently took place, with everyone being reelected with no changes. He thanked the Town Council for their support during this interim period while they have been operating without a museum. He spoke of believing that they have a new home for the museum, what he refers to as "Museum at the Farm" and the idea is to take the museum and set up the exhibits at Mortimer's Farm at the intersection of Highways 69 and 169. He explained the symbiotic relationship between farming and ranching and on the other hand the mining and smelting industries. There would be increased visitor traffic due to the location. This would give an opportunity to teach about this unique history. The planning is in very early stages but they are excited about the concept. They will work with the Building Department on their plans. They look forward to a bright future with the Mortimers. They will be separate entities but may do some co-promotion. Outdoor exhibits would be moved first, then possibly temporary structures for displays to come later.

There was Council discussion in support of the society's new plans, appreciation for the Mortimers, and future financial support. Mr. Nystrom said it would be appreciated if there were money set aside in the Community Development fund. He suggested possible consideration from Council on future use permits. He also noted that the plan is to move the equipment off the Town's Second Street property, but would like the ability to continue to use the land for the Agua Fria Festival or other activities as a staging area. They hope to have outdoor exhibits in place by summer and have a presence at the Pumpkin and Corn festivals.

Public Comment

Leigh Cluff spoke in support of this idea and was thankful to the Mortimers.

Gary Mortimer spoke of being super excited about this idea and explained how the concept was developed. He believes this will be good for the Town.

Leigh Cluff spoke of having an idea. Council could take the former museum monthly rent payment and pay it a year in advance so DHHS can get a building.

D. Discussion of Councilmember Wendt's CAARF reviewed at the March 20, 2018, Regular Council Meeting regarding Council consideration of a \$1,600 contribution to Prescott Area Wildland Urban Interface Commission (PAWUIC) for grant acquisition and administration services.

Town Manager Wilson understood that there was a specific budget item in this year's budget to fund the PAWUIC \$1,600 contribution. Upon research, there was not a specific line item and it was probably included in a general category, therefore, Council approval is needed. It can be brought back on the next agenda for action. Councilmember Hamilton recommended placing it on the Consent Agenda.

E. Preview of FY 2018/19 Budget.

Town Manager Wilson spoke of receiving the report on estimated State Shared Revenue. Although this is not final, they are generally very close to actual disbursements. The estimate is \$475K. He noted that the Town received more state revenue in 2009 than the current year due to the flat growth of less than 2% per year based on population. He spoke of the challenge of the Town needing some growth or there will be severe issues in the future. There is \$3.9M in the general fund. There will be a more transparent budget this year, the Town will see the money and know what they have. TM Wilson asked Council to share their ideas over the next couple of weeks as to where money can be spent to the meet the Town's needs. He spoke of roads and the Activity Center requiring work and increased programming. He has received input on ideas from the Open Space and Trails Committee. The 18/19 budget process should conclude in late May or early June.

There was Council discussion about the previous budget methods, creative financing and the need for an actual budget, as well as the concern Council has for conservatism.

TM Wilson spoke of the community being extraordinary in their integrity with their budget. He spoke of the incredible work force noting their work ethic and that a little bit of money needed to be spent for their future. He also said there is HR work that needs to be formalized to meet state standards.

Mayor Nolan thanked the Town Manager for that statement and that they recognize the Staff and what they do for the community.

4. **Special Meeting.** Legal action can be taken.

A. **Review and waiver of the attorney/client privilege regarding the Town Attorney's January 29, 2018, opinion regarding the possible readoption of the Town's 2009 General Plan.**

This agenda item was moved forward ahead of Agenda Item 3.

B. **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 additional meetings were scheduled.

5. **Adjourn.** The meeting was adjourned at 3:47 p.m.