

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

**Tuesday, December 19, 2017, 6:30 P.M.**

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

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

## **AGENDA**

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council 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 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. The Council meeting may be 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. Opening Ceremonies.**

**2.1. Pledge of Allegiance.**

**2.2. Invocation.**

**3. Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor Mark McBrady, and Mayor Terry Nolan.

**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.

**5. Town Manager's Report.** Update on Current Events. No legal actions can be taken. Council may ask town staff to review an operational matter at this time, or may ask that a matter be put on a future agenda for actions or further discussion. Possible matters and projects are related to Town general administration, Finance, Public Works, Community Development.

**6. Consent Agenda.**

**6.1. Minutes.** Approval of Minutes from the October 10, 2017, Work Session and the October 17, 2017, Regular Council Meeting.

**7. Comments from the Public (on non-agendized items only).** 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. At the conclusion of Comments from the Public, Council members 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, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for

discussion and legal action. A 3 minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

**8. Public Hearing Agenda.**

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

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**9.1. Appointment of the Vice Mayor per Town Code 30.031(E).**

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**9.2. Request for Presentation by Yavapai County Administrator & Board of Supervisors regarding the ¼ cent sales tax set to expire in 2020 and scheduled for vote March 2018.**  
[CAARF submitted by Mayor Nolan]

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**9.3. General Plan Update** [CAARF submitted by Mayor Nolan]

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

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**THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.**

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**11. Adjourn.**

**For Your Information:**

Next Town Council Meeting: Tuesday, January 16, 2018, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, January 4, 2018, at 6:00 p.m.

Next Town Council Work Session: Tuesday, January 9, 2018, 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 Julie Gibson, Town Clerk.

**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 14th day of December, 2017, at \_\_\_\_\_ 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.

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

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
STUDY SESSION MINUTES  
OCTOBER 10, 2017, 6:30 P.M.**

**A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 10, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.**

1. **Call To Order.** The meeting was called to order at 6:30 p.m. by Mayor Nolan.
2. **Roll Call.** Town Council Members Jack Hamilton, Doug Treadway, Victoria Wendt, Vice Mayor Mark McBrady, and Mayor Terry Nolan were present. Council Member Timmons arrived late to the meeting. Council Member John Hughes was absent.
3. **Study Session.** No legal action to be taken.

**3.1. University of Arizona Superfund Program Update.**

Dr. Raina Maier gave an update on the research program. The National Institute of Health funds are being cut back and it will affect the Dewey-Humboldt project. There will be no further revegetation projects. They will now be focusing on two projects: 1) the oral history of perceptions of mining and garden roots and 2) home gardening. She considered the previous projects a real success. Documentation is available at the local library in the repository section. Denise Moreno spoke of her oral history project, which involves short interviews with community residents. There is an actual website [www.voicesunheard.sites.arizona.edu](http://www.voicesunheard.sites.arizona.edu) that can provide further information on this project. There was further update on the Project Harvest, Citizen Science project. The Dewey-Humboldt Community Educator is Ron Thibodeau who is focusing on the rainwater-harvesting portion of this program. Dr. Maier stated that the final remedy is necessary before the final closure and capping will occur in the cleanup process.

**3.2. Public Works Quarterly Report.**

Public Works Director Hanks reported that a temporary employee was hired to fill in during an employee's medical leave.

Throughout October, they will be focused on hot patch repairs, then moving onto drainage repairs and winter projects. There will be spot maintenance on the town-owned dirt roads. Director Hanks provided a list of the monsoon repair projects that were completed since July 1, 2017. The Fall preservation work is completed. Dirt road grading is completed. The on-call culvert projects are completed. In-house maintenance has cleaned, built or rebuilt 7500 linear feet of ditches, flushed 18 culverts, 80 tons of rip rap have been placed for erosion control, installed culverts where needed, cleaned 22 low water crossings three times this summer, regraded dirt roads as needed on the west side, placed 80 tons of A.D. for shoulder erosion, installed 15 signs, cleaned the park, removed road kill, standard line of sight brush removal and equipment maintenance.

The Town Clean Up project was a big success taking in 1.5 times more trash than last year. They took in seven to eight dump truck loads of brush producing double the mulch/chips as last year. He feels the three-day program is beneficial.

Councilmember Hamilton asked if funds from Flood Control were being used for some of these projects. Director Hanks confirmed this listing some of those sites.

**Public Comment**

Mike Kessler spoke of moving here ten years ago and noted the road erosion problem has improved since Director Hanks has assumed the position with Public Works. He noted Director Hanks' professionalism with his crew observing a recent project near his home. He thanked the Council for the service.

Robert Jobst spoke of residing on Outback Road for the past year noting that he has only seen a grader on the road one time in the last year. He has seen better cow paths than this road. He inquired of the possibility of having the road graded more frequently. Mayor Nolan noted that the County is contracted to provide this grading. Attorney Goodwin noted this was not on this agenda item for discussion and would need to be brought up during Public Comment.

### **3.3. Finance Quarterly Report.**

Town Accountant Moore provided a copy of the Financial Statements for the first quarter of the fiscal year.

Councilmember Hamilton asked when the audit would be complete. Accountant Moore noted the audit is final and would be completed within the next year. Henry & Horne will attending a meeting to present the audit later.

There were no further questions.

## **4. Special Session. Legal action can be taken.**

### **4.1. Discussion and possible action regarding the property owner's responses received on split zoning issues. [As directed by Council at the August 1, 2017, Work Session]**

Community Planner Brown gave an update that he was directed to send out letters to the property owners who were split by the zoning line. Twenty-three letters were sent out with eight responses having been received back. CP Brown showed an overhead map depicting the results of the responses. He is looking to Council for further direction. His recommendation was to do this rezoning, as a group effort, which would be the most effective method, but there is the issue of the fees involved. He made sure the respondents understood they might be responsible for the cost incurred.

There was extensive Council discussion on the rezoning.

At the conclusion of the discussion, Councilmember Hamilton recommended that there was no consensus or agreement and that they should move on.

Mayor Nolan made a motion to go ahead and allow the zoning change on these lots so the people are satisfied with what they wanted.

CP Brown clarified that the Mayor intended that he wants Staff to work with the property owners to prepare for the rezoning process and implement the zoning as requested. Mayor Nolan confirmed this.

Vice Mayor McBrady indicated that this was a Study Session, indicating he did not think action should be taken on this. Mayor Nolan clarified that the agenda was worded allowing for action.

Councilmember Treadway seconded the motion. A roll call vote was requested. The motion failed by a 4-2 vote, with Councilmember Wendt, Councilmember Timmons, Councilmember Hamilton, and Vice Mayor McBrady voting against.

### **4.2. Review and discussion, Amending the Town of Dewey-Humboldt, Arizona Code of Ordinances, Title IX General Regulations, by adding New Chapter 100 Animals Other Than Dogs related to the control and regulation of domestic animals other than dogs, maintenance standards for domestic animals other than dogs, and enforcement. [Directed by Council to bring back at the September 12, 2017, Work Session]**

Community Planner Brown gave an overview explaining that the Town Attorney was directed to make further revisions and bring this back to Council for further review and that has been completed.

Councilmember Wendt questioned that the Ordinance number was incorrect. Staff investigated this and confirmed that the ordinance number was repeated. Attorney Goodwin noted this as a clerical error and that the Town Clerk would correct it.

Mayor Nolan spoke off topic while this was being researched to Mr. Jobst that his issue regarding road grading would be looked into.

Attorney Goodwin noted that she made all the changes noted by Council at the September 12, 2017. She deleted the definition of household pets as requested; however, she did feel that it should possibly be put back in. After discussion, Council directed that it be left out. She noted that In Section 100.02 she removed some language that did not make grammatical sense in regard to animals at large.

There was Council discussion regarding the proposed ordinance.

Councilmember Wendt requested that the words “very” and “immediately” on Page 17 be removed. There was discussion that the second copy of the ordinance in the packet reflected this change and the second version should be used for further review.

Councilmember Hamilton did not feel it was necessary to list every animal, but did note the word rabbit was misspelled.

There was further Council discussion regarding the complaint process and Enforcement Officer involvement.

Councilmember Hamilton made a motion to approve the Animal Ordinance law with the word “immediate” taken out. Town Attorney Goodwin asked if she was supposed to take out “farm animals include but is not limited to” or add alpaca. Councilmember Hamilton indicated it was fine as it was.

Councilmember Wendt noted that she felt it was premature to bring this to a motion indicating the need to hear from the public on this.

#### Public Comment

Mike Kessler spoke of being a horse owner. He indicated he read the document and he has marked up, deleted and rewrote on the following pages. He asked if this was the right forum for him to go over his changes one at a time. It would take a couple hours to go through his changes. He spoke of agreeing with Councilmember Timmons request to just go by the county’s ordinance. He asked for clarification on what an Enforcement Officer is and what are the qualifications of an enforcement officer. There was dialogue between the Council and Mr. Kessler about the enforcement officer. Mayor Nolan instructed the Town Manager to take a copy of Mr. Kessler’s notes and return the original to Mr. Kessler.

Councilmember Timmons proposed waiting on any decisions regarding this document. She as a citizen is getting a group of people together and invited Mr. Kessler to join her group to look at this and see what they can improve on, and what needs to be there and what doesn’t need to be there.

There was further discussion between Mr. Kessler and Council regarding livestock, Livestock Officers and different scenarios of animals at large.

Councilmember Hamilton recommended tabling this matter until further information is forthcoming. He indicated that he was withdrawing his previous motion.

Councilmember Wendt seconded tabling this matter.

Mayor Nolan inquired about the timeline. Councilmember Wendt said to table this to the next available Work Session at 6:30 p.m.

Councilmember Hamilton made a motion to table this to whenever the Council gets feedback from Councilmember Timmons group; when she gets feedback, she can turn in a CAARF to schedule it. Councilmember Wendt seconded the motion.

Mayor Nolan stated that he was confused as Council went through the ordinance line by line and edited it and now they want another group to come in and look at what they have here and redesign everything that was worked on. Councilmember Treadway noted that this was ridiculous that they were going to go back through and rehash this all over again, noting that this was very frustrating.

Councilmember Wendt indicated to Mayor Nolan and Councilmember Treadway that when this was originally discussed at the Work Session she indicated that this needed more work, it was a first draft. She indicated that Council is not done with this, it is a big deal, and input from the Public wouldn't hurt. Mayor Nolan noted the Public should have been here tonight at the evening Study Session.

Councilmember Timmons pointed out that it took 2.5 years to get an animal ordinance and the livestock people deserve the same courtesy. Mayor Nolan replied that Council has been working on the whole thing those 2.5 years. Councilmember Hamilton and Councilmember Treadway confirmed this.

Mayor Nolan called for the vote on the motion. Councilmember Hamilton noted that Vice Mayor McBrady did not cast an oral vote. Vice Mayor McBrady indicated that he was casting a "no" vote. The motion failed by a 3-3 vote.

Councilmember Hamilton made a motion to approve the ordinance with the amendments, seconded by Mayor Nolan. Mayor Nolan called for a roll call vote. The motion failed by a 3-3 vote.

There was Council discussion that the matter could be brought back by CAARF.

#### **4.3. Discussion regarding Town Manager Selection calendar.**

Mayor Nolan read the introduction to the item reminding Council that the deadline for Town Manager applications was Friday, October 13, 2017, and reminded Councilmembers to pick up applications from their mailboxes for review.

Councilmember Hamilton made a motion to approve the memorandum with a possible Executive Session, seconded by Councilmember Treadway.

Councilmember Timmons stated that her understanding was that these would be evening sessions. ITM Elliott noted that the October 17, 2017, Regular Meeting was at 6:30 p.m. and the October 24<sup>th</sup> meeting would be a special executive session.

Mayor Nolan called the vote on the motion, which passed unanimously.

#### **5. Adjourn.** The meeting was adjourned at 8:25 p.m.

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Terry Nolan, Mayor

ATTEST:

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Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR MEETING MINUTES  
OCTOBER 17, 2017, 6:30 P.M.**

**A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 17, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.**

1. **Call To Order.** The meeting was called to order at 6:30 p.m.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Led by Councilmember Hamilton.
  - 2.2. **Invocation.** Given by Councilmember Timmons.
3. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt, and Mayor Terry Nolan were present. Vice Mayor Mark McBrady arrived late to the meeting at 6:41 p.m.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

**4.1. Cities and Towns Week 2017 Proclamation.**

Mayor Nolan read the proclamation.

**4.2. Presentation on Greater Prescott Regional Economic Partnership (GPREP) Updates.** Presentation given by Gary Kellogg and Ginger Johnson. (CAARF/Presentation request approved by Council on 10/3/17)

Mr. Kellogg presented updated handouts to the Council and introduced himself to Council as the Interim Director for GPREP, and Ms. Johnson, who is a long-time Prescott resident. Mr. Kellogg gave an overview of his background working for Lake Havasu City. Mr. Kellogg explained that GPREP has been without leadership for almost a year and they are attempting to get it back on its feet. They are updating the website and have filtered through a backlog of emails. They are focusing on contacting existing businesses for future business leads. Ms. Johnson spoke of the mission to bring in business and provide jobs.

Mayor Nolan spoke of the time period without leadership and his appreciation for Mr. Kellogg and Ms. Johnson's efforts.

**4.3. Interview and possible appointment of applicant for Open Space & Trails Committee.**

Mayor invited Applicant Diane McQueen to tell the Council about herself. Ms. McQueen spoke of moving to the area after retirement in August. She and her husband are avid outdoors people and she would like to volunteer to serve on the committee.

Councilmember Hamilton made a motion to nominate the appointment of Diane McQueen to the OSAT committee, seconded by Councilmember Timmons. The motion passed unanimously.

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

Interim Town Manager Elliott updated Council on the hot patch project explaining it would continue through October.

ITM Elliott invited Council to participate in the Trick or Treat event on Halloween at Town Hall.

ITM Elliott advised he would be out of town until Sunday, October 22, 2017, with Community Planner Brown stepping in as Interim Manager.

**6. Consent Agenda.**

**6.1. Minutes.** Approval of Minutes from the September 12, 2017, Work Session Meeting.

Councilmember Treadway made a motion to approve the minutes from the September 12, 2017, Work Session Meeting, seconded by Councilmember Wendt. The motion passed unanimously.

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

Christina Korbesello spoke of being a D-H resident of an issue that came to her attention by other residents in the last week. The Main Street is zoned C-1 commercial, however, it has become a nice residential area of single-family, single-residential homes. She understands that a property owner in the area intends to build a multi-story, multi-family home on the corner of Third and Main Street. She does not feel it conforms to the neighborhood and would like to know what is necessary to have this brought up for discussion. Community Planner Brown confirmed that he has had contact with the property owner and the land is zoned C-1 which allows for this type of housing. The discussion was about a duplex home. If all the constraints are met, the property zoning supports the proposed construction. Mayor Nolan recommended that this matter be brought back to the Town Manager on Monday. Ms. Korbesello invited the Council to drive by and view the area and how it has developed.

**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.

**8.1. Council direction regarding survey for BLM road development.** (continued from September 5, 2017, meeting)

Community Planner Brown explained that this matter was being brought forth by himself and Public Works Director Hanks. On September 5, 2017, Council gave permission to Staff to contract for surveys in regard to emergency access in the Blue Hills area. The responses from property owners on Bandit Way and Read Mine were positive and the BLM has agreed to a right-of-way linking those two and they have added a section of Lovin' Lane that they need to have connectivity. The estimate presented on September 5 2017, was \$1800 which has turned out to be low. They have need to add some areas, as well as the travel ways of the roads, to the survey. The actual estimate is \$4750 from Meridian Surveyors. CP Brown and Director Hanks are seeking permission to continue with the survey at the estimated cost.

Mayor Nolan asked for the map to be displayed. CP Brown gave an overview of the areas to be surveyed on the map.

There was Council discussion and CP Brown explained that they can't go further in the process of this project without the survey and he and Mr. Hanks both felt it was a fair survey bid.

Attorney Goodwin stated that a formal conveyance needs a legal description, which the survey would provide. You could do a letter of intent before you spend the money, that is possible, but does not replace having an agreement for the easement.

There was further Council discussion on the need for the survey and the egress.

Councilmember Wendt made a motion to accept the survey and what is stated in the agenda and have Council approve that and go ahead and proceed, seconded by Vice Mayor McBrady.

Mayor Nolan opened this to Public Comment.

Public Comment

Tom Watson spoke of the necessity for Council to explain to people of Prescott Dells Ranch Road that the Council wants to open the road up to the Blue Hills without taking responsibility. He explained that, ultimately, Prescott Dells Ranch Road is a private road and while they have to let people pass, they can do anything to the roads. He recommended Council talk to his neighbors about how they feel.

Frank Davidson advised of a fire that broke out yesterday a couple miles west of his home on the top of the ridge. He spoke of the dangerous situation.

Deborah Smith spoke of being a Prescott Dells Ranch Road resident for 25 years. She is concerned as she just found out about all of this and that it will increase traffic to the road. Mayor Nolan spoke of the plan for gates on both ends of the road. He spoke of this not being an imminent matter. Ms. Smith asked if there would be fencing in addition to the gates so people can't drive around the gate. Mayor Nolan spoke of the BLM section already being fenced and putting gates in the fencing. There is a rancher with grazing rights on this land. Ms. Smith spoke of the existing horrific road conditions and concern for maintenance.

Councilmember Hamilton and Councilmember Treadway spoke of this being for emergency access only and there should not be an increase in traffic except for an emergency.

Vice Mayor McBrady recommended checking to see if the residents want to grant easements to the Town and allow the Town to take them over and maintain them.

Samuel Thompson spoke of living on Dewey Road and that the Mayor had petitions to get something done to the road. Ninety percent of the people approached agreed to deed the road over. He spoke of not being aware of what happened with the petitions. Mayor Nolan said that the petitions were presented to the Town Council, who turned it down, but noted there is a different Council now.

Councilmember Wendt reminded people that this emergency access road is both in and out. If there were a fire that cut off access for Prescott Dells Ranch Road, they could cut across over the Blue Hills on Henderson and get out. This is for emergency purposes only, not a thoroughfare.

Sam Dougherty spoke of Prescott Dells Ranch Road being horrible and nobody maintains it except for those that live on it. She does not feel this is a wise thing unless you will guarantee that it won't be crash gates. Mayor Nolan said this subject will come back on a future agenda.

Bill Cernak just moved here a month ago to Prescott Dells Ranch Road. He spoke of some of the traffic being crazy out there. He noted it would be nice to have the road paved. He also spoke of having called in the fire yesterday. He owns the road in front of the house, if there is a crash in front of his house, is he liable? Attorney Goodwin said she could not comment on the specifics of this without more information. Mr. Cernak would like the Town to take over maintenance and ownership of the road.

There was clarification that the survey was not solely the BLM land, but this portion of the whole project. This was confirmed.

Mayor Nolan called for the vote on the motion. The motion passed unanimously.

**8.2. Discussion and possible action regarding possible amendments to the Zoning Regulations regarding use permits for (i) intoxicating beverage sales, (ii) retail sales and services and (iii) public recitals, concerts or dances.** (directed at the September 19, 2017, Meeting)

Councilmember Hughes offered to recuse himself from this discussion. Attorney Goodwin indicated this was not necessary as the discussion was about zoning regulations, not specifically his property.

Community Planner Brown gave an overview of the agenda item relating that on September 19, 2017, Council asked to have this item placed on this agenda. CP Brown explained the chart in the ordinance.

Councilmember Hamilton spoke of two possible fixes and that Council can amend this. Town Council can make a determination on what is best for the community.

Attorney Goodwin spoke of having given this much thought. The general rule is that it has to be compatible and in compliance with the General Plan. The Council does not have unlimited discretion to, if it meets their codes they generally have to grant it. Council will not have the ability to just deny. You are opening up the residential districts to possibly some uses that you would have to show are not compatible. Without the listings you would have to prove it. The rule is whether it is compatible or not. The consequence of deleting something from the list doesn't mean you have to grant it, but you would have to take the extra step and show the incompatibility. It just makes it a bit unclear.

Councilmember Hamilton inquired if they would have to grant a similar permit if someone else applied. Attorney Goodwin said you don't have to grant every one that comes along but you have to treat people similarly.

There was extensive Council discussion about the zoning regulations.

**Public Comment**

Mike Kessler spoke of attempting to pass judgment on something that hasn't happened yet. H recommended taking out the work intoxicating and put alcohol in its place.

Rick Bartells spoke of having lived on Foothill Drive over 20 years. He spoke of the former owner, Pete Woolsey, telling him about acquiring the ability to sell beer and exchange money at the roping events. Mr. Bartells said he was in Montana five years and came home to a mess. Mr. Woolsey was proud of what he had accomplished. Why doesn't Council just go with it and make it a commercial piece of property.

Leslie Chester is concerned that it is all or nothing, all three or nothing. The last time this was the topic at the meeting, she thought she walked away and it would be business as usual. She spoke of an event two Saturdays ago and excessive musical noise and there was no consideration for the neighbors. She does not want to have to listen to this every Saturday night. Councilmember Hamilton explained that the use permit had a limit of 30 events per year and then spoke on the noise ordinance, and that the site was not exempt from that.

Leigh Cluff spoke of not being there the night of the event, but if the Sherriff was there, they would have gone in if there was an issue.

Attorney Goodwin explained that this agenda item was not about the Hughes property specifically.

Rick Bartells said he has sat through three meetings and has heard to same thing about the General Plan. What is the date for the General Plan. Community Planner Brown said the General Plan expires May 29, 2019. Councilmember Wendt noted that they want the community to get involved at that time.

There was Council discussion regarding the music and the volume with varying opinions regarding the acceptability.

Leigh Cluff asked if anyone called the Hughes in a neighborly manner.

Audrey Stroud has had no reason to complain about the Hughes over the last 4.5 years. She spoke of having to call the Sherriff three times on the night being discussed. She spoke of her husband having PTSD and that the noise on this particular evening being excessive making it extremely hard on him. She said that she filed a complaint with the Community Planner today, noting that the noise ordinance doesn't have language about decibels only concerns levels. She noted hearing complaints from other neighbors the following day.

Ulyss Brooks spoke of neighbor situations where he would contact the neighbors directly and receive cooperation and was never refused and often received apologies later. Talking to people is the best way to handle this.

Councilmember Hamilton recommended moving on as there appeared no way around this according to the attorney.

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

**9.1. Discussion of Town Council Meeting Schedule.**

Interim Town Manger Elliott spoke of it being his observation over the last 72 days, after speaking with Council Members, Staff, and considering other comments he received, that something for Council to consider in the future was the challenge created by the frequency of Council meetings and trying to provide more effective meetings. ITM Elliott recommended that the quality of the meetings could improve by adapting to a schedule of one Regular Council Meeting and Work Session per months.

There was Council discussion regarding the pros and cons of the ITM Elliott's proposal.

Mayor Nolan noted pursuant to the discussion that there appeared to be consensus to try the new recommended schedule.

Attorney Goodwin informed Council that they could implement this schedule on a trial basis without changing the Town Code, it is not perfect, but it did not violate Open Meeting Law. When a final decision is made Council could amend the Ordinance, if a change is required.

Mayor Nolan noted that Council will look at this and try to work it in.

**9.2. Discussion of Town Manager recruitment – discussion of applications and selection of short list for further consideration.**

**9.2.1. Recess into and hold an executive session pursuant to A.R.S. 38-431.03 (A)(1).**  
Discussion or consideration of employment/appointment/salary of a Town Manager.

Councilmember Hamilton noted that he did not think they should be talking about this in Executive Session and asked if the candidates were notified. This was confirmed and there weren't any candidates that wanted their application discussed

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in public meeting. Town Attorney Goodwin explained why candidates prefer to have this discussion in Executive Session.

Councilmember Timmons made a motion to recess and go into Executive Session to discuss interviews of candidates for Town Manager, seconded by Vice Mayor McBrady. The motion passed unanimously.

The Regular Meeting was closed at 8:22 p.m. Executive Session was opened at 8:24 p.m.

**9.2.2. Reconvene Regular Meeting.**

The Executive Session was closed at 9:03 p.m. Regular Meeting was reconvened at 9:05 p.m.

**9.3. Discussion and direction on the next steps of the Town Manager recruitment process.**

There was Council discussion regarding the interview process. It was decided to consult a form that was distributed by ITM Elliott from the League of Cities for interviewing.

Attorney Goodwin noted that it is best to ask consistent questions of each interviewee. She also noted that there are questions that cannot be asked during interviews and gave examples.

There was further discussion regarding the process, as well as possible reimbursement of travel expenses for the candidates, with no further direction from Council.

**10. Public Hearing Agenda.**

None.

**11. Adjourn.**

Mayor Nolan made a motion to adjourn the meeting, seconded by Councilmember Timmons. The motion passed unanimously. The meeting was adjourned at 9:19 p.m.

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Terry Nolan, Mayor

ATTEST:

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Julie Gibson, Town Clerk

**30.031 Mayor and Vice Mayor; Appointment, Power and Duties.**

(E) *Appointment of Vice Mayor; term.* Absent a vote of no-confidence, at the second regular Council Meeting in December each year, the Town Council shall appoint the most senior Councilmember who has not already been the Vice Mayor and has served on Council for at least one year to the Vice Mayor position for a one-year term or until a new Vice Mayor is appointed. If no Councilmember meets the above criteria or the person to be appointed declines the appointment, the most senior Councilmember shall be appointed to serve as Vice Mayor for a one-year term.

(F) *Duties of Vice Mayor.* The Vice Mayor shall perform the duties of the Mayor in the Mayor's absence and shall perform such other duties as may be, from time to time, delegated by the Town Council.

OFFICIAL CANVASS  
 FOR THE NOVEMBER 8, 2016,  
 GENERAL ELECTION  
 TOWN OF DEWEY-HUMBOLDT

**OFFICIAL FINAL RESULTS**

REGISTERED VOTERS: 2606  
 TOTAL BALLOTS CAST: 2138 82.04%

NUMBER OF PRECINCTS 1  
 PRECINCTS REPORTING 1 100.0%

VOTE FOR NOT MORE THAN	<u>COUNCIL</u>	Total Votes	4521
	<u>3</u>		
	<u>TOTAL</u>		
HUGHES, JOHN	968	21.41%	
WRIGHT, NANCY	697	15.42%	
REPAN, DENNIS	646	14.29%	
TIMMONS, AMY	716	15.84%	
WENDT, VICTORIA J	841	18.60%	
CROFUTT, LORI	630	13.93%	
WRITE-IN VOTES	23	0.51%	



**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8562 ▪ Fax 928-632-7365**

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**COUNCIL AGENDA ACTION REQUEST FORM**

**Meeting Type:**  Regular  Special  Work Session

**Meeting Date:** \_\_\_\_\_

**Date of Request:** \_\_\_\_\_

**Requesting:**  Action  Discussion or Report Only

**Type of Action:**  Routine/Consent Agenda  Regular

**Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):**

\_\_\_\_\_  
\_\_\_\_\_

**Purpose and Background Information (Detail of requested action).** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Staff Recommendation(s):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

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

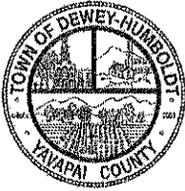
**Type of Presentation:** \_\_\_\_\_

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

**Contact Person:** \_\_\_\_\_

**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.**

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**COUNCIL AGENDA ACTION REQUEST FORM**

Meeting Type:  Regular       Special       Work Session

Meeting Date: 12/19/19

Date of Request: 11/28/17

Requesting:  Action       Discussion or Report Only

Type of Action:  Routine/Consent Agenda       Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

*General Plan Update*

Purpose and Background Information (Detail of requested action).

*This is to start the process for updating  
The General Plan.  
RFP + RFQ*

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

Special Equipment needed:  Laptop     Remote Microphone  
 Overhead Projector     Other:

Contact Person: *Mayor Nolan*

**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.**

Dewey-Humboldt

NOV 28 2017