

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

**Tuesday, April 2, 2013, 6:30 P.M.**

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

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

**AGENDA SUMMARY**

1. **Call To Order.** The meeting was called to order at 6:31 p.m. Vice Mayor Repan presided.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Led by Bob Greene.
  - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, David Hiles, Mark McBrady, Nancy Wright; and Vice Mayor Dennis Repan were present. Council Member Denise Rogers and Mayor Terry Nolan were absent.
4. **Announcements Regarding 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.
  - 4.1. **Planning and Zoning Commission interview and possible appointment.** Tammy DeWitt application to be interviewed and appointed to the P&Z Commission.

Applicant Tammy DeWitt was present and gave an opening statement and shared her background in planning and zoning.

Council Members asked questions of Ms. DeWitt and she answered their questions.

Councilmember Wright made a motion to appoint Tammy DeWitt for the Planning and Zoning Commission, seconded by Councilmember Alen. It was approved unanimously.
  - 4.2. **Central Yavapai Metropolitan Planning Organization presentation.** By Chris Bridges, CYMPO Administrator.

CYMPO Administrator Chris Bridges gave a presentation (included in packet) on what CYMPO does and how roads get developed and paid for. He explained they are getting ready to start the Regional Transportation Plan update (done every 5 years). He reviewed next steps for project delivery and answered Council questions on alternative fuel tax, access control facility, bicycle trails, challenges for Dewey-Humboldt.

Public comment was taken on this item.

Sandy Geiger asked if MPO was involved in trail systems as an alternate mode of transportation (pedestrian and bicycle traffic).

Mr. Bridges responded to this explaining those are transportation enhancements and they are done but a reduction of funding for those options is being seen. He spoke on the Town's PARA study identifying which roads need paving and those that don't and working with ADOT on a possible traffic control change at the intersection of Highway 69 and Main Street.
  - 4.3. **Fair Housing Proclamation.** A mandatory action for all CDBG recipient communities.

Vice Mayor Repan read the proclamation declaring April Fair Housing month.

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

Town Manager Kimball spoke on anyone having questions regarding pending projects should contact her for information so it is accurate. She spoke her initial contact with the National Forest and the property owners who were identified as having vacant land for a possible trailhead use.

6. **Consent Agenda.**

6.1. **Minutes.** Minutes from the March 12, 2013 Special Study Session and March 19, 2013 Regular meeting.

Councilmember Alen made a motion to accept the minutes from March 12, 2013 and March 19, 2013 meetings as presented, seconded by Councilmember Wright. It was approved unanimously.

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

Bob Greene spoke on a business who writes grants and the Agua Fria Festival Committee looking into the purchase of land for a park. He spoke on the committee's donation to the Butte Street park of a gazebo, AstroTurf and playground equipment (which just arrived).

8. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

None.

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

9.1. **Modification of City Code 30.015 (G).** Change of Assumption of Duties.[CAARF requested by VM Repan]

Vice Mayor Repan gave an overview on this agenda item and why he requested it. He was hoping to find a way to put in black and white the responsibilities of Council Members as elected officials. Since his request was made he has received feedback that an ordinance would be required for such a change and applying additional restrictions to taking office under A.R.S. isn't the right thing to do. He asked the Council for their thoughts on how to ensure those coming into this office follow a code of conduct/ethics.

Councilmember Wright spoke on the policy that was implemented not being a part of the code, but it communicates that this is what we would like you to have to serve on the council.

Vice Mayor Repan asked how to ensure putting the best foot forward to meet citizens' expectations of their elected officials. He suggested the Town's code regarding Assumption of Office may not be accurate according to A.R.S.

Public comment was taken on this item.

Bob Greene suggested setting forth additional parameters/qualifications of Council/Mayor candidates.

Town Manager Kimball recommended they call Town Attorney Smiley to join the meeting by telephone. This was done at 7:19 p.m.

Jack Hamilton spoke on getting legal advice on this; thinking Mr. Greene's suggestion wasn't legal; an elected official can only be removed by recall or judicial removal; changing this section of code to comply with state statute and referencing statutes in town code.

Town Attorney Smiley spoke on the current state requirements for an elected official candidate. She spoke on the Quartzite case where someone challenged the additional requirements. The Supreme Court found it invalid to require more. She said the Town's code 30.015 (G) can be brought in to compliance when they work on the consolidated election changes.

Councilmember Wright asked about changing the Oath of office to include additional things. Ms. Smiley responded they can't take anything away from it but could possibly include additional wording. She explained that at this time the Code of Ethics is voluntary but if not signed the council could sanction them, but it can't be a requirement of office.

Vice Mayor Repan asked if it is not signed after taking office then it would be a separate code infraction. Ms. Smiley responded it would. VM Repan responded he would give it more thought and would ask this come back at a future work session, and he would like to see the Quartzite case and look at other Cities, Towns and Yavapai County for their provisions.

## **9.2. Presentation of Appreciation Plaque for Councilman David Hiles.**

Vice Mayor Repan presented Councilman Hiles with his Appreciation Plaque and spoke a few kind words on Hiles' time on the Council. Mr. Hiles thanked the Council and spoke on his appreciation of the members of Council.

## **10. Public Hearing Agenda.**

None.

## **11. Comments from the Public.**

None.

## **12. Adjourn.**

The meeting was adjourned at 7:33 p.m.