

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

**Tuesday, February 18, 2020, 6:30 P.M.**

**DEWEY-HUMBOLDT TOWN HALL  
COUNCIL CHAMBERS  
2735 S. HWY 69, SUITE 10  
HUMBOLDT, ARIZONA 86329**

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

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Dewey-Humboldt Town Council and to the general public that the Town Council will hold a meeting open to the public on **Tuesday, February 18, 2020, at 6:30 p.m.**, at the **Dewey-Humboldt Town Hall Council Chambers, 2735 S. Highway 69, Suite 10, Humboldt, Arizona 86329.**

**DEWEY-HUMBOLDT TOWN COUNCIL REGULAR MEETING AGENDA**

The issues that come before the Town Council are often challenging and potentially divisive. To make sure we benefit from the diverse views to be presented, the Council believes public meetings to be a safe place for people to speak, and asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. § 38-431.03(A)(3), which will be held immediately after the vote and will not be open to the public. Upon completion of the Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. Council Meetings are broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

**1. Call To Order**

**2. Roll Call** Town Council Members: Karen Brooks, Lynn Collins, John Hughes, Mark McBrady, Victoria Wendt, Vice Mayor Amy Lance and Mayor Terry Nolan.

**3. Pledge of Allegiance**

**4. Invocation**

**5. Announcements regarding Town 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. Pursuant to the Arizona Open Meeting Law, the Town Council may present a brief summary of current events; however, the Council may not discuss, deliberate, or take legal action on any matter in the summary.

**A. Council announcements about outside meetings and committees**

**B. Presentation and Discussion with Kimberly Robinson, United States Census Partnership Specialist, on the 2020 Census.** Topics include when the Census will open, who is counted, deadlines, and Frequently Asked Questions.

**6. Public Comment on Non-agendized Items** The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. According to the Arizona Open Meeting Law, Councilmembers may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Councilmembers are forbidden from discussing or taking legal action on matters raised during Public Comment unless the matters are properly noticed for discussion and legal action. A **3 minute** per speaker limit shall be imposed. Everyone is asked to please be courteous and silent while others are speaking.

## 7. Consent Agenda

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All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

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### A. Approval of Minutes of December 17, 2019 Regular Meeting

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### B. Approval of Minutes of January 7, 2020 Regular Meeting

- 8. Town Manager's Report** Update on Current Events. The Town Council may ask clarifying questions about any item listed on the agenda under Town Manager's Report, or ask that any item listed on the agenda under Town Manager's Report be placed on a future agenda for Council deliberation and action. No legal action will be taken on items listed under Town Manager's Report. From time to time, as authorized by A.R.S. § 38-431.02(K), the Town Manager may present a brief summary of a current event that, due to its timeliness, is not listed on the agenda. In such cases, the Town Council shall not propose, discuss, deliberate or take legal action on the matter.

### A. Town Manager's Report on Town Staffing – Public Works

- 9. General Business** Discussion and possible legal action may be taken. Agenda language may vary from that in CAARFs for Open Meeting Law purposes.

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**A. Discussion and possible action relating to the Planning and Zoning Advisory Commission's ("P&Z") recommendation about establishing a low-intensity, neighborhood-friendly new zoning classification for commercial zoning in residential neighborhoods. P&Z recommended to utilize the existing C-1 district until after the General Plan Update is complete and a re-write of the Zoning Ordinance can be undertaken, with amendments being proposed to the existing C-1 district if circumstances warrant (Staff CC)**

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**B. Discussion and possible action relating to proceeding with the new Town Hall building, to be located at 12938 East Main Street. Topics for discussion and possible action include (Staff CC):**

- **Consideration of responses received to the Architectural Design Services Request for Proposals from Headwaters Architecture, P.C. and Michael Taylor Architects, Inc., or to direct staff to prepare and issue a new Request for Proposals for Architectural Design Services specifically for one steel building;**
- **Consideration of direction to prepare and issue a Request for Proposals for a Steel Building for Town Hall;**
- **Consideration of pursuing a loan through the United States Department of Agriculture for costs associated with the purchase/construction of the new Town Hall.**

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**C. Discussion and possible action to adopt Resolution No. 20-139, formally ratifying the June 5, 2018 approval of the 2018 Yavapai County Hazard Mitigation Plan (Staff CC)**

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**D. Discussion and possible action to accept the Scope of Work from Pat Walker Consulting to perform the duties associated with the part-time Finance Manager position, and to authorize the Town Manager to execute the Scope of Work and take all other steps necessary to hire Pat Walker Consulting (Staff CC)**

**10. Consideration of additional Special Session(s)** Whether to hold and, if so, set the date

## 11. Adjourn

Persons with a disability may request reasonable accommodations by contacting the Town Hall at (928) 632-7362 at least 24 hours in advance of the meeting.

**Certification of Posting**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, at \_\_\_\_\_ a.m./p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: \_\_\_\_\_, Town Clerk's Office.

**For Your Information:**

Next Town Council Regular Meeting: Tuesday, March 3, 2020 at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, March 5, 2020, at 6:00 p.m.

Next Town Council Study Session: Tuesday, March 10, 2020, at 6:30 p.m.

If you would like to receive Town Council agendas via email, please sign up at [AgendaList@dhaz.gov](mailto:AgendaList@dhaz.gov) and type Subscribe in the subject line, or call 928-632-7362 and speak with Tim Mattix, Town Clerk.

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Agenda Item 7.A.  
**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
DECEMBER 17, 2019, 6:30 P.M.**

**A REGULAR COUNCIL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 17, 2019, 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 6:30 p.m.
2. **Roll Call** Town Councilmembers Karen Brooks, Lynn Collins, John Hughes, Mark McBrady, Vice Mayor Victoria Wendt and Mayor Terry Nolan were present. Councilmember Amy Lance arrived at 6:33 p.m.
3. **Pledge of Allegiance** Audience member Jason Chisholm led the Pledge.
4. **Invocation** Given by Councilmember Lance.
5. **Announcements regarding Town 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. Pursuant to the Arizona Open Meeting Law, the Town Council may present a brief summary of current events; however, the Council may not discuss, deliberate, or take legal action on any matter in the summary.

Vice Mayor Wendt noted that there is a Firewise meeting on December 18, 2019, at 6:30 p.m. in the Town Council Chambers.

**A. Council announcements about outside meetings and committees**

Mayor Nolan attended a Rural Transportation Advocacy Council (RTAC) meeting the previous week and discussed information from the meeting.

Vice Mayor Wendt attended a League of Arizona Cities and Towns training, *Arizona City Government 101: What Every Municipal Official Needs to Know*, on December 6, 2019, and discussed information from the session.

6. **Public Comment on Non-agendized items** The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. According to the Arizona Open Meeting Law, Councilmembers may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Councilmembers are forbidden from discussing or taking legal action on matters raised during Public Comment unless the matters are properly noticed for discussion and legal action. A **3 minute** per speaker limit shall be imposed. Everyone is asked to please be courteous and silent while others are speaking.

Frank Davidson spoke relating to an investigation request form that he filled out and read a letter that he filed; he has not heard back from the Town; a generator is running in a residential area; he is not bothered by the noise, but by the chance of fire; and, that he will hold the Town liable for any losses to his property from this matter. Mr. Davidson noted that he delivered a copy of the letter to the Town Manager on December 16, 2019.

Leigh Cluff spoke and wished everyone a Merry Christmas and Happy New Year.

Mike Donovan spoke relating to letters in the Blue Hills saying that at the October meeting, Mr. Donovan and Dewey-Humboldt Firewise were spying for the Town. In response to Mr. Donovan, Ed Hanks, Town Manager, stated that Firewise has not spied on his behalf. Mr. Donovan asked the Town Attorney if Firewise is accused of spying, if it would be a positive or negative action, and read a definition of defamation and asked if it is a good definition. Kay Bigelow, Town Attorney, confirmed that the definition read by Mr. Donovan is a good general definition; in response to Mr. Donovan, Ms. Bigelow spoke to differences between public officials and private citizens and noted that she can only give legal advice to the Council. Mr. Donovan asked that the record note that neither he nor Firewise are spying on behalf of the Town. Mr. Donovan submitted copies of the letter.

7. **Consent Agenda** All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

Councilmember Brooks removed items 7.A. and 7.B. and Mayor Nolan removed item 7.C. from the consent agenda.

**A. Approval of the Departmental Regulation entitled “Minimum design and construction standards for Rural/unpaved roads within Dewey-Humboldt” (From the August 13, 2019 Study Session)**

Councilmember Brooks requested that the alley 30’ minimum be changed to a 25’ minimum as existing alleys

are 25'. Mayor Nolan asked if the 30' minimum can be for new construction; Mr. Hanks confirmed that Section 4.1.2. can be modified to reflect that existing alleys are current widths, and anything new would be 30' minimum.

Mayor Nolan moved to approve agenda item 7.A. of the Consent Agenda; seconded by Councilmember Hughes. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

**B. Approval of the Departmental Regulation entitled “Minimum design and construction standards for Evacuation Route within Dewey-Humboldt” (From the November 12, 2019 Study Session)**

Councilmember Brooks spoke relating to the staff report stating that the standard is to be used, “primarily in the construction of a new, planned evacuation route, such as for a new residential development” and requested that the statement be removed. She spoke relating to new development coming in at the highest standard and having emergency exits planned in; and, not having a problem like in the Blue Hills again.

Vice Mayor Wendt asked if the phrase could be stricken; Mr. Hanks responded that it is an overview for Council and is not a part of the standard, and that new subdivisions would fall under the standard adopted as item 7.A. In response to Vice Mayor Wendt, Mr. Hanks confirmed that the verbiage is not included in the standard. Vice Mayor Wendt spoke relating to the phrase being in the overview and not what is being voted on.

Councilmember Lance spoke relating to being in favor of removing the phrase from the overview and from the standard, if it is included anywhere.

Councilmember Brooks spoke relating to the overview being included in the Council packets; and, it potentially being used as a precedent by any new development coming in. Mr. Hanks confirmed that staff will remove the wording from the overview and verify that it is not in the standard. In response to Vice Mayor Wendt, Ms. Bigelow noted that thought someone may try to argue it, it is not a winning argument as the standard does not include it.

Councilmember Lance clarified that the language will be removed if it is in the standard; Mr. Hanks confirmed.

Councilmember Brooks spoke relating to not knowing what will be interpreted or looked at in the future.

Mayor Nolan asked why it is 25' and spoke relating to it being 30' instead as fire trucks may utilize the road.

Councilmember Lance asked if it is an evacuation route or a road that fire trucks would be using; Mr. Hanks confirmed that it is an evacuation route; that it could be utilized as an ingress or egress by fire trucks if another way is being used for evacuation; and, that this standard was designed for one way out.

Councilmember Brooks moved to approve the evacuation route departmental standard, with the phrase struck and to go over the verbiage [in the standard]; seconded by Councilmember Lance.

Jason Chisholm spoke relating to having been told by previous Town staff that a Fire Truck turnout was required on Mirage Road; the road not being 25 feet; the average lane on a highway is about 9.5' to 10'; and, asked why 30' is needed. Mr. Hanks clarified that 25' is the minimum of the right-of-way, with the drivable surface 16 ½'.

The motion to approve the evacuation route departmental standard, with the phrase struck and to review the verbiage in the standard, passed on a roll call vote 4-3. CM Brooks – aye; CM Collins – aye; CM Hughes – nay; CM Lance – aye; CM McBrady – nay; VM Wendt – aye; Mayor Nolan – nay.

**C. Approval of the Departmental Regulation entitled “Emergency Road Standards within Dewey-Humboldt” (for mass evacuation in the event of an emergency) (From the November 12, 2019 Study Session)**

Mayor Nolan spoke relating to the road width not being enough to get people in and out; roads needing to be wide enough for fire trucks and people using them; and, this not being applicable for the Town.

Councilmember Hughes moved to dissolve the standard; seconded by Mayor Nolan. Motion passed on a roll call vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

- 8. Town Manager’s Report Update on Current Events.** The Town Council may ask clarifying questions about any item listed on the agenda under Town Manager’s Report, or ask that any item listed on the agenda under Town Manager’s Report be placed on a future agenda for Council deliberation and action. No legal action will be taken on items listed under Town Manager’s Report. From time to time, as authorized by A.R.S. § 38-431.02(K), the Town Manager may present a brief summary of a current event that, due to its timeliness, is not listed on the agenda. In such cases, the Town Council shall not propose, discuss, deliberate or take legal action on the matter.

**A. Town Manager’s Report on Town Elections (Staff CC)**

Mr. Hanks noted that staff provided a memo in the Council packet materials; candidate packets for the Town’s

2020 Elections will be available after January 1, 2020; and, the Call of Election will be published soon.

**B. Town Manager's Report on the 2020 Census and Town Activities** (Staff CC)

Mr. Hanks noted that the 2020 Census is starting; staff is participating in meetings at the County; and, the Town will be using constant contact emails and the Town website and newsletter to provide information.

Mr. Hanks reported that the Town received a resignation letter from Planning and Zoning Advisory Commission member Christina Corbisello; staff will begin the recruiting process on December 18, 2019.

In response to Mayor Nolan, Tim Mattix, Town Clerk, noted that due to legislative changes, the Primary Election date will be the first Tuesday in August; election deadlines moved up to accommodate the date change; and, discussed additional documents that need to be filed.

**9. General Business** Discussion and possible legal action may be taken. Agenda language may vary from that in CAARFs for Open Meeting Law purposes.

**A. Discussion and possible action to approve revisions to the Town Council Presentation Request form** (Staff CC)

Mr. Hanks noted that the Town Council Presentation Request form was originally approved by Council; staff is recommending changes as per the Council packet materials.

Vice Mayor Wendt moved to accept the new presentation request form as written; seconded by Councilmember Brooks.

Mayor Nolan asked if the Town Council will be asked to make a decision or vote during a presentation; and, spoke relating to not making a decision on something that is being presented at the same meeting. Mr. Hanks responded that this is for times such as when a Councilmember brings a CAARF in for a presentation at a future meeting.

The motion to accept the new presentation request form passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

**B. Discussion and possible action to enter into a five-year Inspection Services Agreement with the Arizona Department of Housing, Office of Manufactured Housing, for the Town to monitor and enforce installation standards for manufactured homes, factory-built buildings, and mobile homes** (Staff CC)

Mr. Hanks stated that the current intergovernmental agreement with the Office of Manufactured Housing, for inspection standards, is up for renewal.

Councilmember Brooks moved to approve the Inspection Services Agreement with the Arizona Department of Housing, Office of Manufactured Housing; seconded by Councilmember Collins. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

**C. Discussion and possible action relating to amending the Dewey-Humboldt Code of Ordinances, § 30.015, Town Council Generally, to add provisions that newly-elected Councilmembers shall attend one League of Arizona Cities and Towns ("League") training session and one League conference within the first two years of the first term of office, and shall receive a copy of the League's publication entitled *What All Newly-Elected Local Officials Need to Know after their election* (CAARF – Vice Mayor Wendt)**

Vice Mayor Wendt introduced the item and noted that all newly-elected persons must understand key functions; Councilmembers need to stay educated to be able to make the right judgements for the Town; the League of Arizona Cities and Towns ("League") holds training; and, the Town pays \$6,000 in League membership fees. She also spoke relating to this keeping Councilmembers up to date on legislation, open meeting laws, and ethics.

Councilmember Lance spoke relating to agreeing with the idea; and, the League putting training and educational materials online for people who aren't able to attend in person.

Councilmember Brooks spoke relating to this being too much to force someone to go to a distant training; the training not rotating around the state, though the Conference rotates between Phoenix and Tucson; having attended the newly-elected officials training the previous year and the training session being added to the League's website after it; and, getting a second copy of the training materials. She also spoke relating to it possibly eliminating a potential Council candidate who is unable to attend out-of-town training; not knowing individuals' health, allergies, or work schedule; and, online training being as viable as in-person training.

Councilmember Collins spoke relating to having received the *What all Newly-Elected Officials Need to Know* publication as part of the new Councilmember handbook; not wanting to put an extra burden on candidates who would otherwise run; and, people with disabilities who can't travel or breathe the air in Phoenix and Tucson. She also spoke relating to couples with young children who both work; and, not being able to hear in an auditorium.

Councilmember Lance spoke relating to having learned a lot at the initial newly elected official training; learning and networking opportunities at the conferences; and, absorbing the information through an online medium.

Vice Mayor Wendt spoke relating to the differences between reading materials and attending the meetings; Town Council candidates needing to educate themselves as much as possible; and, putting Councilmembers at risk of open meeting law and ethical violations.

Vice Mayor Wendt moved to amend [Town Code section] 30.015 as follows: Newly elected Councilmembers will attend one League of Cities and Towns training session and one League Conference and receive a copy of the Newly Elected Officials training publication; seconded by Councilmember Hughes.

Councilmember Collins spoke relating to those with hearing impairments; and, asked if it is legal to pass retroactive laws and if it would apply to current Councilmembers. In response, Ms. Bigelow stated that *ex post facto* laws apply to criminal, not administrative codes like this. Ms. Bigelow and Vice Mayor Wendt discussed Councilmembers having another year before they reach the two years specified in the code language.

Councilmember Lance asked if a Councilmember who was re-elected and had not gone to the training would need to go to the training. Mr. Hanks responded that he would interpret it that after being re-elected, the Councilmember would have two years to go to it. Councilmember Lance spoke relating to online opportunities.

Vice Mayor Wendt spoke relating to having opportunities in-person that are not received by reading; the majority of Council having attended; and, her experience at the December 6 League training session.

Councilmember Brooks asked if this could be construed as discrimination against individuals with disabilities who are unable to attend. Ms. Bigelow responded that the Americans with Disabilities Act may implicate this; asking for reasonable accommodations and explaining why something can't be done and what is planned in place of it; and, that a disability should be taken into account in determining whether someone has complied with the requirement. Councilmember Brooks spoke relating to the descriptions of discrimination broadening yearly; and, being able to go to college entirely online.

Councilmember Collins spoke relating to people benefitting from reading and learning Town Codes, and what needs to be fixed.

Councilmember Lance spoke relating to training being valuable; requiring the online course, rather than in-person; and, asthma being impacted by going to Tucson or Phoenix.

Vice Mayor Wendt spoke relating to the League and hotels providing accommodations; and, being able to learn more by attending in person.

Councilmember Lance spoke relating to missing the networking by not going in person; Councilmembers being volunteers; and, not forcing someone with health issues to do something.

Vice Mayor Wendt spoke relating to Councilmembers being elected officials; residents expecting Councilmembers to be educated to make the correct decisions; and, being able to talk with experts at the sessions.

Jason Chisholm spoke relating to both agreeing and disagreeing and suggested calling the League about holding an event at the Prescott Resort and Conference Center. Councilmember Lance and Councilmember Hughes responded about the attendance being too large. Mr. Chisholm continued, relating to corporate training and everyone attending some training.

Leigh Cluff spoke relating to her husband not being able to wear hearing devices due to echoing; feeling that the item is directed at Councilmember Collins; figuring out how to have the trainings here; people having asthma and other issues that prevents them from going; and, it seeming that people want to keep dividing the Town.

Nancy Wright spoke relating to thinking this is of great benefit; reading and watching it online means missing the questions and answers after each session; members of the Planning and Zoning Advisory Commission should be attending; learning from many different situations; the League covering state laws such as open meeting and conflict of interest law, rather than city and town codes; and, encouraged Councilmembers to go.

Councilmember Lance spoke relating to agreeing with Ms. Wright that it is beneficial; and, not wanting to put Council in jeopardy if their health was not conducive to going.

Vice Mayor Wendt spoke relating to the CAARF not placing blame on any Councilmember; and, believing that it is important for Councilmembers to attend training and at least one conference.

Mike Donovan spoke relating to being in support of it; coming up with another way that someone has met a qualification standard; it being up to the person with the disability to announce it and ask for a way to be able to participate; and, asked what the penalty is if someone doesn't comply.

Ulys Brooks spoke relating to the reason for making it available online is to assist those unable to attend.

Vice Mayor Wendt spoke relating to not needing a penalty; and, this being to make newly-elected Councilmembers aware that this is a responsibility that they have.

Councilmember Lance spoke relating to not all being able to attend every year; someone being obstinate and going but not gaining any knowledge or participating; and, someone who is thirsty for knowledge and wanting to help the Town going online to educate themselves.

Councilmember Collins spoke relating to not being able to breathe due to inversion layers in other counties.

Councilmember Lance moved to make this an online or in-person education; seconded by Councilmember Brooks. Motion passed on a roll call vote 5-2. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – nay; Mayor Nolan – nay.

Mayor Nolan noted that the other motion is irrelevant now and no vote will be taken.

**D. Discussion and possible action to approve a future presentation to Council by Mike Donovan on the International Wildland Urban Interface Code** (CAARF – Councilmember Collins)

Councilmember Collins introduced the item and noted that she puts any CAARF in front of Council by anyone regardless of if she agrees with it; and, that she would like to see Council have this presentation.

Councilmember Collins moved to allow the presentation; seconded by Councilmember Brooks.

Vice Mayor Wendt moved to allow Mr. Donovan to make a presentation to Council on the International Wildland Urban Interface Code; seconded by Councilmember Brooks.

The motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

**E. Council Regional Organization Appointments pursuant to Public Body Policy PG No. TC15-01, Regional Organization Appointments, and previous Council practice:**

- Central Yavapai Metropolitan Planning Association (CYMPO)
- Northern Arizona Council of Governments (NACOG)
- Yavapai County Interagency Coordination Committee (Emergency Management)
- Yavapai Regional Medical Center (YRMC)
- Greater Arizona Mayor's Association (GAMA)
- Central Arizona Fire and Medical Authority (CAFMA)

Mr. Hanks noted that staff found out that the Yavapai Interagency Coordination Committee is now called Local Emergency Planning Committee (LEPC).

Vice Mayor Wendt noted that she would like to remain on Emergency Management/LEPC.

Councilmember Brooks noted that she would like to remain on NACOG and CAFMA.

Councilmember Hughes noted that he would like to remain on CYMPO.

Councilmember Lance noted that she would like to remain on YRMC.

Mr. Hanks clarified alternate members as follows: Councilmember Hughes – NACOG; GAMA – (Mayor Nolan primary) the Vice Mayor as the alternate; LEPC – Mayor Nolan; no need for an alternate on YRMC; and, CAFMA – Vice Mayor Wendt.

Mayor Nolan noted that he was elected as Vice Chair of CYMPO and Councilmember Hughes is the alternate.

Councilmember Brooks asked if the Council has representation on the Prescott Area Wildland Urban Interface Commission (PAWUIC); Mr. Hanks responded that it is not one of the regional organizations.

**10. Executive Session**

**Vote to recess to Executive Session**

Councilmember Collins spoke relating to having heard from citizens that they would like to see this in public. In response to Councilmember Lance, Ms. Bigelow responded that the item is on the agenda for Executive Session as she will be providing legal advice to Council and recommended it be held in Executive Session.

Council voted 6-1 on a voice vote to go into Executive Session. CM Brooks – aye; CM Collins – nay; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

The Regular Meeting adjourned into Executive Session at 7:52 p.m.

**A. An Executive Session pursuant to A.R.S. § 38-431.03(A)(3) for legal advice from the Town Attorney relating to the Arizona Open Meeting Law and Arizona Public Records Law**

**Close Executive Session/Reconvene Regular Meeting**

The Regular Meeting reconvened at 8:59 p.m. All Councilmembers were present.

**11. Consideration of additional Special Session(s)** Whether to hold and, if so, set the date.

No discussion was held.

**12. Appointment of the Vice Mayor for a one-year term, pursuant to the Dewey-Humboldt Code of Ordinances, § 30.031(E)**

Councilmember McBrady moved to appoint Councilmember Lance as Vice Mayor; seconded by Councilmember Hughes. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM Lance – aye; CM McBrady – aye; VM Wendt – aye; Mayor Nolan – aye.

**13. Adjourn** The meeting adjourned at 9:01 p.m.

\_\_\_\_\_  
Terry Nolan, Mayor

ATTEST: \_\_\_\_\_  
Timothy A. Mattix, Town Clerk

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
JANUARY 7, 2020, 6:30 P.M.**

**A REGULAR COUNCIL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JANUARY 7, 2020, 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 6:30 p.m. All Councilmembers were present.
3. **Pledge of Allegiance** Audience member Jason Chisholm led the Pledge.
4. **Invocation** Given by Vice Mayor Lance.
5. **Announcements regarding Town 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. Pursuant to the Arizona Open Meeting Law, the Town Council may present a brief summary of current events; however, the Council may not discuss, deliberate, or take legal action on any matter in the summary.

Mayor Nolan spoke relating to a recent anonymous newsletter, asked that staff not be criticized for what is said in Council meetings, and addressed the newsletter stating that 286 acres went to a referendum, while only the property zoned C3 went to a referendum, and the referendum was defeated.

2. **Item taken out of order. Roll Call** Town Councilmembers Karen Brooks, Lynn Collins, John Hughes, Mark McBrady, Victoria Wendt, Vice Mayor Amy Lance and Mayor Terry Nolan were present.

**A. Council announcements about outside meetings and committees**

Councilmember Hughes attended the groundbreaking for the new Airport Terminal for Prescott and discussed the event and its impact to the region.

6. **Public Comment on Non-agendized items** The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. According to the Arizona Open Meeting Law, Councilmembers may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Councilmembers are forbidden from discussing or taking legal action on matters raised during Public Comment unless the matters are properly noticed for discussion and legal action. A **3 minute** per speaker limit shall be imposed. Everyone is asked to please be courteous and silent while others are speaking.

Jack Hamilton spoke relating to anonymous letters in the Town not telling the whole truth; anonymity allowing people to put things out that may not be true or that may have facts distorted, possibly intentionally; and, everyone having the right to free speech but being accountable for what is said, such as with slander.

Vice Mayor Lance spoke relating to Mayer Area Meals on Wheels needing volunteer drivers for the Town route.

7. **Consent Agenda** All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.
  - A. **Approval of Minutes of May 24, 2019 Study Session**
  - B. **Approval of Minutes of May 29, 2019 Study Session**
  - C. **Approval of Minutes of October 15, 2019 Regular Meeting**
  - D. **Approval of Minutes of November 5, 2019 Regular Meeting**
  - E. **Approval of Minutes of November 12, 2019 Study Session**
  - F. **Approval of Policy and Guideline PG No. TC20-01, Regional Organization Appointments, which amends previous Policy and Guideline PG No. TC15-01 (Staff CC)**
  - G. **Approval of new Administrative Regulation No. 20-01, Volunteer of the Year (Staff CC; from the December 10, 2019 Study Session)**

Councilmember Brooks moved to approve the Consent Agenda, Items A through G; seconded by Vice Mayor Lance. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

8. **Town Manager's Report Update on Current Events.** The Town Council may ask clarifying questions about any item

listed on the agenda under Town Manager's Report, or ask that any item listed on the agenda under Town Manager's Report be placed on a future agenda for Council deliberation and action. No legal action will be taken on items listed under Town Manager's Report. From time to time, as authorized by A.R.S. § 38-431.02(K), the Town Manager may present a brief summary of a current event that, due to its timeliness, is not listed on the agenda. In such cases, the Town Council shall not propose, discuss, deliberate or take legal action on the matter.

**A. Town Manager's Report on the status of the proposal from Earth Resources Corporation (ERC) and Firewise for a Northern Evacuation Route, including the plans, cost status and options, from Yavapai County Flood Control District Engineers and information from the Property Owner**

Ed Hanks, Town Manager, noted that Yavapai County Flood Control estimates \$56,000 for the drainage report and design of the Northern Evacuation Route, which is comparable to what the Town's engineer estimated; the County is willing to increase the Intergovernmental Agreement for the report and design, with the Town being responsible for construction costs. The Town received a letter from ERC relating to the property. In response to Vice Mayor Lance, Mr. Hanks recommended that Council review the materials and submit a CAARF if Council wishes to provide direction to staff. A copy of Mr. Hanks' report will be placed in the Council's mail folders.

Wil Orr, ERC, provided background information on how ERC came to own the property on Kachina and the intent behind the Northern Evacuation Route. ERC purchased the property with the intent to hold it in trust for the Town and obtained a grading permit for the driveway, with plans to put the driveway in the weekend of July 4. ERC spent \$50,000 on the property. Mr. Orr discussed water flow and the culverts that ERC brought in. In response to Mr. Orr, Mr. Hanks noted that the Army Corps of Engineers is the agency requiring the study.

Mr. Orr requested that the Town buy ERC out for \$51,000; ERC is not equipped to add engineering and does not have time in the 2020 schedule to do the work, though they would be happy to coordinate with the Public Works department on it. Mr. Orr noted that the work at the school property needs to be when school is not in session and discussed timing. Mr. Orr noted that it would be an asset transfer, rather than the Town losing money.

Councilmember Wendt spoke relating to ERC's effort on this; and, no one having been aware that it was a FEMA registered wash at the time ERC purchased it.

Gary Mortimer spoke and asked about having a low water crossing; Mr. Hanks responded that it was too steep.

**9. General Business** Discussion and possible legal action may be taken. Agenda language may vary from that in CAARFs for Open Meeting Law purposes.

**A. Presentation by Mike Donovan on the International Wildland Urban Interface Code** (From the December 17, 2019 Regular Council Meeting)

Mr. Donovan provided background information on how he became involved with the International Wildland Urban Interface Code ("IWUIC") and stated that the presentation is from him, not Firewise. A wildland urban interface ("WUI") is where populations build within or are surrounded by fuel for fires. Every 10 years, Silvis Lab uses satellite data, vegetation fuel loads and population density to map out what in the conterminous United States is in a WUI. Silvis Lab data shows that the Town is a WUI community and has a higher danger rating than did Paradise, California, before the fire. A study by the National Institute of Standards and Technology found that from 2001-2010, approximately 44.9% of the WUI in the United States experienced a fire.

Mr. Donovan discussed the International Building Code being an umbrella code of which the IWUIC is subordinate. Communities with significant areas of WUI should consider adopting the IWUIC. The IWUIC is copyrighted and can't be copied; however, it is available to be read online. He noted that the IWUIC is onerous and discussed some IWUIC requirements. The IWUIC will need to be reviewed line by line; the weed ordinance that Council is considering is nothing compared to the IWUIC. Prescott has IWUIC and is looking to get rid of it; developers have a difficult time building to it because of cost. The IWUIC would need to be modified to fit the Town's circumstances; it would likely impact all building permits after implementation, resulting in significant cost increases for new or updated dwellings. He recommended that Council recognize the Town as being within a WUI and incorporate the IWUIC into the Town's building codes.

In response to Mayor Nolan, Mr. Donovan confirmed that Prescott is getting rid of the code due to developers. Mayor Nolan spoke relating to the International Building Codes, and people being able to use the IWUIC if they want to. Mr. Donovan responded that anybody can use the IWUIC and spoke relating to the affordability of building to the IWUIC, and the Town finding income for those who won't be able to afford it.

Councilmember Wendt spoke relating to incorporating some, rather than all, of the IWUIC into the building codes.

Jason Chisholm spoke relating to Prescott and Flagstaff having adopted the IWUIC years earlier and still amending it; 1/3 of all homes in the United States being within the WUI; and, more than 35,000 structures being

lost in the last decade. He also spoke relating to Prescott requiring a fire suppression system; an IWUIC requirement for a 5,500 gallon water tank with a generator; and, recommended that Council talk to Fire, Building, Prescott, Flagstaff and Groom Creek.

Leigh Cluff spoke and clarified her understanding that a dedicated 5,500 gallon water tank is required; Mr. Donovan confirmed, and noted that it also requires fire sprinklers in homes. Ms. Cluff continued, relating to having been told that the Fire Department could not draw water from any private tank and private roads.

Ron Thibodeau spoke relating to people having moved out of California due to being over-legislated and not able to afford to live there; recognizing the danger of building in the Blue Hills; and, insurance costs increasing.

Jack Hamilton spoke relating to the Town having no way to enforce the IWUIC; the Town will need to do abatement if it does this; and, regulations being hit and miss without abatement.

Ron Miller spoke relating to the Council's legacy and asked how Council wants history to look at them; Council needing to protect the community as a whole; and, encouraged Council to think hard and sleep on it.

**B. Discussion of the International Wildland Urban Interface Code, and possible direction to staff to distribute the most important information in it to Town residents via the Town website, Town newsletter or other means, to inform residents of "self-help" improvements to protect homes (CAARF – Councilmember Collins)**

Councilmember Collins introduced the item as follows: the IWUIC should be widely distributed for people to take advantage of the knowledge and take it on themselves to do what is needed to protect their properties; having sampled the housing on Prescott Dells Ranch Road and finding that the newest house was from 2014, while everything else was 20 to 30 years; and, those are the people who need to know this information. She continued, relating to some things in the IWUIC not being very expensive; modular and manufactured buildings can't be required to be brought up to the special building construction regulations as they are subject to federal regulations; and, the Prescott code saying that screens, with 1/8" mesh, are supposed to be put behind vents to prevent embers entering into the structure. 1/8" mesh is also recommended to wrap around the bottom of decks if not enclosed; she would like to see that kind of information made available to people through the newsletter and website. She also spoke relating to the housing crisis; the IWUIC being too expensive and making it harder for people to find housing; and, making the information available to people who want to make their property safer.

Kay Bigelow, Town Attorney, spoke relating to copyright not allowing the Town to post the information online; the Town could provide a link to the online code for people to review.

Councilmember Wendt spoke relating to agreeing with certain provisions; a lot of Town residents not having available water to support sprinklers; and, that many things can be incorporated into the new building codes.

Vice Mayor Lance spoke relating to the federal mandate on mobile homes; and, situations where a mobile home and a house are next to each other, and the house needing to comply while the mobile home does not; a mobile home next to a house catching fire and throwing embers onto the property; and, the IWUIC being very expensive.

Councilmember Hughes spoke relating to the Prescott code having an exemption from the sprinkler system if it can be proven that the house will not burn onto the neighbor's area; Prescott removing the IWUIC due to the extra cost of \$50,000 to make a house by this standard, rather than due to developers; having to have a tank, generator, pump and get it tested monthly; and, not many being able to afford the changes required by the IWUIC.

Councilmember Collins spoke relating to mobile homes not being exempt from vegetation rules; and, there being 2,900 acres in the Town of public land that are not required to be maintained in areas of heavy fuel load.

Jason Chisholm spoke relating to the International Residential Code requiring a minimum of two exterior hose bib connections on dwellings; this will suppress the fire until the Fire Department arrives; and, the International Fire Code recommends fighting a fire with a 1.5" main line.

**C. Discussion and possible action to adopt and approve Ordinance No. 20-149 and an Intergovernmental Agreement for the exchange of property with the Humboldt Unified School District, including making a determination that the Dewey-Humboldt parcels are substantially equal in value to the School parcel. In exchange for property generally located at the west side of Huron Street approximately 375 linear feet north of Humboldt Street, and an alley generally located southwest of the Corral Street Inside paved parking lot of the school, the Town would receive property generally located northeast of the Town Library parcel (Staff CC)**

Mr. Hanks stated that this item started under a previous Town Manager; the School District would acquire the area of parking along Huron Street and an alley, and the Town would acquire the triangle piece of land on Corral

Street next to the Library. The square footage of the parcels received and given by the Town are equal in footage. The School District reviewed and approved it.

Vice Mayor Lance asked about previous Council discussions; Mayor Nolan responded that it had to go through the School District Board and is now back to Council for approval.

Councilmember Brooks moved that the Town Council determines that the properties being exchanged are substantially equal in value, adopt Ordinance No. 20-149, approve the Intergovernmental Agreement with the Humboldt Unified School District, and authorize staff to take all other necessary steps as contemplated in the Ordinance and Intergovernmental Agreement; seconded by Councilmember Hughes.

Mayor Nolan spoke relating to the agreement allowing the School District to have the sign for 50 years, while after 25 years, the Town can ask the School District to remove it. Ms. Bigelow responded that it is not unusual to have a license or lease that runs for longer with a shorter time at which point one of the parties can decide to pull out of it. In response to Vice Mayor Lance, Ms. Bigelow noted that the Town is giving the School District the license to put the sign on one of the pieces of property being exchanged.

The motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

**D. Discussion and possible action to approve a Consulting Agreement with PLAN\*et Communities for consulting services associated with Phase One of the Town’s General Plan Update (Staff CC)**

Mr. Hanks stated that staff is presenting the negotiated contract with PLAN\*et Communities (“PLAN\*et”) for the first phase of the General Plan Update, to evaluate what needs to be updated in the current General Plan.

Councilmember Brooks asked about setting up computers to assist people who do not have access to computers, including at the Library; PLAN\*et had previously indicated that they could not do a paper-based survey. Mr. Hanks responded that staff will work with the Library; the Town has a computer at the front counter to assist.

Mayor Nolan spoke relating to having a committee to work with PLAN\*et on reviewing and making recommendations. Mr. Hanks responded that the next agenda item is to set dates; Mayor Nolan asked if the public will talk to PLAN\*et or the committee at those meetings. Mr. Hanks responded that it would be a public meeting with the Council part of the committee. Mayor Nolan responded relating to this being a citizen-driven issue rather than a Council-driven issue; and, Council not being involved until it comes back for approval. Mr. Hanks responded that staff can reevaluate with PLAN\*et, and bring it back to Council.

Councilmember Brooks spoke relating to the Council naming Steering Committee (“Committee”) members and the Committee being made up of citizens and Councilmembers. In response to Councilmember Brooks, Nancy Wright indicated that previously more people were involved than the Town could accommodate.

Councilmember Collins spoke relating to the original public involvement plan including a Committee with two Councilmembers, two Planning & Zoning Advisory Commission members, and citizens; Council being responsible to ensure that this works; and, not supporting Task 2B, which indicates that the Town should consider including a housing, aggregate and safety element. She also spoke relating to the safety element including the Superfund sites; and, not supporting a focus group structure.

Mayor Nolan spoke relating to having seven people on the Committee, one for each Councilmember and it being up to the citizens to draw up the plan and bring to Council to approve.

Councilmember Collins raised a point of order as she had the floor. She spoke relating to Councilmembers being citizens; the prior process allowing two Councilmembers to participate on the Committee; Councilmembers selecting members turning into a political situation; and, having equal representation of people who live in the Town. She also spoke relating to spending \$25,000 for Phase 1; being accountable for the money by participating in the process; and, allowing public input from everyone.

Councilmember Brooks spoke relating to it being better for Council to participate up front and throughout the process; needing input from as many people as possible; and, those who worked on the last General Plan being a resource.

Mr. Hanks spoke relating to reevaluating with PLAN\*et and then returning to Council.

Vice Mayor Lance spoke relating to each Councilmember holding a meeting with those interested in being on the Committee; and this allowing for seven different meetings.

Councilmember Wendt spoke relating to Council making the decisions during Council Meetings; having each Councilmember suggest someone for the Committee; and, Open Meeting Law considerations.

Ms. Bigelow spoke relating to there being Open Meeting Law considerations if Council appoints members.

Vice Mayor Lance spoke relating to her previous comments, including: each Councilmember having a separate meeting with individuals, and that group deciding who best to represent that area; not having to agendize as they would be individual Councilmembers meeting; and, each Councilmember returning and reporting on who each group would like to represent them. In response to Vice Mayor Lance, Ms. Bigelow noted that PLAN\*et is looking to get people in to review and provide input on the elements.

Councilmember Collins spoke relating to the Committee being public, with agendas and minutes as a public record; growth having been an issue everyone agreed on previously; and, needing to geographically figure out areas of controversy.

Councilmember Brooks spoke relating to redundancies with seven different committees and PLAN\*et's proposal indicating that the three meetings would be agendized with minutes. She also spoke relating to PLAN\*et's experience and her support of the outline proposed by PLAN\*et.

Councilmember Brooks moved to approve the consulting agreement with PLAN\*et Communities for the Town's General Plan update; seconded by Councilmember Wendt.

Councilmember Wendt spoke relating to this being up to the citizens; Councilmembers not being involved; and, Councilmembers letting their opinions known and people being pressured if sitting in on meetings.

Leigh Cluff spoke and clarified her understanding that Vice Mayor Lance was saying each Councilmember could hold a meeting, and the people who come to the meetings deciding who will be on the Steering Committee. Vice Mayor Lance confirmed and spoke relating to voting on the contract without a decision on how the Committee will be formed. Ms. Cluff spoke relating to Councilmembers making the decisions rather than citizens.

Ms. Bigelow spoke relating to the Committee formation not being a part of the contract; and, suggested Council revisit it when it is agendized properly.

Jack Hamilton spoke relating to this being to vote on whether or not Council wants to hire PLAN\*et; the proposal has the Committee as Task 2 and Committee Meetings as Task 6; for the General Plan re-adoption public meetings, two people attended the meetings; if Council makes appointments, it will become a public body; and, his support for it being a public body.

Vice Mayor Lance spoke relating to each Councilmember choosing one person resulting in choosing people of a like mind; and, supporting the meeting being a public meeting that is recorded.

Ron Thibodeau spoke relating to supporting an open democratic process to choose Committee members; getting the word out to the community as much as possible to have people be nominated and voted on for the Committee; the process being as open to the public as possible; and, not wanting the potential of having people with self-serving interests, rather than for the community, being selected to be on the Committee.

Councilmember Collins spoke relating to getting people interested in wanting to volunteer to represent their part of Town; geographic boundaries; and, how to best decide who will be on the Committee.

Councilmember Brooks called the question. The motion passed 5-2 on a voice vote. CM Brooks – aye; CM Collins – nay; CM Hughes – aye; CM McBrady – nay; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

The motion to approve the consulting agreement with PLAN\*et Communities passed on a roll call vote 5-2. CM Brooks – aye; CM Collins – nay; CM Hughes – aye; CM McBrady – nay; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

**E. Discussion and possible action to schedule dates for three Community Meetings to review, discuss and lead to an understanding of which portions of the General Plan need to be updated, as Phase One of the General Plan Update (Staff CC)**

Mr. Hanks noted that it may be better to bring back a discussion about the Committee before selecting dates.

Councilmember Brooks spoke relating to the date options as noted in the Council packet materials; June being hectic with budget meetings; and, the Committee being picked based on whoever shows up to the first meeting.

Councilmember Brooks moved to approve the community meetings be held on Option 1, February 25, April 28 and June 23 or June 30 as discussed by Council; seconded by Councilmember Wendt.

In response to Vice Mayor Lance, Mr. Hanks responded that the Town will publicize the meeting dates via the Town Newsletter, website, constant contact emails, the newspaper, and on the Community boards; the meetings will be held in the Council Chambers, with the outside speakers turned up; and, that if there is a large turnout at

the first meeting, staff would look for a larger venue.

Nancy Wright spoke relating to needing to select the Committee prior to setting the meetings; and, there not being enough time to choose the Committee members before the proposed dates.

Jack Hamilton spoke relating to hiring PLAN\*et to do this but bypassing the first five tasks; doing it the way PLAN\*et recommended; getting five friends and going to each Councilmember's meeting, so that those people dominate the selection process; and, not having a problem with selecting by each area of the Town, though the areas need to be worked out first.

Councilmember Brooks spoke relating to being under the understanding that these three meetings are the Committee meetings rather than community meetings; and, forming the Committee first.

Ms. Bigelow spoke relating to setting aside the Committee mechanics; and, this agenda item being for community meetings. Mr. Hanks spoke relating to the contract with PLAN\*et being for one year and this not needing to be completed by June 30 if the Committee is not set up.

Councilmember Collins spoke relating to deciding where the Committee is going and what needs to be accomplished.

Councilmember Hughes spoke relating to starting with Task 1, which says that PLAN\*et will meet with Town staff to review the project scope and schedule; jumping ahead of PLAN\*et; PLAN\*et doing this for a living; and, tabling the item until PLAN\*et tells the Town what needs to be done. In response to Vice Mayor Lance, Councilmember Hughes noted that staff will discuss with PLAN\*et and summarize the information for Council.

The motion to approve the community meeting dates failed on a roll call vote 0-7. CM Brooks – nay; CM Collins – nay; CM Hughes – nay; CM McBrady – nay; CM Wendt – nay; VM Lance – nay; Mayor Nolan – nay.

**F. Discussion and possible action to authorize staff to expend up to \$1,000 of Fiscal Year 2019/20 funds for Christmas decorations, while on sale, to decorate the new Town Hall in 2020 and future years**  
(CAARF – Councilmember Brooks)

Councilmember Brooks introduced the item and noted that, aside from Humboldt Elementary School painting the windows, the Town has no Christmas decorations. She spoke relating to wanting to see the Town have a tree and decorations for the new Town Hall building; buying some decorations now and some in the next fiscal year; and, Prescott, Chino Valley and Prescott Valley having events.

Mayor Nolan spoke relating to Home Depot having one tree left as of last week; and, waiting and doing it next year. Mayor Nolan and Councilmember McBrady discussed whether decorations had been previously donated.

Councilmember Collins spoke relating to supporting the idea; wanting to see the Town do seasonal decorations at some point; and, not knowing what is left at stores.

Councilmember Wendt spoke relating to putting in for a purchase during the budget process; and, collecting donations in the meantime.

Ron Thibodeau spoke relating to being willing to donate LED lights or, if necessary, sell them cheap to the Town.

Jason Chisholm spoke relating to stores either not having anything or having a very small selection left; and, being willing to donate lights.

Jack Hamilton spoke relating to it not being in the current budget; putting it in the next fiscal year's budget; and, buying ornaments that will fit the new building.

**G. Discussion and possible action to return Main Street to angle parking for more possible parking spaces, and to mark the parking spaces** (CAARF – Councilmember Brooks)

Councilmember Brooks introduced the item and noted that there used to be angled parking on Main Street. She spoke relating to possible ramifications, such as road widths; returning one side to angled parking if both sides are not possible; angled parking giving the Town more of parking; and, lining and marking the spaces.

Mayor Nolan spoke relating to currently being able to park any way; and, there being a large ditch due to chip-sealing near the bakery.

Councilmember Collins spoke relating to improving parking before it turns into a crisis; this being forward-looking and making it look better; and, Cottonwood having to address parking at the last minute.

In response to Mayor Nolan, Mr. Hanks stated that he believed costs would be covered under Highway User Revenue Funds (HURF). Mr. Hanks recommended allowing staff to check on road width requirements first.

Vice Mayor Lance spoke relating to needing accessible parking spaces.

Based on the discussion, staff will research the question and bring it back to Council at a future meeting.

**H. Discussion and possible action to authorize Councilmember Karen Brooks to contact businesses and the Dewey-Humboldt Historical Society (DHHS) relating to sponsoring a booth at the 2020 Arizona League of Cities and Towns Annual Conference (CAARF – Councilmember Brooks)**

Councilmember Brooks introduced the item and spoke about the League of Arizona Cities and Towns (“League”) Annual Conference (“Conference”). She also spoke relating to a large conference room being opened where cities and towns set up booths that were purchased to showcase what is happening in their municipality; between 1,200 and 1,800 people who attend; towns with smaller budgets having drawings to give away one basket; there being handouts of different items at the booths; and, the Town not having a booth. She requested Council approval to contact businesses about putting on a showcase and spoke relating to others not knowing what is happening in the Town; getting a percent of the population coming out of Phoenix to stop in the Town; and, being able to advertise for events such as the Agua Fria Festival.

Vice Mayor Lance spoke relating to some booths having competitions; flaunting the businesses that the Town does have; and, possible donations from local businesses.

Mayor Nolan asked about paying for and staffing the booth. Vice Mayor Lance spoke relating to first finding out if any businesses are interested in donating. Mayor Nolan spoke relating to it not being in the budget; Vice Mayor Lance responded relating to the budget being adopted in June and the event in August.

Councilmember Wendt spoke relating to contacting the League to see what the requirements are; who will staff the booth and whether the League would allow another agency to staff it part-time; allotting enough money for the tokens that will be given away; and, budgeting for the costs. She also spoke relating to proceeding with finding out the interest in local businesses and some cities profiling their big farms.

Councilmember Collins spoke relating to promoting the Town; finding out if people are interested in participating; and, there being enough time to budget for it.

Vice Mayor Lance spoke relating to having seen children and teenagers staffing booths.

Vice Mayor Lance moved to allow Councilmember Brooks to canvass some of the businesses in the area to see if there is any interest in donation if the Town were to have a booth; seconded by Councilmember Collins.

Councilmember Brooks spoke relating to not having to buy handouts for everyone; having information with dates available; having one gift basket with a drawing; this being an opportunity to begin promoting the Town and its businesses; and, putting this in now in advance of the budget.

Jack Hamilton spoke relating to the Council role being to set policy and having staff contact the League to see what is required; and, putting something in the paper to advertise and solicit donations for the booth.

Nancy Wright spoke relating to the map at the dais behind Council; her husband having gathered the pins on the map when he was on Council; there being a bag of Dewey-Humboldt pins; and, pins being easy to give out.

Vice Mayor Lance spoke relating to staff’s workload; Councilmembers being able to canvass businesses; Prescott Valley possibly being willing to accept partial payment for a booth that the Town could then use; and, having the Town flag at the Conference.

Gary Mortimer spoke relating to promoting the Town; Mortimer Farms being willing to participate; events that Mortimer Farms has participated in; and, other towns in the area seeing Dewey-Humboldt as competition. Councilmember Hughes left the dais at 9:12 p.m. and returned at 9:14 p.m.

Leigh Cluff spoke relating to Town residents who are experienced at getting donations; people volunteering and helping the Town grow; ideas for donations and drawings; and, this being a way to promote businesses.

The motion to allow Councilmember Brooks to canvass businesses passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

**I. Discussion and possible action to contact State Representatives Noel Campbell and Steve Pierce to request legislation to set aside state funds for the Town to improve evacuation routes for fire (CAARF – Councilmember Collins)**

Councilmember Collins introduced the item and noted that this item is to ask staff to draft a letter to state legislators that money is needed to help improve roads and request that it be added to the state budget.

Ron Thibodeau spoke relating to this being a way to deal with the ERC land as discussed earlier.

Councilmember Wendt spoke relating to the state possibly looking more for statewide measures; and, this possibly being used to acquire the ERC parcels.

Councilmember Wendt moved to draft a letter to send to the representatives; seconded by Councilmember Hughes.

Ulys Brooks spoke relating to the only thing the state can say being no; and, this getting the Town's name out even if the Town doesn't get what it is asking for this time.

Councilmember Brooks spoke relating to notifying the state of the need now may help the Town get on the list in the future.

Leigh Cluff spoke relating to Governor Ducey being aware of the Goodwin Fire and the danger; and, having personally spoken with him when residents were evacuating.

The motion to draft a letter was approved on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

**J. Discussion and possible action to approve new Policy and Guideline, PG No. TC20-02, Electronic Communications** (Staff CC)

Mr. Hanks noted that staff is presenting an electronic communications guideline and is seeking feedback or approval.

Councilmember Brooks moved to approve the Policy and Guidelines, PG No. TC20-02, Electronic Communications; seconded by Vice Mayor Lance. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

**K. Discussion and possible direction to staff related to the Dewey-Humboldt Code of Ordinances, §§ 30.031(B)(5) and 30.105, regarding the agenda committee and agenda preparation process.** (Staff CC)

Mr. Hanks stated that staff recently attended Open Meeting Law training through the Arizona Ombudsman's Office and additional training through the League; the agenda committee not following Open Meeting Law guidelines; and, seeking Council direction to either follow the Open Meeting Law guidelines or do a code change.

Councilmember Brooks moved to direct staff to prepare an ordinance amending the Dewey-Humboldt Code of Ordinances, Sections 30.031(B)(5) and 30.105, regarding the agenda committee and agenda preparation process, to be done by staff; seconded by Vice Mayor Lance.

Jack Hamilton spoke relating to believing that the Town violated the Open Meeting Law; the Town Manager not putting an item on the agenda without direction from Council; on December 3, 2019, Council voted to leave the agenda as it was; and, his thought of what occurred at the December 17, 2019 Executive Session. He also spoke relating to not being allowed to discuss legal advice in Executive Session among the Council; discussion needing to occur in open session; and, there being no other public meeting at which the Town Manager could have received direction to bring this item forward.

Vice Mayor Lance asked if staff can put things on the agenda if needed; Ms. Bigelow confirmed that staff can. Vice Mayor Lance spoke relating to Mr. Hanks having attended trainings and received information that there are consequences for having an agenda committee meeting. Mr. Hamilton spoke relating to most times the Town Manager won't go against the Council. Vice Mayor Lance responded that the Council received instruction from the Town Attorney; the Council had a lot of questions; and, there was no consensus at the Executive Session.

Councilmember Brooks spoke relating to discussions about the agenda committee having started before Mr. Hanks attended training; Council having not discussed this with each other; and, the discussions being in public.

Vice Mayor Lance called the question. The motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

The motion to direct staff to prepare an ordinance passed on a roll call vote 5-2. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – nay; CM Wendt – aye; VM Lance – aye; Mayor Nolan – nay.

**L. Accept public comment related to the performance of Town Manager Ed Hanks** (Staff CC)

Mr. Hanks noted that the Town Manager's Employment Contract requires a six-month review; there is an Executive Session scheduled for the review; and, this item allows for public comment prior to Executive Session.

Jack Hamilton spoke relating to having met with Mr. Hanks; Mr. Hanks being courteous and respectful, and that

he listens; Mr. Hanks not having the skills when he took the job, but having gone to classes to educate himself; the upcoming budget showing whether or not Mr. Hanks has the skills; and, a criticism being that Mr. Hanks doesn't return calls.

Ron Thibodeau spoke relating to having dealt with Mr. Hanks; and, Mr. Hanks' personality, nature, and willingness to help fits the community well.

Jason Chisholm spoke relating to steps that need to take place; having dealt with several Town Managers in the past; and, an experience working with Mr. Hanks on Kloss Avenue. Councilmember Wendt left the dais at 9:39 p.m. and returned at 9:41 p.m.

Gary Mortimer spoke relating to Mr. Hanks' performance as Public Works Director; Mr. Hanks being loyal, dedicated, having common sense and keeping the best interest of the Town at heart; and, Mr. Hanks having good interaction with the community and staff.

Leigh Cluff spoke relating to having had every phone call returned by Mr. Hanks; Mr. Hanks admitting when he is wrong and being honest; Town staff being happier and friendlier; Blue Hills getting snow plowed under Mr. Hanks; and, other Town Managers not being friendly or caring when people talked to them.

Vice Mayor Lance spoke relating to an individual who informed her that he has never built a house with people who care and enjoy their jobs as much as with the Town; and, there having been turmoil and discord before Mr. Hanks took over.

Vice Mayor Lance moved to extend the meeting to 10:20 p.m.; seconded by Councilmember Collins. Mayor Nolan restated the motion as to extend the meeting to 10:30 p.m. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

**10. Executive Session**

**Vote to recess to Executive Session**

Motion by Councilmember Wendt to go into Executive Session; seconded by Councilmember Brooks. Motion passed on a voice vote 7-0. CM Brooks – aye; CM Collins – aye; CM Hughes – aye; CM McBrady – aye; CM Wendt – aye; VM Lance – aye; Mayor Nolan – aye.

The Regular Meeting adjourned into Executive Session at 9:46 p.m.

**A. An Executive Session pursuant to A.R.S. § 38-431.03(A)(1) for the purpose of providing a six-month performance review of Town Manager Ed Hanks, pursuant to Section 2.1 of the Town Manager Employment Agreement**

**Close Executive Session/Reconvene Regular Meeting**

The Regular Meeting reconvened at 10:56 p.m. All Councilmembers were present.

**11. Possible action related to the six-month performance review of Town Manager Ed Hanks**

No discussion or action took place.

**12. Consideration of additional Special Session(s)** Whether to hold and, if so, set the date.

No discussion was held.

**13. Adjourn** The meeting adjourned at 10:56 p.m.

\_\_\_\_\_  
Terry Nolan, Mayor

ATTEST: \_\_\_\_\_  
Timothy A. Mattix, Town Clerk

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## COUNCIL COMMUNICATION

Regular Council Meeting Date: **February 18, 2020**

Agenda Item: **9.A.**

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**Submitted by:** Edward L. Hanks, Jr., Town Manager

**Subject:**

Discussion and possible action relating to the Planning and Zoning Advisory Commission's ("P&Z") recommendation about establishing a low-intensity, neighborhood-friendly, new zoning classification for commercial zoning in residential neighborhoods.

**Background:**

On October 15, 2019, Town Council referred to Planning & Zoning a discussion and possible action relating to establishing a low-intensity, neighborhood-friendly, new zoning classification for commercial zoning in residential neighborhoods. Examples of neighborhood-friendly include restricted hours, residential-scale buildings, no hotels or apartments, and able to serve as a buffer use between homes and more intense uses. Council feels that there is an absence of a Low Intensity Commercial District that would provide for products and services that would serve neighborhoods.

The Planning Commission had this item on their agenda on December 5, 2019, discussed it in depth and made a recommendation to Council as detailed below.

Planning Commission Recommendation: The Planning and Zoning Commission, following deliberation on this issue made the following recommendation to Council:

Council, recognizing that Town of Dewey-Humboldt Zoning Ordinance currently contains a C-1 (Commercial Neighborhood Sales and Services) should not create a new Neighborhood Commercial district, but continue to utilize the C-1 district in place until the 2009 General Plan is updated, and a re-write of the Zoning Ordinance can be undertaken. If circumstances warrant, amendments could be proposed to the existing C-1 district to remove or add uses that better accomplish the Council's vision for that district.

Staff Recommendation: Staff recommends that this issue be tabled until after the update of the Town's General Plan is concluded, and this can be part of a comprehensive re-write of the Zoning Code to implement the updated General Plan.

Alternatively, staff recommends that rather than creating a new zoning district, there is currently within the zoning code a C1 (Commercial Neighborhood Sales and Services) district that could be modified to permit the uses and intensities requested by Council.

**Financial Impact:**

No expected financial impact to the Town.

**Direction Requested:**

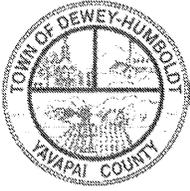
Staff is seeking Council direction on this issue following review of P&Z and staff recommendations.

**Suggested Motion:**

I move to continue the consideration of creation of a Low Intensity Commercial zoning district until after the update of the General Plan.

**Attachments:** Original CAARF with attachments.

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Dewey-Humboldt

SEP 26 2019

Received

**COUNCIL AGENDA ACTION REQUEST FORM**

Meeting Type:  Regular     Special     Work Session

Meeting Date: 10-8-19

Date of Request: 9-26-19

Type of Action:  Routine/Consent     Regular

Requesting:  Action Director to staff     Report Only

Agenda Item Text (a brief description for placement on the agenda; please be exact):

Discuss as a part of a priority List for Planning Commission to ask their suggestions for a neighborhood, low intensity, new zoning classification for use in future rezoning.

Purpose and Background Information (Detail of requested action). A more socially

acceptable neighborhood friendly zoning of commercial would be restricted hours, residential scale buildings, no hotels or apartments, and needs to be able to serve as a "buffer use" between homes and more intense uses - please brainstorm.

Staff Recommendation(s): possible list of appropriate suggested uses.

Budgeted Amount: \_\_\_\_\_

List All Attachments: \_\_\_\_\_

Type of Presentation: ~~ORAL~~ ORAL

Special Equipment needed:     Laptop     Remote Microphone  
 Overhead Projector     Other: \_\_\_\_\_

Contact Person: Lynn Collins

**Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.**



**Section 12.01 Purpose**

**A. C-O. Commercial Office Zoning District:** The principal purpose of this zoning district is to provide for well-designed and attractive business and professional office facilities on sites in appropriate locations. This zoning district would constitute a transition between other commercial land uses and residential neighborhoods. Principal uses in this zoning district include professional, semi-professional, and business office uses.

**B. C-C. Common Commercial Zoning District:** The Common Commercial Zoning District is a zoning district established where existing plats that have existing common parking lot schemes developed and can provide for modest commercial enterprises to serve a surrounding residential neighborhood, as well as to provide for services to the community which are not detrimental to the integrity of the surrounding residential neighborhood, and to provide for the appropriate location of professional offices throughout the community. The intent of this district is to integrate limited commercial activity and professional offices on the small lot and common parking lot scheme with residential land uses in a climate favorable to both. Particular attention is to be paid to the interface between commercial or professional uses and the residential uses within the same neighborhood.

**C. C-1. Neighborhood Commercial and Professional Zoning District:** The Neighborhood Commercial and Professional District is established to provide a location for modest, well-designed commercial enterprises to serve a surrounding residential neighborhood, as well as to provide for services to the community, which is not detrimental to the integrity of the surrounding residential neighborhood, and to provide for the appropriate location of professional offices throughout the community. The intent of this district is to integrate limited commercial activity and professional offices with residential land uses in a climate favorable to both. Particular attention is to be paid to the interface between commercial or professional uses and the residential uses within the same neighborhood.



and limited in scale. The C-1 Districts should generally be restricted to the intersection of major arterial streets while providing one-mile separation from other non-adjacent commercial districts. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

C. Planned Neighborhood Commercial District (PC-1)

The PC-1 District is intended to accommodate small-scale retail and service establishments that provide the incidental daily necessities for the local residential areas. This district allows for planned neighborhood shopping centers typically having a principal tenant (i.e. supermarket) and an accompanying trade area generally limited to adjacent neighborhoods. It is further intended that PC-1 Districts be restricted to the intersection of selected arterial streets while generally providing one-mile separation from other non-adjacent commercial districts. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

D. Planned Community Commercial District (PC-2)

The PC-2 District is intended to accommodate large-scale planned commercial complexes providing comparison shopping goods and services to a community wide and regional trade area. It is further intended that such commercial centers shall be planned, developed and managed as integrated complexes under unified or condominium ownership.

E. Intermediate Commercial District (C-2)

The C-2 District is intended to provide a shopping center for the sale of convenience goods and personal services. In order to prevent the establishment of undesirable "strip" commercial development, it is intended that each development be contiguous and limited in scale. The C-2 districts should generally be restricted to the intersection of major arterial streets while providing one-mile separation from other non-adjacent commercial districts. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

F. Central Commercial District (C-3)

The C-3 District is intended to accommodate retail and service establishments in the original plat of Peoria, what is now called the 'Old Town' area. While the C-3 District is intended for buildings to be grouped together in compact arrangements in order to provide maximum shopping convenience and efficient use of off-street parking, the development standards contained herein recognize the existing characteristics of individually owned, small-lot business establishments. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

G. General Commercial District (C-4)

The C-4 District is intended to facilitate a wide range of retail, office, service establishments, and other uses not suitable to be located adjacent to residential zones but necessary to accommodate the larger community. This district is particularly suitable along Grand Avenue and Bell Road<sup>2</sup> where uses are primarily related to auto-borne clientele and by nature, create a high degree of turning movement.

H. Regional Commercial District (C-5)

The C-5 District is intended to accommodate large-scale commercial establishments or developments that provide goods and services to a community-wide and regional trade area. These districts are typically located along major arterials (typically 110' of right-of-way) or other regional transportation corridors.

ARTICLE XII. - C-1—NEIGHBORHOOD COMMERCIAL DISTRICT

Chandler

35-1200. - Purpose.

The uses permitted in this district are intended primarily to serve the needs of the surrounding residential neighborhood by providing goods and services that are day-to-day needs generally classed by merchants as "convenience goods and services." Businesses which tend to be a nuisance to the immediately surrounding residential area are excluded even though the goods and services offered might be in the convenience classification.

(Ord. No. 3063, § 3, 11-18-99)

35-1201. - Uses permitted.

All uses are subject to approval of a site development plan in accordance with Article XIX of this Code. Any use or a similar use indicated by an "X" under the C-1 District on the "Table of Permitted Uses for Commercial and Industrial Areas [Nonresidential District," Article XXI] shall be permitted.

(Ord. No. 3063, § 3, 11-18-99)

35-1202. - Uses permitted by use permit.

Any use or similar use indicated by "UP" under this district's column on the "Table of Permitted Uses for Nonresidential Districts" [Article XXI] or any other use the City Council determines is compatible and in the best interest of the community may be permitted by a use permit.

(Ord. No. 3063, § 3, 11-18-99)

35-1203. - Height and area regulations.

(1) *Height Regulations:* No building shall exceed thirty (30) feet in height or twenty (20) feet adjacent to residential uses. At the thirty-foot building setback line, a building may exceed such height provided that at no point it projects above a line sloping inward and upward at a forty-five-degree angle at the required height and setback line to a maximum height of forty-five (45) feet.

## Article 2.3 Commercial Districts

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### Sections

- 2.301 Purposes
- 2.302 Commercial Districts
- 2.303 Land Use Regulations
- 2.304 Site Development Regulations
- 2.305 Additional Development Regulations
- 2.306 Additional Use Regulations

*gilbert*

### 2.301 Purposes

The purposes of commercial districts established in this article are to:

- A. Provide for a range of commercial uses at appropriate scales and locations;
- B. Encourage quality and variety in building and landscape design;
- C. Ensure land use compatibility with residential and other adjacent uses; and
- D. Provide for limited mixed commercial and residential uses.

### 2.302 Commercial Districts

The commercial districts are:

***Neighborhood Commercial (NC).*** This district permits small-scale neighborhood retail, office, and service uses under 25,000 square feet per user or stand-alone building.

***Community Commercial (CC).*** This district permits small- to medium-scale retail, office, service and entertainment uses under 50,000 square feet per user or stand-alone building.

***Shopping Center (SC).*** This district permits the unified development of medium- scale retail, office, service and entertainment uses under 75,000 square feet per user or stand-alone building.

***General Commercial (GC).*** This district permits a broad range of small- to large-scale retail, service, office, entertainment, and institutional uses of any size. Uses need not be developed under a unified plan.

***Regional Commercial (RC).*** This district permits large-scale regional retail, commercial, office, recreation and entertainment, and cultural uses, developed under a unified plan.

GILBERT

2. *Service Bays.*

- a. No part of a building within 50 feet of property designated for residential use in the General Plan shall contain bay or roll-up doors, or similar service openings.
- b. Service bays located within 200 feet of property designated for residential use in the General Plan shall not face the adjacent residential property.
- c. All service activities shall be conducted within the service bays. No used or discarded vehicle parts, equipment, or disabled, junked, or wrecked vehicles may be located outside the service bays.

3. *Commercial Vehicle/Equipment Sales and Rental; New and Used.*

- a. Within the CC and SC Zoning Districts vehicles/equipment shall occupy no more than 2,000 square feet of area on the site.
- b. Within the CC and SC Zoning Districts vehicles/equipment display shall be setback in excess of 50 feet back from the street frontage property line.

2.306 **Additional Use Regulations**

for Neighborhood Comm.

A. **Hours of Operation.** In the NC District, the hours that a business may be open to the public are limited to between 6:00 a.m. and 11:00 p.m. Increased hours of operation may be permitted with approval of a Conditional Use Permit to insure that there will be no significant adverse impact on the nearby uses.

B. **Outdoor Storage.** In addition to the requirements set forth in Section 4.104: Outdoor Business Property Storage, outdoor storage areas shall comply with the following requirements. This section does not apply to Outdoor Personal Property Storage.

- 1. *Neighborhood Commercial.* Outdoor storage is prohibited.
- 2. *Community Commercial.*
  - a. Area. A maximum of 5 percent of the Gross Floor Area (GFA) of the use.
  - b. Height of Fences. Fences enclosing outdoor storage areas shall be 6 feet in height.
  - c. Location. Outdoor storage areas shall not be located between the building and the street.
  - d. Stored Material. Stored material shall not exceed the height of the fence.

NC Neighborhood Commercial/ Office Mixed Use To provide small areas for office and professional services combined with limited retail uses, designed in scale with surrounding residential uses. This district provides a balance of residential and non-residential land use opportunities reflecting the economic needs of residents and business owners as promoted by the Queen Creek General Plan. NC implements Commercial Goal 6, Policies 6.c and 6.f (page 27) of the Queen Creek General Plan. A Agri-tainment District To provide for land uses that support and enhance agriculture use in the Town. Such uses shall be compatible with agriculture, and may include uses that support open space, natural resource management, outdoor recreation, enjoyment of scenic beauty, commercial and residential uses. The Agri-tainment District requires a Planned Area Development (PAD) Overlay. PCD Planned Community District To provide an alternative to standard zoning for planned developments. The purpose of the PCD is to encourage creative approaches in land development which conform and elevate the policies and goals of the General Plan. The district shall provide a wide mix of uses, densities, and intensities and shall be implemented through a Development Agreement. The PCD should strive to utilize the existing topography, surrounding uses, and open space opportunities through flexible design solutions. Commercial Districts C-1 Light Commercial Indoor retail, service, and office use requiring arterial street access and business and commercial development along urban arterials. The purpose of the C-1 district is to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure, and provide orderly transitions and buffers between uses. C-1 implements Commercial Goal 6, of the Queen Creek General Plan. C-2 General Commercial General commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing, and limited retail sales, with some outdoor display of goods, but limited outdoor operations. This district promotes a broad range of commercial operations and services necessary for large regions of the Town and County, providing community balance as described in the Queen Creek General Plan. The C-2 implements the Commercial Goal 6, of the General Plan.

Queen Creek

7. Encourage improvements, such as architectural features and landscaping to mitigate air and storm water pollution, and reduce the effects of the urban heat island.
8. Encourage commercial and mixed-use developments to include improvements, such as landscaping, to mitigate air and storm water pollution, to provide shade to reduce the effects of the urban heat island, and to consider solar orientation to take full advantage of sun angles and reduce potential energy consumption.

**B. Specific Purposes of Each District.**

1. *NC Neighborhood Commercial.* To provide areas for locally oriented retail and service uses that serve the surrounding residential trade area within a 1/2 to 2-mile radius. Typical uses include, but are not limited to retail stores, grocery-store-anchored shopping centers, drug stores, restaurants and cafes, gas stations, and convenience stores. Other compatible uses include small-scale medical and professional offices, personal services, as well as public and semi-public uses. Large-format retail stores are not appropriate in the Neighborhood Commercial District according to the Mesa General Plan.
2. *LC Limited Commercial.* To provide areas for indoor retail, entertainment and service-oriented businesses that serve the surrounding residential trade area within a one- to ten-mile radius. Typical uses include, but are not limited to, grocery store and additional large-format store anchored tenant shopping centers with additional drug stores, fast-food restaurants, hardware and building supply stores, gas stations with convenience stores, and restaurants and cafes. Other typical uses include, but are not limited to, those anchors and large-format retail stores that are typically located within a regional mall, retail outlet, or power center. Other compatible uses include medical and professional offices, as well as public and semi-public uses.
3. *GC General Commercial.* To provide indoor retail, limited outdoor display and related service-oriented businesses that serve a large surrounding residential trade area within a 4- to 5-mile radius. This district includes several automobile-oriented uses and similar support services related to automobiles, welding, and light assembly and fabrication related to an on-site commercial use. Other supportive uses may include, but are not limited to commercial lodging, automotive, restaurant, and movie uses, as well as office uses and public-and semi-public uses.

[Return to Page 1](#)

6-2

The MZO is current through Ordinance 5447, passed July 4, 2018

§ 150.057 NEIGHBORHOOD BUSINESS (B-1).

FLORENCE

(A) Purpose. The B-1 neighborhood business district is intended to allow for the development of basic commercial uses to serve the daily needs of a residential neighborhood. The size of any B-1 area should only be as large as is necessary to serve a given neighborhood. All B-1 areas should be located on a street of collector size or larger.

(B) Permitted uses. The following uses are permitted in the B-1 zone:

(1) Retail stores with sales only, not to exceed 10,000 square feet of gross floor area, individually and not to exceed 50,000 square feet in a commercial complex. Drive-through facilities and convenience uses require use permit approval;

(2) Restaurants and cafés not including entertainment, dancing, a bar for the serving of alcoholic beverages or drive-in types of restaurants;

(3) Grocery store, supermarket or drug store;

(4) Personal and household services such as barbers, beauty shops, health clubs and dry cleaners;

(5) Business and professional offices, banks and similar;

(6) Daycare center and/or nursery, nursery schools or private kindergartens; and

(7) Laundry limited to machines not exceeding a 25-pound capacity.

(C) Conditional uses. Conditional use permit required:

(1) Gasoline service station, provided the following criteria are met:

(a) All structures shall be of a unique design that is appropriate to the area in which they are constructed.

(b) The property adjacent to any street shall be landscaped to a minimum depth of 15 feet from the right-of-way line. This landscaped area may be penetrated by two access drives, 35 feet maximum width each per street.

(c) All indoor service areas shall have vehicular access doors that open only to an outdoor service area that is not on a street side of the building. The outdoor service area shall be completely enclosed by a solid wall or fence at least six feet in height, except for access openings no wider than 12 feet. There shall be no repair work done outside of the enclosed service areas.

(d) The minimum property size shall be 22,500 square feet.

FLORENCE

(e) No driveway shall extend into the curb radius at a street intersection.

(f) All sources of artificial light shall be concealed from view, except for freestanding standards, which shall have translucent covers to diffuse the light and eliminate glare.

(g) All vending machines shall be within the building or an area that is screened from public view.

(2) Car wash, self-service or coin-operated, provided there is no conveyor belt or drying equipment as permitted in automobile laundry;

(3) Restaurant or café which include drive-up service;

(4) Indoor commercial recreation facilities;

(5) Small animal hospitals or clinics, confined to completely enclosed sound-attenuated facilities, subject to:

(a) Animals shall not be boarded or lodged except for short periods of observation incidental to care or treatment; and

(b) No kennel or exercise runs will be permitted.

Because no list of uses can be exhaustive, decisions on unspecified uses shall be rendered by the Planning and Zoning Commission with appeal to the Town Council.

(D) Property development standards. (See §§ 150.164 through 150.184 for additional standards and exceptions.

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## COUNCIL COMMUNICATION

Regular Council Meeting Date: **February 18, 2020**

Agenda Item: **9.B.**

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**Submitted by:** Edward L. Hanks, Jr., Town Manager

**Subject:**

Discussion and possible action relating to options for the new Town Hall building, to be located at 12938 East Main Street.

**Background and Council Decision Points:**

Staff is seeking formal Council direction at tonight's Council Meeting on various aspects related to the new Town Hall building. Staff was awaiting information from one steel building manufacturer who had indicated that they provided an all-in-one solution, from a vacant lot to turn-key move-in. Since then, that manufacturer has become unresponsive, and staff is needing formal Council direction in order to move forward with the project.

Specifically, staff is seeking Council direction on the following:

- Architectural Design Services Request for Proposals ("RFP");
- Steel Building RFP;
- Additional information on Financing Options

Architectural Design Services RFP

Staff invited four firms to submit responses to a RFP for architectural design services for the most cost-effective solution for a potential two-building site, wherein one building would be for Town Hall administrative offices, and the second for the Sheriff's Office. Since that time, Council has reviewed and approved (with modifications) a floorplan in which both the administrative offices and the Sheriff's Office would be located in one building.

Out of the four firms, two solicited responses – Headwaters Architecture, P.C. and Michael Taylor Architects, Inc.

Council decision points:

Option 1: Reject the responses to the RFP and re-solicit the RFP for the architect to provide project management and with the requirement that the deliverable product is to be one steel building.

Option 2: Do not accept a response to the RFP or direct staff to re-solicit, and instead proceed with one of the options listed below that precludes the necessity of having an architectural design services RFP.

RFP for Steel Building

Staff is seeking Council direction to prepare and issue a formal RFP for steel building manufacturers. This may be in addition to, or in place of, the option for an architectural design services RFP, if Council wishes to direct staff to prepare the RFP for an all-in-one solution provider or one who partners with an architect at an extra cost. Note that during staff's initial contact, only one manufacturer indicated that they provide an all-in-one solution; it is possible that some may partner with an architect at an additional cost. Additionally, some manufacturers do not provide setup/installation services – rather,

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they provide services through delivery, and the Town would then be required to contract for the setup/installation.

Council decision points:

Option 1: Draft and issue an RFP for a steel building, with project management to be provided by the architect who successfully responds to the architectural design/project management RFP.

Option 2: Draft the RFP for an all-in-one solution provider.

Option 3: Draft the RFP for a provider who partners with an architect at an extra cost.

#### Financing Option

As indicated at the February 4, 2020 Council Meeting, the United States Department of Agriculture (“USDA”), as part of its Community Facilities Program, offers loans that the Town may be able to apply for. Certain requirements must be met in order to qualify for a loan, including having proof that a low-interest rate loan is unavailable through other lenders, and having engineered plans. Loan interest rates from the USDA are currently 2.75%. As a comparison, the Town’s fund balance is in an investment account and the interest varies depending on the stock market – there is not a set interest rate; however, staff estimates that the account is currently earning over +3% interest.

Council decision points:

Option 1: Authorize staff to take all actions necessary in order to apply for a loan through the USDA (once all terms and conditions are known, loan will be brought back for Council’s approval and entrance into the loan agreement.).

Option 2: Do not authorize the application for USDA loan.

#### **Financial Impact:**

The financial impact will vary depending on the final choices and options selected by Council. Staff will budget appropriately based on the decisions.

#### **Direction Requested:**

Staff is seeking Council direction on the three areas outlined above: Architectural Design Services RFP; Steel Building RFP; and, the Financing Option.

#### **Suggested Motion:**

Council’s pleasure.

#### **Attachments:**

None. Copies of the proposals from the architectural firms are available upon request.



## COUNCIL COMMUNICATION

Regular Council Meeting Date: **February 18, 2020**

Agenda Item: **9.C.**

---

**Submitted by:** Edward L. Hanks, Jr., Town Manager

**Subject:**

Discussion and possible action to adopt Resolution No. 20-139, formally ratifying the June 5, 2018 approval of the 2018 Yavapai County Hazard Mitigation Plan ("Plan").

**Background:**

On June 5, 2018, the Town Council by motion approved the Plan for the Town of Dewey-Humboldt.

It has now come to staff's attention that pursuant to Federal Emergency Management Agency (FEMA) requirements, the Plan must be formally adopted by a Resolution.

By not adopting the Plan by Resolution, the Town risks losing its CRS (Community Rating System) rating, resulting in increased homeowner's insurance costs for Town residents.

The attached resolution will address the FEMA requirement by formally ratifying the Council's previous action to approve the Plan.

**Financial Impact:**

There is no expected financial impact to the Town by adopting this Resolution.

**Direction Requested:**

Staff is seeking Council adoption of Resolution No. 20-139.

**Suggested Motion:**

**For:** I move to adopt Resolution No. 20-139, ratifying the June 5, 2018 approval of the 2018 Yavapai County Multi-Jurisdictional Hazard Mitigation Plan.

**Against:** I move to deny Resolution No. 20-139.

**Attachments:**

Resolution No. 20-139; minutes of June 5, 2018 Council Study Session and Special Meeting.

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## RESOLUTION NO. 20-139

### **A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, RATIFYING AND FORMALIZING THE JUNE 5, 2018 APPROVAL OF THE 2018 YAVAPAI COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, Town of Dewey-Humboldt has experienced damage from natural and human caused hazards such as flooding, land/mudslides, severe wind, wildfire, and winterstorms, possibly resulting in damage and/or loss of property and life, economic hardship and threats to public health and safety; and,

WHEREAS, the Federal Disaster Mitigation Act of 2000 requires that, in order for a jurisdiction to be eligible for certain Federal disaster assistance and hazard mitigation funding, a Hazard Mitigation Plan be prepared, approved and implemented; and,

WHEREAS, the Town of Dewey-Humboldt participated throughout 2017 and 2018 in a County-wide effort in developing the 2018 Yavapai County Multi-Jurisdictional Hazard Mitigation Plan (the "Plan"); and,

WHEREAS, the Plan (the "Plan") was drafted pursuant to Federal requirements for the reduction of hazard risk to the community; and,

WHEREAS, the primary purpose of the Plan is to identify hazards that affect the Town of Dewey-Humboldt, assess the vulnerability and risk posed by those hazards to community-wide human and structural assets, developing strategies for mitigation of those identified hazards, present future maintenance procedures for the Plan, and document the planning process; and,

WHEREAS, the Plan recommends several hazard mitigation actions or projects that will provide mitigation for specific hazards that affect the Town of Dewey-Humboldt, in order to protect people and property from loss associated with those hazards; and,

WHEREAS, upon approval of the Plan and approval from the Arizona Division of Emergency Management and the Federal Emergency Management Agency ("FEMA"), the Town of Dewey-Humboldt will be eligible to apply for federal mitigation grant funding; and,

WHEREAS, at a Special Meeting of the Dewey-Humboldt Town Council held on June 5, 2018, the Town Council, by motion, approved the Plan; and,

WHEREAS, pursuant to FEMA requirements, jurisdictions are required to adopt a Resolution formally adopting the Plan; and,

WHEREAS, the Dewey-Humboldt Town Council desires to approve the Plan by Resolution, in order to comply with the FEMA requirements;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section 1. The action of the Town Council approving the 2018 Yavapai County Multi-Jurisdictional Hazard Mitigation Plan on June 5, 2018, is hereby ratified and said approval is formalized in this Resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 18th day of February, 2020.

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Terry Nolan, Mayor

ATTEST:

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Timothy A. Mattix, Town Clerk

APPROVED AS TO FORM:

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Bigelow Law Offices, PLC  
Town Attorney  
By: Kay Bigelow

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
STUDY SESSION & SPECIAL MEETING MINUTES  
JUNE 5, 2018, 2:00 P.M.**

**A STUDY SESSION & SPECIAL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JUNE 5, 2018, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. VICE MAYOR JOHN HUGHES PRESIDED.**

1. **Call To Order.** Vice Mayor John Hughes called the meeting to order at 2:01 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Victoria Wendt, Vice Mayor John Hughes were present. Mayor Terry Nolan and Council Members Amy Timmons and Doug Treadway were absent.
3. **Study Session.** No legal action to be taken.
  - A. **Review and possible adoption of an ordinance, amending Dewey-Humboldt Town Code, Title III Administration, Chapter 30 Town Council and Officials, Council Meetings, §30.105 Council Agenda; §30.107 Time of Adjournment; and §30.108 Agenda Packets, Subsection (A), related to council meetings and agendas (As directed by Council 5/1/18)**

Town Manager (TM) Wilson stated this is in regard to adjustments to the structure and order of council items, the hours and adjournment times and the availability of the Agenda Packets. The present code is unclear and also mandated the order for these items to be heard by the Council. TM Wilson stated the number of monthly meeting recently changed, but the time frames were not adjusted. This includes language to a 3.5 hour time frame which can be extended with a motion made by the Mayor, if necessary. Also included is a clarification as to how items from the Public can come to the Council. One way is to add it to the agenda under Public Comment Non-Agendized Item. Another way is for a citizen to contact a Councilmember who would use the CAARF process.

CM Hamilton requested that the Agenda Packet be available on Friday by noon and CM McBrady and CM Wendt agreed with that recommendation.

CM McBrady requested to change the word "appropriate" to "regular" in regard to agenda item placement.

CM McBrady talked about Announcements and Proclamations being placed at the end of the meeting. He stated that not everyone stays throughout the whole meeting. TM Wilson said this could be moved to right after the Invocation.

CM McBrady asked if a Councilmember can attend an Agenda Prep Meeting. TM Wilson replied there is room for one Councilmember to attend and language can included to address this.

CM McBrady requested a change to the Time of Adjournment. He would like it to be that any Councilmember would be able to request an extension on meeting time and then have a vote.

There was Councilmember discussion on the number of meetings a month. TM Wilson recommended waiting for direction from the whole Council on the meeting schedule.

CM Hamilton recommended a general date and time for the Agenda Committee Meetings be included in the language. CM McBrady stated CAARFs should have a date and time. TM Wilson replied that we will change the wording to the normal date and time of the Agenda Committee Meeting and that Councilmembers shall be advised if there is a change.

TM Wilson stated that he would include Council's recommendations and make the revisions.

### **Public Comment**

Lynn Collins stated she is not comfortable with our Agenda Meetings or how we process the Agenda Packets. She suggested rotating Councilmembers attend the Agenda Meetings.

Vice Mayor Hughes called for any other comment.

CM Hamilton stated that the Mayor and Vice Mayor need to be on the Agenda Committee.

TM Wilson stated the requested revisions by Council would be made and they could consider bringing back three meetings.

Study Session adjourned at 2:36 p.m.

#### **4. Special Meeting. Legal action to be taken.**

##### **A. Review and approval of appointment of Associate Magistrate per the Dewey-Humboldt Town Code §30.032 by the presiding Magistrate**

TM Wilson spoke of the Town having a Magistrate, but there are sometimes occasion that an Associate Magistrate may be needed for such things as conflict of interest. Judge Kelley recommended a former D-H Magistrate, Joan Dwyer, to serve in this role.

CM Hamilton made a motion to approve the appointment of Associate Magistrate for Dewey-Humboldt, seconded by CM Wendt.

### **Public Comment**

Lynn Collins asked if this is a zoning case? TM Wilson replied that it is a criminal matter.

Vice Mayor Hughes called for the vote. The motion passed unanimously.

##### **B. Review and approval of contract for special Plan Check and Building Inspection services with Colibryn**

TM Wilson spoke of the Giant Gas Station plan checks and inspections contract with Colibryn. He talked about the fee schedule, which is based on the County's commercial fee schedule, and how the Town will be paid. The Town does not have a commercial fee schedule. This is a single project contract. He also mentioned Building Official Don Roberts is coming back.

CM Hamilton stated the Town should have a commercial fee schedule. TM Wilson agreed.

CM McBrady asked why Don Roberts can't do these inspections? TM Wilson stated Don Roberts does not have his commercial certification yet.

CM McBrady asked if Yavapai County could do these inspections? TM Wilson stated the County doesn't have the ability to commit to us at this time.

CM McBrady asked who does the septic inspections? TM Wilson replied Yavapai County.

CM Wendt spoke of her concerns regarding the Commercial fee schedule, Mr. Robert's Commercial Certification and the septic system.

CM McBrady spoke of this being a big project and since the full Council is not in attendance, he would be voting against it.

Town Council Study Session & Special Meeting Minutes, June 5, 2018  
CM Hamilton made a motion to approve the contract with Colibryn. CM Wendt seconded the motion.

### **Public Comment**

Karen Brooks requested the Public and Councilmembers to review the gas station project again. She has concerns regarding the previous Chevron's fill dirt as it was condemned. We need some protection in place so the Town won't be liable. TM Wilson stated Colibryn has insurance up to \$3 million and we are a rider on that policy. Vice Mayor Hughes talked more about the insurance and everyone else involved in the inspections.

Cheryl Taylor spoke of there being a lot of opinions both ways on the Giant Gas Station. She knows there are time constraints, but would like to have it reviewed again.

CM McBrady spoke of his concerns using a new start up company. TM Wilson stated the insurance is bonded and will be in place for the life of the event.

Leigh Cluff asked if other companies were considered? TM Wilson answered that the Town did look for an inspector in this County. A recommendation for Colibryn was made, as they had given classes at the Arizona Building Official's Spring Conference. We were comfortable with Colibryn due to the qualifications of Randall Pluimer.

There was further Council Member discussion on this issue.

Vice Mayor Hughes called for a roll call vote: CM Hamilton – Yes; Vice Mayor Hughes – Yes; CM McBrady – No; CM Wendt – Yes. The motion passed by a 3 -1 margin.

### **C. Approval of Yavapai County Multi-Jurisdictional Hazard Mitigation Plan**

TM Wilson stated this is a Federal requirement to develop a Hazardous Mitigation Plan. Without a Federal Government approved plan, we would be unable to qualify for Federal assistance. Yavapai County has a plan subscribed to by all of the County Jurisdictions and our representative is Public Works Director (PWD) Ed Hanks.

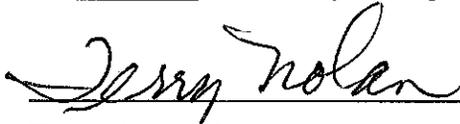
PWD Hanks stated the Technical Committee met with State and FEMA officials to identify hazards. We looked at the old plan and what we need to do for a new plan. TM Wilson stated the Jurisdiction has not published this yet. We are asking for your approval of the plan so Yavapai County can submit it to the Federal Government for assistance.

Vice Mayor Hughes asked if there was any other questions?

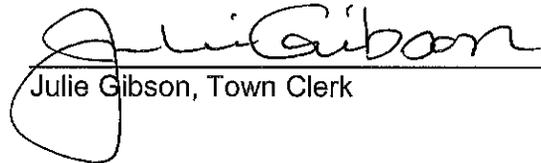
PWD Hanks stated the plan was presented to FEMA officials and it met all of their criteria.

CM Wendt stated she is the Councilmember representative of the Yavapai Management Advisory Council that originally formed the committees that put this Mitigation Plan together and said she is very impressed. Pages 127 and 128 of the Mitigation Plan reference the Firewise Certifications, the Community Board that works together with PAWUIC and CAFMA, that we are working through Grants, and it references the wildfires and droughts. She thanked PWD Hanks for his involvement in this planning committee and his fine job in contributing to it. She highly supports the plan because this is our FEMA plan and we must have this plan in place. She said that there are time constraints involved and all of the Jurisdictions need to get this information back to the County as soon as possible for FEMA approval. CM Hamilton made a motion to approve the Yavapai County Multi-Jurisdictional Hazard Mitigation Plan, seconded by CM Wendt. The motion passed unanimously.

5. **Adjourn.** Vice Mayor Hughes adjourned the meeting at 3:19 p.m.

  
\_\_\_\_\_  
Terry Nolan, Mayor

ATTEST:

  
\_\_\_\_\_  
Julie Gibson, Town Clerk

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## COUNCIL COMMUNICATION

Regular Council Meeting Date: **February 18, 2020**

Agenda Item: **9.D.**

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**Submitted by:** Edward L. Hanks, Jr., Town Manager

**Subject:**

Discussion and possible action to accept the Scope of Work from Pat Walker Consulting to perform the duties associated with the part-time Finance Manager position, and to authorize the Town Manager to execute the Scope of Work and take all other steps necessary to hire Pat Walker Consulting.

**Background:**

As part of the Fiscal Year 2019-20 Budget, Council approved the appropriation of funds to add a position in the Finance Department.

The Town began recruiting for a part-time Finance Manager position on October 1, 2019. Areas of responsibility for the Finance Manager include high-level Budget and Finance, Human Resources, and Risk Management. Recruitment efforts included publishing an ad in the newspaper for two consecutive weeks, posting the ad on the League of Arizona Cities and Towns and the Town's website, and an email through Constant Contact. The recruitment efforts have been unsuccessful to date.

With the time for preparing next fiscal year's budget fast approaching, staff solicited proposals from consulting firms to perform the duties of the Finance Manager position.

Staff is recommending that Council approve the Scope of Work from Pat Walker Consulting and authorize the Town Manager to execute the Scope of Work and take all other steps necessary to hire Pat Walker Consulting.

**Financial Impact:**

Sufficient funding for the costs associated with hiring Pat Walker Consulting were budgeted in the General Fund, account 10-415-4000.

**Direction Requested:**

Staff is seeking Council approval of the Scope of Work and authorization for the Town Manager to execute the Scope of Work and take all other steps necessary to hire Pat Walker Consulting.

**Suggested Motion:**

**For:** I move to approve the Scope of Work from Pat Walker Consulting to perform the duties associated with the part-time Finance Manager position, to authorize the Town Manager to execute the Scope of Work and to take all other steps necessary to hire Pat Walker Consulting.

**Against:** I move to take no action on this agenda item.

**Attachments:**

Scope of Work from Pat Walker Consulting.

Town of Dewey-Humboldt  
P.O. Box 69  
Humboldt, AZ 86329  
Phone: 928-632-7362 | Fax: 928-632-7365  
[www.dhaz.gov](http://www.dhaz.gov)



February 5, 2020

Ed Hanks, Town Manager  
Town of Dewey Humboldt, Arizona  
2735 S. Highway 69  
Humboldt, AZ 86329

Dear Ed,

It is a pleasure that I present this scope of work to the Town of Dewey-Humboldt (Town) to provide part time financial, human resource and risk management assistance on a variety of projects and assist in the development of the FY2021 Budget and 5-year financial forecast (FY21 to 25).

### **Introduction**

With more than 40 years of experience in local government, municipal finance and operations, Pat Walker has provided a broad array of management and financial planning services to cities, towns and special districts. Ms. Walker was with the City of Chandler, Arizona, for 23 years and served as the City's Management Services Director and Chief Financial Officer and was responsible for not only accounting and budget but at one time over 12 other divisions such as human resources, risk management, sales tax and licensing to name a few during her tenure. In 2007, she became a municipal management and financial consultant to cities, towns and utilities across the Country, working with municipalities and utilities performing business process and procedure reviews, internal control reviews, fee studies, human resource services, budgets, financial analysis and planning. In 2012, she formed Pat Walker Consulting LLC (PWC) to continue her consulting in municipal management and finance services to public sector organizations throughout Arizona.

In January 2019, Penny Malia, prior Accounting Manager for the City of Chandler joined PWC in providing services to cities and towns in Arizona. Penny's experience in daily accounting responsibilities including payroll, financial statements, audits, supervisory responsibilities, and experience with the financial software system Caselle all make her an invaluable asset to the PWC team to serve the Town of Dewey-Humboldt.

### **Background**

The Town of Dewey-Humboldt contacted PWC with a list of potential projects for part time assistance for numerous areas in the Town.

The assistance on various projects is anticipated to begin in February 2020.

### **Project Approach**

Pat Walker Consulting (PWC) LLC in collaboration with the Town is proposing the following approach to assist the Town.

## ***Assistance with Development of FY2021 Budget and 2021 to 2025 Five Year Forecast***

PWC will assist the Town with adhering to state statutes in the budget process, forecasting the revenues and expenditures for FY20 and FY21. This will be the basis for the development of the remaining 4 years of a 5-year forecast. Input from the Town will be gathered as to what are some of the major issues the Town will be facing over the next five years that impact revenues or expenditures. A financial model with estimated revenues and expenditures will be developed with the various “what if” scenarios in conjunction with the Town Accountant and Town Manager. For budgeting purposes PWC is estimating 80 hours.

### ***Assistance with Tax Revenue***

PWC will come on site and spend a day with Town Accountant to not only review revenue forecasts, but in particular to go over the local sales tax classifications reported by the state, pull historical reports by classification from the State website for future tracking purposes, complete an analysis of collection trends by classification and what categories can be increased by growth. Number of hours will need to be determined after onsite visit but there will be a minimum of 8 hours for this day.

### ***General Accounting Duties***

The PWC team will remotely review payroll, AP entries, end of month reports and journals for accuracy and approval. PWC will also be available to answer general accounting questions as needed and assist with fiscal year end audit preparation and preparation of 1099's. Number of hours per month will need to be determined after on-site visit.

### ***Risk Management***

PWC will assist the Town Manager by reviewing current risk management policies, and review list of assets that are insured to determine if coverage is appropriate and if there are any additions or deletions that need to be made to the asset list. Number of hours per month will need to be determined after on-site interview.

### ***Human Resources (HR)***

The PWC team will assist the Town Accountant with HR duties as needed such as overseeing new hires, organizing employee files, creating and maintaining evaluation schedule for employees, assist with scheduling training for employees, process payroll in Town Accountant's absence, as well as assisting Town Accountant with other HR responsibilities. Number of hours per month will need to be determined after on-site interview.

## **Project Team**

The project team is currently planned as follows:

Project Lead – Pat Walker, Pat Walker Consulting  
Project Senior Accountant – Penny Malia, Pat Walker Consulting  
Town Staff - Town Manager, Town Accountant

### ***Fees***

PWC charges \$125 an hour for Pat Walker or Penny Malia and I would recommend starting out with an amount not to exceed 160 hours or \$20,000 please traveling expense (mileage) for five trips to Dewey-Humboldt which

would be \$580.75. It is difficult to give an estimate based on number of hours required until there is an onsite visit. PWC proposes to do an on-site visit on February 13 or February 17, 2020.



Pat Walker, Principal Owner of Pat Walker Consulting LLC

Agreed to:

Date:

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Ed Hanks, Town Manager  
Town of Dewey-Humboldt

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