

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 16, 2014, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 16, 2014, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:31 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done. Led by Mr. Jerry Piper.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

4.1. Public Safety Quarterly Update.

4.1.1. Yavapai County Sheriff's Office report presented by Lt. Auvenshine. Lt. Auvenshine introduced Sgt. Josh Prosell who is a new officer assigned to the D-H area. Lt. Auvenshine provided a review of the YCSO quarterly report for April-June. He covered criminal activity report and animal control issues. Lt. Auvenshine spoke about meeting with Town Manager and Connie Dedrick. The meeting was very productive and addressed a number of animal control issues which are being reviewed and proposed changes by the Planning and Zoning commission. Lt. Auvenshine spoke about the increase in the number of animal citations issued during this quarter and explained the reason for the increase was due to having additional animal control officers available to be assigned to the D-H sector. Over-all quarterly report statistics for this quarter did not show any significant increase or decrease in enforcement activity and things are going well in the area.

Lt. Auvenshine answered council questions.

Kevin Szanto spoke on a dog at large in the area which he reported and provided pictures of but then nothing was done by the County. Lt. Auvenshine explained the procedure for handling dog at large calls.

Keven Szanto asked if there was a direct line to the substation. Lt. Auvenshine instructed Mr. Szanto to call the main dispatch line for all call for county enforcement assistance.

Town Manager Kimball spoke about coordination between Town Staff and County Staff and voiced the appreciation of Town Staff for support provided by the County in regards to flooding/low water crossing signs.

Central Yavapai Fire District report presented by Rick Chase. Fire Chief for Yavapai County Fire District gave his 2nd quarter report using a PowerPoint presentation. He spoke on bee calls and if bees are presenting a danger threat they will be foamed but if not causing a problem they will contact a bee keeper to have the bees removed. He spoke on Fire Pal program which provides fire safety education for the elementary schools; safety plan checks for special events and requirements the FD has for these events such as fire extinguisher for cooking and fire rated canopies; new construction and plans for the Oasis Church in the Blue Hills. Due to life-safety

measurements, they will require installation of water tanks and sprinklers in buildings.

Mayor Nolan questioned lock-out calls.

Chief Chase explained what type of lock-out calls are most common and the process for handling those calls which include animals locked in vehicles and also persons locked in a vehicle.

Councilmember Hamilton questioned about water tanks being placed in the Blue Hills area and what the plans are for this.

Chief Chase stated there is a tank scheduled to be placed for the area and it is currently in the works. Land has been donated and the legal process is done.

Councilmember Wright asked about hazardous waste and disposal of hazardous waste materials such as old tires.

Chief Chase stated that old tires are considered solid waste, and he spoke on types of hazardous waste such as fuel spills

Town Manager Yvonne Kimball spoke about the Oasis Church project still in progress due to land use concerns. Building permits for the new construction have not been issued.

Public comment was taken on this item.

Jerry Brady spoke on National Fire Codes, Insurance rating and how adoption of the new codes will impact insurance costs. If not adopted insurance will increase. Mr. Brady questioned the current status of the town's rating, and significant impact under the new codes if rear setbacks are reduced.

Chief Chase spoke about working closely with the building department and concerns regarding the 2012 IFC. The Fire Department will continue to work closely with the building department on these issues. Provided update on two recent structure fires.

4.1.2. Magistrate Court report presented by Judge Catherine Kelley. Judge Kelly provided her report stating there are no surprises and things are going great. The town and state seal are still in working progress but should be arriving soon.

Councilmember Hamilton asked about the revenues for the magistrate. Judge Kelly stated they are exactly the same. No changes.

TM Kimball spoke on the magistrate staff being instrumental in reviewing the code enforcement procedures and the outcome is forthcoming.

4.2. Proclamations

4.2.1. National Employer Support of Guard and Reserve Week Proclamation.

Mayor Nolan read the for the National Employer Support of Guard and Reserve week.

4.2.2. POW-MIA Recognition Day Proclamation.

Proclamation read by Mayor Nolan and declared September 19th to be Recognition Day for the POW-MIA.

5. Town Manager's Report. None

6. Consent Agenda. None

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

Jerry Brady spoke on the long response times under GIS/GPS Land Survey adjustment by state; variations in and displacement of mapping locations; no legal description of the town to serve as an initial point to begin the process of rectifying these survey issues.

8. Discussion Agenda – Unfinished Business.

8.1. Council policy on formal presentation. [Continued from the September 9 and the August 12th meetings; VM Alen Original CAARF from the May 13, 2014 meeting]

Council reviewed what had been done on this agenda item to date. Council directed to disregard the policy with possible modifications to the form. Form provided is the clean copy of those modifications. There were comments from members of the council on how proclamations and presentations should be presented. Council agreed commendations and proclamations should be removed from the form, which should be for presentations only.

Public comment was taken on this item.

Jerry Brady spoke about Mayor and Town Council having different authority and bringing forward what is important to the public interest.

Mayor Nolan spoke on the intended purpose of the issue and recommended they remain on the form for information purpose.

Councilmember Wright questioned the 30 minute time frame for presentations.

Councilmember Hamilton made a motion to remove the line that says “request for commendation proclamation”, seconded by Nancy Wright. It passed by a 5-2 vote in favor, Mayor Nolan and Councilmember McBrady voted against.

Council was in agreement to limit the presentation to 30 minutes for Q&A. Town Manager Kimball will make final adjustments to the form as directed and bring it back on the consent agenda.

9. Discussion Agenda – New Business.

9.1. Vehicle Bid Award. Town Manager Kimball gave an overview of the purpose of the budget approved proposed vehicle for the Public Works department. They received one bid from Galpin Ford. Staff recommends rejecting all bids as it is believed they can get more competitive pricing.

Council discussed why they do not need a four-wheel drive.

Councilmember Repan made a motion to reject the bid and look elsewhere. Seconded by Councilmember Williams-Rowe. It was approved unanimously.

TM Kimball spoke on a Town IGA with the state to make purchases using the state contract. Very likely we will utilize the contract agreement.

9.2. Discussion and Action on who should attend the Newly Elected Town Officials at the League of Cities & Town Conference.

Councilmember Hamilton spoke about the intended purpose of the NEO training for new council members to find out what their duties are. Program does not change yearly to make it helpful or cost-effective for the Town to send re-elected officials.

Mayor Nolan spoke about the benefit of going through a refresher course for any and all council members. If an elected councilmember should want to attend they should and the financial impact is not significant enough to be a concern.

Councilmember Hamilton spoke on the League of Cities and Town's Annual conference and the purpose for the conference is to educate us and update the council on what is happening in the state.

Public comment was taken on this item.

Jerry Brady spoke on Yavapai County and the State Bar association continuing education program. New laws every year affect their duties, including fiduciary duties.

There was continued discussion on who should be allowed to attend the NEO training.

Councilmember Hamilton made motion to allow only members of the council who have never attended the NEO conference have the right to go, seconded by Nancy Wright. The motion failed by a 2-5 vote, Councilmembers McBrady, Repan, Williams-Rowe, Vice Mayor Alen and Mayor Nolan voting against.

9.3. Discussion and possible action to have P&Z look at changing the rear setback on all parcels of land in Dewey-Humboldt to 10-feet.

Councilmember Hamilton gave an overview on his CAARF. Following the BOA meeting he questioned the purpose for granting the recent variance at the last variance hearing when the code clearly states the reason for granting a variance must be caused by the land. If the code is not being followed, why not allow everyone to build up to 10 feet from the back property line. He requested they send this to the Planning and Zoning Commission to do the research on it to determine if other reasons may exist which would justify keeping the distance.

There was discussion on the reason for setbacks.

Councilmember Hamilton made a motion to approve sending this to the P&Z to look at rear setbacks being reduced to 10 feet, seconded by Councilmember Wright. The motion failed due to subsequent motion.

CM Hamilton made a second motion to amend the first motion was made, to look at the rear setbacks on land, seconded by CM. Wright. Motion failed due to a subsequent motion.

CM McBrady made a motion to approve sending this to P&Z to look at setbacks, seconded by CM Williams-Rowe. (see vote and outcome below)

Public comment was taken on this item.

Jerry Brady spoke on setbacks and current problems.

CM Wright made a motion to send this to P&Z to look at the rear setbacks to decide if they need to be changed or if they fit the town of D-H. This motion failed due to passing of subsequent motion.

Public comment was taken on this item.

Jerry Brady spoke on the fire codes and how the ISO ratings and insurance costs will be affected.

The motion to send this to P&Z to look at setbacks was approved by a 4-3 vote in favor, Councilmembers Hamilton, Wright and Mayor Nolan voting against. All other previous motion failed due to this motion's passing.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jerry Brady spoke on public infrastructure issues and identifying defects and deficiencies to be corrected. Flood and fires are the highest priority in the state; conform with existing laws; plan on how to fix the problems.

12. Adjourn. The meeting was adjourned at 8:16 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk