

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
STUDY SESSION MINUTES  
TUESDAY, FEBRUARY 11, 2014, 2:00 P.M.**

**A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, FEBRUARY 11, 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 2:03 p.m.

2. **Roll Call.**

**2.1. Town Council.** Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present. Council member Sonya Williams-Rowe was absent.

3. **Study Agenda.** No legal action to be taken.

**3.1. Transient Merchant Draft Ordinance.**

Councilmember Hamilton spoke on a letter received from citizen, David Nystrom regarding the Transient Merchant Ordinance. He stated they should hold off on doing this until they decide to have business licenses.

Town Manager Kimball explained this was a priority listed for Planning and Zoning to work on, and a draft ordinance has been provided by the attorney to get started on. P&Z looked over the ordinance without any objections. Council should consider whether they want it and if so what their goal to accomplish is.

Town Attorney, Susan Goodwin was in attendance to answer council's questions.

Vice Mayor Alen suggested looking at transient merchants as it relates to special events and whether the producer or the vendors would handle the licensing.

There was discussion on whether there had been any complaints and the reasons for sending this to the commission for creation.

Mayor Nolan read a prepared letter from Councilmember Sonya Williams-Rowe stating her opposition to this ordinance, her reasons being most transient merchants operate during weekends and holidays and it might discouraging vendor participation in special events by increasing their cost to operate in town.

Councilmember Repan gave his opinion to shelf the ordinance until they see a need for it.

Vice Mayor Alen suggested incorporating a similar, simpler element into the event permit.

Town Attorney Goodwin explained this will take discussion and care before making a decision, but models are available if this is direction the council wishes to give.

Councilmember Wright spoke on our contract police services being able to fulfill the regulations the council legislates.

Public comment was taken on this item.

Jerry Brady spoke on special event permits, tax codes for transient merchants and other types of merchants that should be included in the ordinance.

### **3.2. Cable One Franchise Agreement Renewal.**

Town Attorney Goodwin spoke on what had changed in the franchise, but the State legislature taking away much of the negotiations. If the Council is good with the 5% (which is what it has been historically) then they will forward the agreement to Cable One for their review, comments and/or revisions. Council agreed that they were satisfied with the agreement as presented.

### **3.3. What is town policy for collecting money owed to the Town? [CAARF requested by CM Hamilton]**

Councilmember Hamilton spoke on his request and on the town's use of a collection agency in prior years. He gave his opinion that he would prefer to put a lien on the property rather than go through a collection agency.

Town Attorney Goodwin explained the town's ability to place a lien on land is where the violation involves land. She reviewed 4 options available to the town: use a collection agency and if monies are not collected within a certain period of time it goes back to the town to collect; file criminal charges to collect; treat them like civil traffic violations; recordation of a lien if it involves property.

There was discussion on the various options and where and when they could use certain ones.

Public comment was taken on this item.

Jerry Brady spoke on tax liens, how they work and problems collecting on them. He spoke on Prescott Valley's efforts to collect monies owed and administrative costs.

Councilmember Wright explained the town does not collect property taxes. Councilmember Hamilton spoke on having a policy of pursuing options 2 (criminal charges) and 4 (lien).

Town Attorney Goodwin responded to a question about whether this would be done retroactively. She explained how a new policy could be used moving forward and could be done on any outstanding cases where money is still owed. There was discussion on whether to codify or just have a policy and what to do when monies are not easily collected.

Public comment was taken on this item again.

Jerry Brady spoke on research done with Yavapai County Superior Court on the Town's procedures, and the computer system the magistrate office uses.

There was discussion on how few cases the town has had, and Council reached consensus to consider a policy for now and if an increase in this problems then consider taking further steps with an ordinance.

### **3.4. Continued Discussion on In-House Building Safety Inspection.**

Town Manager Kimball gave an update to the Council on where they are on this process and her research for options. Not a practical option to partner with other

municipalities; contractor will be more expensive; approximately \$30k available (to remain revenue neutral) for additional in-house staffing; full-time versus part-time, need for certificated employees.

There was discussion on these options; details of the current fee schedule and administrative fees; NACOG grant funding; whether to have another fee study done; consideration of not having a building department or any building permit requirements.

Public comment was taken on this item.

Jerry Brady spoke on his certifications; fire codes; life safety initiative; waiting until the public safety survey is done in Prescott.

There was more discussion between Councilmember Wright and Town Manager Kimball regarding the NACOG grant programs. Council agreed to have staff continue down the avenue they have been pursuing with discussion of those results at a later time.

**3.5. NAU faculty facilitated visioning session location, recording and broadcast options, time, and dates.** To update where and when to hold the sessions and whether to use Granicus system.

Town Manager Kimball spoke on Facilitator Bowen's recommendation to have the meeting off-site, and 2 council members' suggestion to have it on-site, in the council chambers in order to record it on Granicus. Ms. Kimball spoke on options within town for an alternate facility to use for this purpose.

There was discussion on the pros and cons of these options.

Public comment was taken on this item.

Jerry Brady spoke on the town's ability to generate an economic base similar to Sedona's and sending out notice of these meetings using the database generated through the D-H Museum petitions.

Councilmember Repan spoke on the first two visioning meetings being the preliminary meetings for this process, with the steps following being input from citizens. Vice Mayor Alen explained the next component after these meetings being community stakeholders interacting with Council.

Public comment was taken on this item.

John Young spoke on putting the town on the map and preserving its history and finding ways to get people interested in this topic.

Town Manager Kimball explained all these meetings are public meetings and the public is welcomed, but it is suggested the first two "visioning" meetings to have no public comment.

The "visioning" meetings will be scheduled for 4:00 p.m. at the Dewey-Humboldt Library – downstairs room.

**4. Special Session.** Legal Action can be taken.

**4.1. Whether to hold additional special session(s) this month.** This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

Council reviewed that the 4<sup>th</sup> Tuesday in February was already scheduled for the Special Visioning meeting being held on February 25<sup>th</sup> at 4 p.m. at the D-H Library downstairs library room. They decided not to hold any other additional meetings this month.

**5. Comments from the Public.**

Jerry Brady spoke on German Business interest in Dewey-Humboldt's economic development plan and historic tourism. He spoke on money available if there is tourism filtered through Phoenix Airport.

**6. Adjourn.** The meeting was adjourned at 4:05 p.m.

---

Terry Nolan, Mayor

ATTEST:

---

Judy Morgan, Town Clerk