

**REGULAR MEETING MINUTES  
DUNCAN COMMON COUNCIL  
WEDNESDAY, AUGUST 14, 2019; 5:00 PM  
DUNCAN TOWN HALL; 506 SE OLD WEST HIGHWAY**

**CALL TO ORDER:** MAYOR THURMAN CALLED THE MEETING TO ORDER AT 5:00 PM.

**ROLL CALL:** COUNCILMEMBER SUSAN D. RIOS, COUNCILMEMBER DEBORAH MENDELSON, COUNCILMEMBER MARYANN MENDOZA, MAYOR ANNE THURMAN, TOWN MANAGER JOHN BASTEEN JR. WERE PRESENT, AND VICE-MAYOR VALERIE SMITH WAS PRESENT BY PHONE. QUORUM PRESENT.

**PLEDGE OF ALLEGIANCE:** LED BY COUNCILMEMBER RIOS.

**OPENING PRAYER:** LED BY MAYOR THURMAN.

1. **CONSENT AGENDA:** COUNCILMEMBER DEBORAH MENDELSON MADE A MOTION TO ACCEPT THE CONSENT AGENDA. COUNCILMEMBER MARYANN MENDOZA SECONDED. ALL FAVORED. MOTION CARRIED. THE EXECUTIVE SESSION WILL BE VOTED ON LATER IN THE MEETING.
  
2. **CALL TO THE PUBLIC:** ADAM COX SAID HE HAS TALKED TO THE MANAGER ABOUT HIS PROBLEM WITH HIS NEIGHBORS, IT SEEMS TO BE A CONTINUAL PROBLEM. HE HAS HAD TO CALL THE COPS TWICE AND THEY HAVE BEEN HELPFUL, BUT IT HAS GOTTEN TO THE POINT NOW WHERE HE IS NOT COMFORTABLE IN HIS OWN HOME OR LEAVING HOME. THEY HAVE A VIDEO SURVEILLANCE CAMERA POINTED AT HIS BACKYARD NOW. HE SAID HE DOES NOT KNOW IF THERE IS ANYTHING HE CAN DO ABOUT THAT OR DOES HE NEED TO KEEP FILING COMPLAINTS WITH THE POLICE DEPARTMENT OR GET CONSTRAINING ORDERS. HE DOES NOT WANT TO CREATE MORE HAVOC, BUT HE DOES NOT FEEL SAFE IN HIS OWN HOME ANYMORE AND HE KNOWS THAT THE TOWN HAS RULES AND ONE OF THEM WAS TO TALK TO THE MANAGER ABOUT IT. HE SAID THEY MOVED THE CAMPTRAILER FROM THE FRONT YARD TO THE BACKYARD AND THEY ARE LOOKING RIGHT OVER HIS FENCE. HE SAID HE BUILT A PRIVACY FENCE FOR PRIVACY AND HE IS NOT GETTING PRIVACY, SO HE DOES NOT KNOW WHERE HE NEEDS TO GO FROM HERE. MAYOR THURMAN SAID SHE UNDERSTANDS HIS CONCERN AND SHE WILL TALK TO THE MANAGER AND SHE IS NOT SURE WHAT THE COURSE OF ACTION IS, BUT THEY WILL LOOK INTO THAT. HE SAID HE DOES NOT WANT TO CREATE MORE ANIMOSITY, BUT HE ALSO WANTS TO FEEL SAFE IN HIS OWN HOME AND HE DOES NOT LIKE BEING WATCHED. COUNCILMEMBER MENDOZA SAID SHE KNOWS THEY ARE NOT ALLOWED TO MAKE COMMENTS, BUT SHE ASKED THE MANAGER IF THE COUNCIL IS GOING TO BE ABLE TO FIND OUT WHAT HE IS TALKING ABOUT, BECAUSE SHE DOES NOT KNOW. THE MANAGER SAID HE WILL TALK TO THE SHERIFF'S DEPARTMENT. COUNCILMEMBER MENDOZA SAID SHE DOES NOT KNOW WHAT ADAM IS TALKING ABOUT, SO SHE WANTED TO KNOW IF THE MANAGER CAN FILL THEM IN LATER. THE MANAGER SAID YES.

**JANET SPROLES** SAID SHE HEARD THIS MEETING WAS ABOUT CLEANING UP DUNCAN AND GETTING THE OLD VEHICLES AND OLD TRASHED TRAILERS OUT OF PEOPLE'S YARDS. MAYOR THURMAN SAID THERE IS AN ITEM ON THE AGENDA. THE MAYOR SAID SHE CAN SPEAK WHEN THEY GET TO THAT ITEM ON THE AGENDA.

**KATHERINE HAGAN** ASKED IF SHE CAN GET AN UPDATE TO A PROBLEM SHE BROUGHT TO THE COUNCIL A COUPLE OF MONTHS AGO ABOUT THE PROPERTY NEXT TO HERS THAT IS DEFINITELY A FIRE HAZARD AND SHE WONDERED IF THERE HAD BEEN ANY PROGRESS OR ANYTHING? THE MANAGER SAID HE TALKED TO HAYDEN ABOUT THAT, THEY RECENTLY HAD AN ISSUE WITH TRYING TO CLEAN UP AROUND ABANDONED PROPERTIES. HE SAID HE WILL CONTACT PETRA AND SEE IF SHE WILL LET HIM GO IN THERE AND DO IT. HE SAID THE ONLY THING HE CAN DO IS GIVE A TEN FOOT RADIUS AND SEE IF SHE WILL AGREE TO THAT. HE SAID HE CAN'T ENFORCE THE WOOD PILE, BECAUSE SHE HAS SAID THAT IS FOR FIREWOOD AND IF HE ENFORCES HER WOOD PILE, HE WOULD HAVE TO ENFORCE EVERYBODY'S WOOD PILE. HE SAID IF SHE IS WILLING TO LET THEM DO THAT HE WILL PROCEED, BUT THAT IS WHERE THEY ARE RIGHT NOW. MRS. HAGAN WANTED TO KNOW WHAT HAYDEN HAD TO SAY ABOUT IT. THE MANAGER SAID THAT HAYDEN SAID IT IS UP TO THE PROPERTY OWNER JUST LIKE IT IS UP TO THE TOWN TO ENFORCE IT, BUT HAYDEN SAID HE COULD TALK TO HER HIMSELF, BUT IT IS STILL UP TO THE PROPERTY OWNER TO MAINTAIN IT. MRS. HAGAN SAID SHE DOES NOT UNDERSTAND WHY SOMEONE WOULD NOT WANT THEIR PROPERTY CLEANED AT NO CHARGE. SHE THANKED HIM AND THE COUNCIL ON THEIR EFFORTS AND IT IS DEEPLY APPRECIATED. THE MANAGER SAID HAYDEN DOES NOT HAVE MUCH CONTROL IN THE TOWN UNTIL DUNCAN IS IN THE FIRE DISTRICT, BUT HE HAS SPOKEN TO HIM ABOUT THE ISSUE.

**3. MAYOR'S REPORT:** **MAYOR THURMAN** HAD NOTHING TO REPORT.

**4. COUNCIL REPORTS:** **COUNCILMEMBER RIOS** HAD NOTHING TO REPORT. **COUNCILMEMBER MENDELSON** REPORTED THAT THEY TURNED OVER ALL OF THE SIGNED PETITIONS THAT THEY HAVE BEEN GATHERING FOR MONTHS TO ANNEX THE TOWN OF DUNCAN PROPERTIES INTO THE DUNCAN VALLEY RURAL FIRE DISTRICT. TODAY THE FIRE CHIEF WAS GOING TO TURN THOSE OVER TO THE COUNTY ASSESSORS OFFICE.

THEY ARE VERY CONFIDENT THAT THEY HAVE ENOUGH PROPERTY VALUE OVERALL TO PASS A 50% MARK. THEY ENDED UP WITH ABOUT 45 SIGNATURES OVER WHAT THEY REQUIRED. SHE SAID CHANCES ARE THEY ARE GOING TO MAKE IT. SHE TOLD THE FIRE DISTRICT BOARD THAT IF THIS DOES NOT MAKE IT, IT MEANS IT CAN'T BE DONE. SHE SAID THE ASSESSOR HAS 20 DAYS, SEPTEMBER 3<sup>RD</sup> IS THE DAY THAT THE FIRE DISTRICT BOARD WILL VOTE TO ANNEX THE TOWN OF DUNCAN PROPERTIES, ASSUMING THAT THEY HAVE THE REQUIRED MINIMUMS AND THEN IT WILL TAKE EFFECT 30 DAYS LATER ON OCTOBER 3<sup>RD</sup>. THE PUBLIC HEARING WILL BE HELD SEPTEMBER 3, 2019 AT THE FIRE STATION AT 7:00 PM.

THE MAYOR SAID SHE KNOWS THE VALUATION HAD TO BE \$750,000. SHE WANTED TO KNOW WHAT THEY ENDED UP WITH ON VALUATION. COUNCILMEMBER MENDELSON SAID IT CAME OUT TO AROUND \$1.2 MILLION.

COUNCILMEMBER MENDELSON ALSO REPORTED THAT A RESIDENT ON MAIN STREET CAME TO HER AND HE WAS BOTH COMPLAINING ABOUT THE FACT THAT THE MANAGER HAD BEEN GOING AROUND TAGGING DELINQUENT VEHICLES, BUT HE WAS ALSO SHOWING SOME RESPECT

AND GRATITUDE FOR THE FACT THAT THIS IS HAPPENING AND THAT HE IS ACTUALLY REALLY ON BOARD WITH GETTING HIS YARD CLEANED UP. HE JUST WANTS TO COMPLAIN WHILE HE DOES IT. HIS MOTHER RECENTLY PASSED, HE MIGHT NEED A LITTLE EXTRA TIME.

**COUNCILMEMBER MENDOZA** HAD NOTHING TO REPORT.

**VICE-MAYOR SMITH** SAID SHE DOES NOT KNOW IF THEY REMEMBER THE MICRO LOAN PROGRAM THAT IS AVAILABLE TO GRAHAM AND GREENLEE COUNTY.

GRAHAM COUNTY HAS BEEN USING IT QUITE AGGRESSIVELY AND BECAUSE OF IT OTHER COMMUNITY GROUPS HAVE BEEN FUNDING IT. FMI HAS FUNDED IT TWICE SO FAR. THEY JUST RECEIVED ANOTHER \$30,000 IN GRAHAM COUNTY, BUT THAT IS BECAUSE THEY ARE USING IT. SHE SAID THEY HAVE IN GREENLEE COUNTY \$50,000 AVAILABLE TO LEND TO SMALL BUSINESSES, WHICH IS WHAT MAKES DUNCAN WHAT IT IS. THEY ARE HAVING A MARKETING COMMITTEE MEETING IN THE NEXT FEW WEEKS. SHE THINKS THAT WILL HOPEFULLY HELP THE MISINFORMATION OR NON-INFORMATION THAT IS GOING AROUND GREENLEE COUNTY.

THERE IS \$50,000 AVAILABLE TO BORROW FOR SMALL BUSINESSES. SHE SAID IT IS DIVIDED IN INCREMENTS OF \$5,000 OR \$10,000 OR \$20,000, WHICH IS A LOT BETTER THAN MOST BANKS WILL ALLOW A SMALL BUSINESS TO BORROW. SHE DOES NOT WANT TO SEE THIS GO AWAY, IT COULD BE A HUGE AID IN THE FUTURE.

MANAGER BASTEEN ASKED THE VICE-MAYOR WHO IS BACKING THIS PROJECT? SHE SAID THE BANK IS OUTSIDE OF TUCSON AND SHE DOES NOT HAVE THAT INFO AT THE MOMENT, BUT IT IS BACKED BY AN ACTUAL BANK. THEY JUST REALIZED THAT THE RURAL AREAS ARE NOT BEING SERVICED AS THEY SHOULD BY ANY OF THE BANKS, SO THEY ARE TRYING TO STEP FORWARD AND DO THAT. SHE IS HOPING TO HAVE MORE INFO AT THE NEXT COUNCIL MEETING.

- 5. TOWN MANAGER'S REPORT:** MANAGER BASTEEN REPORTED THAT THEY HAD THE OPPORTUNITY TO PAVE IN FRONT OF THE SCHOOL AND THEY WILL PUT SOME YELLOW STRIPING DOWN. THE RAILROAD PROJECT WAS ABLE TO GIVE THE TOWN A HALF TRUCK OF HOT MIX AND THEY PUT THAT IN FRONT OF THE SCHOOL. THEY WILL ALSO GET ALL OF THE COLD MIX THAT IS THERE AND THE A/B AND GRAVEL AND RAILROAD TIES. THEY ARE CONTINUING THE PIPELINE JOB FROM THE SCHOOL TO FAIRGROUNDS ROAD AND THAT WILL BE FINISHED WITHIN THE NEXT THREE MONTHS. THEY ARE FINISHING THE CDBG SEWER GRANT. THAT SHOULD BE DONE BY THE END OF THE MONTH, IF NOT THE FIRST WEEK OF SEPTEMBER. HE SAID HE APPROACHED FMI AND THEY HAD THEIR PRELIMINARY GRANT MEETING TO PURCHASE THE EQUIPMENT. THEY HAD A FEW QUESTIONS THAT HE NEEDS TO WORK ON. THE COMMUNITY INVESTMENT FUND GRANT IS DUE AT THE END OF THE MONTH. THE MAYOR ASKED IF THIS IS TO GO WITH THE \$197,000 THAT THEY RECEIVED. THE MANAGER SAID YES. HE SAID HE IS STILL WORKING ON PURCHASING THE OUTPOST. HE ALSO SAID THE VICE-MAYOR HAD AN ITEM ON THE AGENDA TO FIX THE MANHOLE ON HIGH STREET, BUT HE TALKED TO HER AND HE REMOVED THE ITEM FROM THE AGENDA. HE TOLD VICE-MAYOR SMITH THAT THE PARTS HAVE COME IN AND THE MANHOLE SHOULD BE FIXED WITHIN THE COMING WEEKS. HE SAID THEY WILL TALK ABOUT THE VEHICLES ON THE AGENDA ITEM.

**6. GREENLEE COUNTY BOARD OF SUPERVISOR'S REPORT:** SUPERVISOR LUNT WAS NOT AVAILABLE.

**7. GREENLEE COUNTY SHERIFF'S REPORT:** SHERIFF SUMNER WAS NOT AVAILABLE.

**8. A PRESENTATION FROM THE GILA IRRIGATION DISTRICT:** JUSTIN LAYTON FROM THE UPPER GILA RIVER ALLIANCE, A GROUP OF FARMERS, RANCHERS, BUSINESS OWNERS, AND MUNICIPALITIES THAT HAVE GOTTEN TOGETHER TO GET PEOPLE AWARE AND EDUCATE THEM ON SOME OF THE LITIGATION ISSUES THAT ARE HAPPENING ON THE GILA RIVER.

THEY KNOW THAT PRESENTLY WHAT THEY ARE FACING IS THEIR PUMPING. THEIR PUMPING IS AT RISK AND THEY ARE NOT SOLVING ANYTHING IN THE COURTROOMS. THEY HAVE COME UP WITH THIS ALLIANCE TO GATHER AS MANY ENTITIES AND INDIVIDUALS TO BE A PART OF THIS GROUP. HE SAID IT IS BIGGER THAN A SMALL GROUP OF FARMERS THAT IS BEING AFFECTED BY THIS. WHAT IS AT RISK IS ANY PUMP THAT PUMPS OVER 35 GALLONS A MINUTE AND IF THE OTHER SIDE WINS, THEY WILL LOSE THE ABILITY TO PUMP THOSE WHEN THEY WANT TO. THEY WOULD BE SEVERELY RESTRICTED.

THEY ARE TRYING TO GET ENOUGH SUPPORT JUST OVER THIS PUMPING ISSUE. THEY HAVE WHAT THEY FEEL IS A SOLUTION, IT IS THE EMERY PIPELINE IN THE GOODWIN WASH, WHICH IS RIGHT AT THE SAN CARLOS RESERVATION LINE. IT IS A WELL FIELD OF FIVE OR SIX WELLS THAT THEY CAN PRODUCE AT ALMOST 10,000 GALLONS PER MINUTE OF DRINKING QUALITY WATER, WHICH HAS BEEN TESTED.

THEY HAVE ALREADY SPENT SEVERAL MILLION DOLLARS TO THIS POINT AND THEY ARE SAYING THEY WILL SPEND SEVERAL MILLION DOLLARS MORE AND PUT THAT WATER WHEREVER THE RESERVATION WANTS IT: ON THEIR FIELDS, IN A SYSTEM THAT THEY COULD USE FOR THEIR DOMESTIC USE, PARKS, OR WHATEVER THEY WANT.

AS FARMERS, THEY KEEP GETTING STOPPED, SO THEY HAVE CREATED THIS ALLIANCE. HE SAID HE HANDED OUT A RESOLUTION THAT HE IS HOPING THE COUNCIL WILL CONSIDER PASSING. THE RESOLUTION SAYS THAT WE SUPPORT AN EQUITABLE SOLUTION TO THIS ISSUE OUTSIDE OF THE COURTROOM. HE SAID THEY ARE NOT ASKING ANYONE TO TAKE SIDES, THEY ARE NOT ASKING TO POINT FINGERS AT WHOSE FAULT THINGS ARE. THEY ARE SUGGESTING THAT THEY HAVE A SOLUTION AND THEY WANT IT TO BE HEARD, BUT THE LAWYERS ARE PREVENTING THEM FROM ALLOWING IT TO BE HEARD. THEY ARE TRYING TO GET A BIGGER VOICE THAT SAYS "LOOK YOU NEED TO HEAR THIS!" HE ASKED FOR ANY QUESTIONS.

COUNCILMEMBER MENDELSON SAID SHE HAS BEEN WATCHING THIS CLOSELY FOR YEARS AND SHE LIKES WHAT THEY ARE DOING AND SHE WANTED TO KNOW HOW THEY CAME UP WITH THIS STRATEGY. MR. LAYTON SAID THEY WERE NOT GETTING ANYWHERE AND THIS HAS BEEN GOING ON SINCE THE 1930'S GLOBE EQUITY DECREE STARTED AND IT HAS BEEN LITTLE THINGS HERE AND THERE. THEY HAD A BIG DECISION THAT THEY THOUGHT THEY COULD LIVE WITH IN 2004 AND THE GILA RIVER INDIAN COMMUNITY SIGNED ON, MUNICIPALITIES SIGNED ON, A LOT OF USERS OF THE GILA RIVER SIGNED ON, BUT AT THE LAST MINUTE SAN CARLOS DECIDED NOT TO SIGN ON AND THAT IS WHAT IS ALLOWING THEM TO COME TO THEM RIGHT NOW AND CONTINUE THESE LAWSUITS.

HE SAID ONE OF THE THINGS THEY WOULD ASK OF THEM IF THEY WOULD SIT DOWN AND LISTEN TO THEM WOULD BE THAT THEY WILL GIVE THEM THE PIPELINE IN RETURN WILL THEY

PLEASE JUST SIGN ONTO THAT AGREEMENT THAT THEY WERE SO CLOSE TO SIGNING ONTO ONCE BEFORE. THAT IS WHAT THEY ARE ASKING OF THEM IF THEY EVER GET TO THAT POINT. IN ANSWER TO HER QUESTION OF HOW THEY GOT HERE, THEY HAVE HIRED A PUBLIC RELATIONS FIRM FOR IDEAS. HE SAID THIS WAS ONE OF THE IDEAS, SPREAD THE MESSAGE AND GET MORE PEOPLE INVOLVED, BECAUSE IT IS EFFECTING A LOT MORE THAN JUST FARMERS. COUNCILMEMBER MENDELSON SAID THAT IS A REALLY GOOD STRATEGY. COUNCILMEMBER RIOS ASKED IF THAT AGREEMENT IS ONLINE? MR. LAYTON SAID YES IT IS, THEY CAN FIND THEM AT SAVEOURPUMPSAZ.COM AND THEY WILL NOT FLOOD THEM WITH A BUNCH OF E-MAILS. THE MANAGER WANTED TO KNOW IF THIS AFFECTS PEOPLE TRYING TO DRILL WELLS IN THE FUTURE OR IS IT JUST FOR WELLS IN EXISTENCE? MR. LAYTON SAID THAT WOULD BE A TOUGH ONE FOR HIM TO ANSWER, ALL HE CAN SAY IS IT WOULD NOT PREVENT PEOPLE FROM DRILLING NEW WELLS. HE SAID THAT IS A STATE ISSUED LICENSE AND THAT IS A FEDERAL ISSUE. IF SOMETHING HAPPENED AND THEIR WELLS ARE RESTRICTED AND HE WANTED TO DRILL A WELL, HE COULD STILL RECEIVE A PERMIT FROM THE STATE TO DRILL A WELL, BUT HE WOULD FALL UNDER THE REQUIREMENTS OF THE RESULTS OF THIS LITIGATION. HE SAID IF THE COUNCIL PASSES THE RESOLUTION THEN THEY WOULD ASK PERMISSION TO USE THE NAME OF THE TOWN OF DUNCAN AS ONE OF THE JOINERS OF THE ALLIANCE. COUNCILMEMBER MENDELSON ASKED IF SOMEONE CAN BE PRESENT AT THE NEXT COUNCIL MEETING IN CASE THE COUNCIL HAS QUESTIONS. MR. LAYTON SAID HE CAN DO THAT.

- 9. CONSIDERATION OF APPROVAL TO RENT HEAVY EQUIPMENT:** MANAGER BASTEEN REPORTED THAT THE CLERK CONTACTED THE TOWN'S INSURANCE COMPANY AND ONE OF THEIR RECOMMENDATIONS IS TO MAKE SURE THEY ARE TRAINED, BUT THEY DO NOT RECOMMEND RENTING THE EQUIPMENT OUT. HE SAID THE INSURANCE IS COVERED UNDER WHOEVER OPERATES IT, BUT IT IS UP TO THE COUNCIL TO DECIDE IF THEY WANT TO RENT IT OUT TO THOSE WHO ARE TRAINED OR HAVE AN EMPLOYEE DO THE WORK. HE SAID THEY WOULD HAVE TO FIGURE OUT A COST AT THAT POINT.

COUNCILMEMBER MENDOZA WANTED TO KNOW IF THE PEOPLE WHO HAVE USED TOWN EQUIPMENT IN THE PAST HAVE BEEN TRAINED TO USE THE EQUIPMENT. THE MANAGER SAID MOST OF THEM HAVE. HE SAID THEY HAVE NOT HAD ANYONE WHO HAS SAID THEY DON'T KNOW HOW TO OPERATE THIS. HE SAID MOST ARE OPERATORS AT THE MINE OR ON A CONSTRUCTION COMPANY. COUNCILMEMBER MENDOZA WANTED TO KNOW IF EVERYONE WHO RENTS THE EQUIPMENT IS TRAINED, IS THAT WHAT THE MANAGER IS TELLING HER. THE MANAGER ASKED IF SHE MEANS TRAINED BY THE TOWN OR SOMEONE ELSE? COUNCILMEMBER MENDOZA ASKED IF THEY COME ON THURSDAY IS THERE ENOUGH TIME TO BE TRAINED BY FRIDAY FOR USE ON THE WEEKEND? THE MANAGER SAID HE CAN DO A TRAINING CHECKLIST TO SEE WHAT PEOPLE HAVE AND IF THEY HAVE CERTIFICATIONS THEY CAN PRODUCE THOSE.

COUNCILMEMBER MENDOZA SAID THERE IS ALSO THE ISSUE OF REPAIRS THAT THE TOWN OF DUNCAN HAS PAID FOR WHEN THE EQUIPMENT IS BROUGHT BACK. SHE SAID PEOPLE HAVE RENTED EQUIPMENT AND \$13,000 IS WHAT THE TOWN OF DUNCAN HAS PAID TO GET THE EQUIPMENT FIXED. SHE SAID IT IS ONE THING IF THE PEOPLE WHO ARE RENTING THE EQUIPMENT ARE PAYING TO HAVE THE EQUIPMENT FIXED, BUT IF THE TOWN IS PAYING FOR REPAIRS THAT IS A LOT OF MONEY THAT THE TOWN IS PAYING. MANAGER BASTEEN AGREED,

BUT HE SAID EVEN THE TOWN EMPLOYEES HAVE USED THE EQUIPMENT AND THINGS HAVE BROKE ON THEM, SOME OF THE COST IS FROM THE EMPLOYEES USING THE EQUIPMENT. HE SAID THAT IS THE NATURE OF RENTING OUT EQUIPMENT.

COUNCILMEMBER MENDOZA WANTED TO KNOW WHAT THE TOWN IS GETTING OUT OF IT, ARE THEY MAKING A LOT OF MONEY SO THAT THEY CAN CONTINUE DOING THIS. MANAGER BASTEEN SAID ON ONE PROJECT A GENTLEMAN HAD A GRANT AND HE PAID US OVER \$4,000 DURING THAT USAGE TIME. HE SAID WHEN HE DID USE IT ONE OF THE OUTRIGGER SHAFTS BROKE SO IT ABSORBED SOME OF THAT COST. HE SAID THEY RENT IT OUT AT \$35 AN HOUR. MAYOR THURMAN SAID THEY NEED TO LOOK AT THE FEDERAL COST WITH AN OPERATOR TO SEE WHAT THE COST IS.

COUNCILMEMBER MENDELSON SAID SHE IS UNCOMFORTABLE WITH CLOSING THE DOOR COMPLETELY, BUT SHE WOULD REALLY LIKE TO RAISE THE BAR IN TERMS OF MINIMUM REQUIREMENTS OF EXPERIENCE, HIGHER COSTS, HIGHER DEPOSITS, AND SHE WOULD LIKE TO ALSO NOT RENT ANYTHING THAT THEY CAN GET ANYWHERE ELSE WITHOUT A LOT OF TROUBLE. SHE SAID THAT IS THE GAP THEY ARE TRYING TO FILL TO HELP PEOPLE GET THINGS THAT THEY CAN'T GET OTHERWISE IN TERMS OF EQUIPMENT. SHE SAID SHE REALLY UNDERSTANDS THAT AND SHE WANTS TO BE ABLE TO DO THAT. SHE SAID IF IT IS SOMETHING THEY CAN GO TO SAFFORD AND RENT, THEN WHY WOULD WE WANT TO RENT IT.

COUNCILMEMBER RIOS SAID HER BIGGEST CONCERN WOULD BE LIABILITY. SHE SAID IF IT GETS AWAY FROM SOMEBODY AND TAKES DOWN A HOUSE OR RUNS OVER SOMEBODY. SHE SAID THAT WILL COME OFF OUR LIABILITY AND THAT IS A CONCERN TO HER. SHE THINKS IT IS A GREAT PROGRAM AND SHE WISHES THAT ON SOME OF THE SMALLER PROJECTS, THEY COULD HAVE AN EMPLOYEE GET PAID TO DO THE WORK. COUNCILMEMBER MENDELSON ASKED THE MANAGER IF CREW MEMBERS WOULD NOT WANT TO BE CALLED OUT TO DO WORK. THE MANAGER SAID IT JUST DEPENDS ON THEIR AVAILABILITY. COUNCILMEMBER MENDOZA SAID SHE DOES NOT WANT TO MAKE OUR EMPLOYEES HAVE TO WORK IF THEY DO NOT WANT TO.

VICE-MAYOR SMITH SAID IT IS SCARY BECAUSE THAT EQUIPMENT IS HUGE AND VERY SPECIALIZED, BUT IF THEY HAVE PEOPLE IN THIS COMMUNITY WHICH THE MAJORITY WORK FOR THE MINE AND ARE CERTIFIED AND EVEN IF THEY WERE TRAINED ONCE AND THEY WENT THROUGH A TRAINING CHECKLIST ONCE TO SEE IF THEY REMEMBERED. SHE SAID FMI TRAINS ON SOME OLD EQUIPMENT ALSO AND IT COULD BE NEWER OR OLDER THAN OURS, BUT WE ARE JUST SO SMALL AND WE CANNOT ALWAYS RELY ON OTHER SERVICES OUTSIDE OF DUNCAN TO TAKE CARE OF SOME OF THINGS THAT SOME OF THE PEOPLE THAT LIVE AROUND US NEED TO USE IT FOR. WHETHER IT IS CLEARING LAND OR TO PUT UP A NEW BUILDING OR FOR A NEW HOUSE. SHE THINKS IT IS A VITAL PART OF OUR COMMUNITY AT THIS POINT BECAUSE OF OUR SIZE. SHE SAID IF THE ANNEXATION GOES THROUGH THEY CAN RAISE THE BAR ON THE CERTIFICATION AND ON THE COST. SHE SAID THAT WILL DOUBLE DOWN ON ANY LIABILITY AND RISK THAT THEY MAY SEE.

THE CLERK SAID THAT ON PAGE 31 FOR BODILY INJURY IT WILL ONLY COVER \$2 MILLION. COUNCILMEMBER MENDELSON SAID THE INSURER DOES NOT RECOMMEND RENTING IT OUT EITHER.

MAYOR THURMAN ASKED WHEN THE LAST TIME ANYTHING WAS RENTED? THE MANAGER SAID IT HAS BEEN AWHILE, BECAUSE HE PUT EVERYTHING ON HOLD. COUNCILMEMBER MENDELSON WANTED TO KNOW IF HE HAS HAD COMPLAINTS. HE SAID NOT REALLY

COMPLAINTS, BECAUSE IT HELPS THEM OUT, BUT THEY UNDERSTAND. MAYOR THURMAN ASKED HOW OFTEN, IS IT EVERY WEEKEND TO USE EQUIPMENT OR ONCE EVERY QUARTER OR ONCE EVERY SIX MONTHS? THE MANAGER SAID MAYBE ONCE A MONTH. HE SAID IT JUST DEPENDS ON IF THEY HAVE A BREAK AND THE TIME OF THE YEAR OR AN ANIMAL WILL DIE THAT NEEDS TO BE BURIED OR RE-DOING THEIR DRIVEWAY, NOTHING MAJOR.

COUNCILMEMBER MENDOZA SAID SHE UNDERSTANDS THAT PEOPLE WANT TO USE IT TO DO WHATEVER THEY NEED TO DO, BUT IT IS STILL A LIABILITY. SHE SAID OUR ATTORNEY HAS TOLD US WE SHOULD NOT DO IT. OUR INSURANCE COMPANY IS TELLING US WE CAN DO IT, BUT THEY SUGGEST WE DON'T DO IT.

COUNCILMEMBER MENDELSON WANTED TO KNOW IF THEY COULD DO A SIX MONTH MORATORIUM TO SEE HOW PEOPLE ARE AFFECTED. SHE SAID THEN PEOPLE MIGHT BE ABLE TO ADJUST TO GOING ELSEWHERE TO GET THEIR NEEDS MET.

COUNCILMEMBER MENDOZA SAID SHE DOESN'T THINK MOST OF THE RESIDENTS OF DUNCAN ARE EVEN AWARE THAT THEY CAN RENT THE EQUIPMENT. THE MANAGER SAID THEY ALWAYS HAVE. HE SAID IT IS MOSTLY THE PEOPLE AT HUNTER ESTATES THAT ARE GOING TO USE IT. COUNCILMEMBER MENDELSON SAID IT IS A NICE LITTLE BUSINESS NICHE FOR SOMEONE. THE MANAGER SAID MOST ARE HUNTER ESTATES RESIDENTS AND OUTSIDE TOWN LIMITS.

HE SAID THEY CAN RAISE THE COSTS FOR THOSE WHO ARE NOT IN TOWN LIMITS. THEY CAN ALSO PUT A LIMIT ON HOW FAR IT GOES OUT. THEY HAVE THE CAPABILITY OF LOADING MOST OF THEIR EQUIPMENT ON A TRAILER SO IT IS NOT DRIVEN. HE SAID THEY WILL SAVE A LOT ON THE TIRES AND EQUIPMENT IF THEY DO THAT. HE SAID IF THEY DON'T HAVE MEANS TO PULL IT, THEN MAYBE THEY DON'T NEED IT.

COUNCILMEMBER MENDOZA SAID SHE DOES NOT WANT TO WAIT SIX MONTHS, THEY HAVE BEEN DEALING WITH IT FOR A WHILE ALREADY. SHE TOLD THE COUNCIL SHE THINKS IT IS A LIABILITY TO THE TOWN OF DUNCAN.

**COUNCILMEMBER MARYANN MENDOZA MADE A MOTION TO NOT RENT THE HEAVY EQUIPMENT TO INDIVIDUALS, EXCEPT WHERE A TOWN EMPLOYEE IS THE SOLE OPERATOR EFFECTIVE IMMEDIATELY.** MANAGER BASTEEN ASKED IF THAT INCLUDES OUR EMPLOYEES RUNNING THE EQUIPMENT. COUNCILMEMBER MENDELSON SAID SO PEOPLE CAN STILL CONTRACT WITH THE TOWN AS LONG AS IT IS ONE OF OUR EMPLOYEES RUNNING THE EQUIPMENT. **COUNCILMEMBER SUSAN D. RIOS SECONDED. ALL FAVORED. MOTION CARRIED.** COUNCILMEMBER MENDOZA WANTED TO KNOW IF THEY NEED TO TALK ABOUT RATES. MANAGER BASTEEN SAID HE WILL HAVE TO RESEARCH THAT.

- 10. CONSIDERATION OF APPROVAL OF NEW TRAVEL POLICY:** MANAGER BASTEEN GAVE THE COUNCIL A HANDOUT FROM CLIFTON'S TOWN POLICY. VICE-MAYOR SMITH ASKED IF SHE CAN GET A PICTURE. COUNCILMEMBER MENDOZA SAID THE COUNCIL SHOULD HAVE TIME TO LOOK AT THE HANDOUT BEFORE APPROVING IT, BECAUSE THEY JUST GOT IT. MANAGER BASTEEN TOLD VICE-MAYOR SMITH HE WILL GIVE HER A COPY. **COUNCILMEMBER MARYANN MENDOZA MADE A MOTION TO TABLE THIS ITEM UNTIL THE NEXT MEETING. COUNCILMEMBER SUSAN D. RIOS SECONDED. ALL FAVORED. MOTION CARRIED.**

- 11. CONSIDERATION OF APPROVAL OF IMPROVEMENTS TO THE CENTENNAIL PARK RESTROOMS – TOWN TO AGREE TO CONTINUE MAINTENANCE AND HANDLE THE BANKING ON PAYMENTS**

**THROUGH A CARD READER ON THE SHOWER DOOR:** COUNCILMEMBER MENDELSON SAID SHE SPOKE ABOUT THIS AT THE LAST MEETING. THE IDEA IS THAT THE JAVELINA CHASE, WHICH IS A 501C3, WOULD APPLY FOR GRANT FUNDS FROM FMI OR UNITED WAY OR BOTH TO PAY THE COST OF IMPROVEMENTS TO THE BATHROOMS IN CENTENNIAL PARK AND THE ADDITION OF ONE OR MORE SHOWERS, WHICH WOULD BE CARD READER PAY SHOWERS. THE PURPOSE OF WHICH IS TO SERVE THE CYCLIST WHO COME BY THE HUNDREDS THROUGH OUR TOWN MANY OF WHOM NOW CAMP IN CENTENNIAL PARK AND ALSO THE JAVELINA CHASE CYCLING EVENT, WHICH IS GOING TO BE MORE CAMPGROUND SOCIAL EVENT FOCUSED WITH THE MT. BIKE COMMUNITY. THEY HAVE BEEN STUDYING IN THE JAVELINA CHASE COMMITTEE HOW THE MT. BIKE COMMUNITY SOCIALIZES AT THESE EVENTS. THEY HAVE REALIZED THAT ATTRACTIVE CAMPING FACILITIES ARE A KEY.

SHE AND THE MANAGER AND ASHLEY GERMAINE MET YESTERDAY WITH THE MINE PRESSCREENING COMMITTEE AND TALKED ABOUT THIS AT LENGTH AND IT IS STILL NOT CLEAR WHAT ROUTE THEY SHOULD TAKE. IT IS CLEAR THAT THEY CANNOT ADD A SHOWER TO THE EXISTING FACILITY. SHE SAID FRED ROBINETTE LOOKED AT IT AND SAID IT IS NOT, SO IT MEANS ADDING A BUILDING AND THE COSTS JUST KEEP GOING UP.

SHE SAID SHE DOES NOT WANT TO SUBMIT A PROPOSAL THAT IS GOING TO COMPETE WITH THE TOWN'S PROPOSAL IN THE COMMUNITY INVESTMENT FUND THE ANNUAL CYCLE OF THE MINE. SHE SAID SHE JUST ASKED THEM WHAT THEY RECOMMENDED. THEY DID NOT GET REALLY CLEAR GUIDANCE ON THAT, BUT WHAT THEY DID GET WAS A REALLY NICE REFERRAL TO THE HEAD OF MAIN STREET PROJECT IN SILVER CITY WHICH HAS DONE A REALLY GREAT BATHROOM INSTALLATION ON CITY PROPERTY AND THE MINE PAID FOR IT AND EVERYONE IS HAPPY WITH IT. SHE SAID SHE TALKED WITH HER TODAY AND THEY HAVE A PREFAB UNIT THAT WAS LOWERED BY CRANE ON THE BASE THAT HAD BEEN PREPARED. SHE SAID SHE ACTUALLY KNOWS THAT COMPANY, BECAUSE IT IS THE COMPANY THAT SHE WORKED WITH WHEN THEY WERE LOOKING INTO RESTROOMS ALONG THE SAN FRANCISCO RIVER ROAD. SHE SAID SHE WILL KEEP EXPLORING THIS, BUT THE CLOCK IS TICKING WHICH MAKES IT REALLY HARD. SHE WOULD LIKE THE COUNCIL TO APPROVE OUR PROCEEDING WITH THIS WITH THE UNDERSTANDING THAT IF THEY SUBMIT A SUCCESSFUL GRANT APPLICATION THAT THE TOWN WILL THEN AGREE TO CONTINUE MAINTENANCE AND WILL AGREE TO HANDLE THE BANKING ON CARD READER PAYMENTS, WHICH WILL BE PART OF THE NEW SHOWER FACILITY.

THE WOMAN WHO IS HEAD OF THE MAIN STREET SILVER CITY PROJECT SAID THE BATHROOMS AT CENTENNIAL PARK ARE ON HER A-1 LIST OF BATHROOMS SHE IS WILLING TO USE WHEN SHE IS ON THE ROAD.

SHE IS ALSO GOING TO BE ADVISED BY SOMEONE WHO IS AN EXPERT IN THIS STUFF WITH ADVENTURE CYCLING, WHICH IS A NATIONAL ORGANIZATION THROUGH WHICH MOST OUR CYCLIST COME HERE. SHE SAID SHE HAS A TENTATIVE PHONE DATE WITH THE EXECUTIVE DIRECTOR OF UNITED WAY WHO ALREADY SORT OF ENDORSED THE IDEA IN PRINCIPLE, BUT SHE THINKS WHAT SHE IS GOING TO DO IS MAKE ONE GRANT APPLICATION TO UNITED WAY AND ANOTHER TO THE FREEPORT MONTHLY CYCLE AND THAT WILL PROBABLY BE ON THE NEXT MEETING.

MAYOR THURMAN HAD A QUESTION. WOULD THE EXISTING BATHROOM STAY THERE AS IS? COUNCILMEMBER MENDELSON SAID YES, THEY WILL CLEAN IT UP AND PUT NEW FIXTURES. MAYOR THURMAN WANTED TO KNOW WHERE THE SHOWER WILL BE PUT? COUNCILMEMBER

MENDELSON ASKED THE MANAGER WHAT HE THOUGHT. HE SAID THEY WOULD HAVE TO LAY IT ALL OUT. COUNCILMEMBER MENDELSON SAID THERE IS A FLOODPLAIN ISSUE ALSO. THE MAYOR SAID THERE IS A NICE BIG GRASSY AREA THAT A LOT OF PEOPLE USE. COUNCILMEMBER MENDOZA WANTED TO KNOW IF IT WILL BE JUST ONE SHOWER. COUNCILMEMBER MENDELSON SAID POSSIBLY ONE OR TWO. IT REALLY DEPENDS ON HOW MUCH THESE ARE GOING TO COST AND WHETHER THEY ARE GOING TO BUILD FROM SCRATCH OR BRING IN A PREFAB UNIT. THEY WANT TO KEEP COSTS AS LOW AS POSSIBLE. MAYOR THURMAN SAID SHE WOULD LIKE TO KNOW WHAT THEY DECIDE TO DO.

COUNCILMEMBER MENDOZA ASKED IF THEY WILL USE THESE IN THE WINTER. COUNCILMEMBER MENDELSON SAID YES EVERYDAY, SO IT WILL NEED A HEATER TOO. SHE SAID THAT IS WHERE THE MONEY WILL BE WITH THE CYCLIST COMING THROUGH. SHE SAID IT IS SOMEWHERE BETWEEN 500 AND 1,000 EVERY YEAR NOW COMING AND STAYING IN DUNCAN ON THESE LONG DISTANCE TRIPS. COUNCILMEMBER MENDOZA SAID THEY HAVE SHOWERS YOU CAN BUILD OUTSIDE THAT PROBABLY WOULD NOT BE TOO EXPENSIVE. **COUNCILMEMBER DEBORAH MENDELSON MADE A MOTION TO TABLE THIS ITEM UNTIL THE NEXT MEETING. COUNCILMEMBER SUSAN D. RIOS SECONDED. ALL FAVORED. MOTION CARRIED.**

**12. CONSIDERATION OF APPROVAL TO GET THE SOCIAL STUDIES CLASS TO DESIGN A TOWN FLAG:**

VICE-MAYOR SMITH SAID SHE WAS HOPING TO HAVE THE TIME THIS WEEK TO DESIGN A PLAN FOR ALL THE DIFFERENT HISTORY AND SOCIAL STUDIES CLASSES, BUT LIFE HAD A DIFFERENT TURN FOR HER. **VICE-MAYOR VALERIE SMITH MADE A MOTION TO TABLE ITEM 12 TO GET THE SOCIAL STUDIES CLASS TO DESIGN A TOWN FLAG. COUNCILMEMBER MARYANN MENDOZA SECONDED. ALL FAVORED. MOTION CARRIED.**

**13. LETTER ABOUT VEHICLES: JANET SPROLES** SAID THAT THE DUNCAN VALLEY IS ABSOLUTELY

BEAUTIFUL AND A GAZILLION PEOPLE A YEAR MOVE TO ARIZONA, BUT NONE OF THEM WILL MOVE HERE UNTIL IT GETS CLEANED UP. SHE SAID IT AFFECTS PROPERTY VALUES AND GROWTH, ETC. SHE THINKS ALL THE ABANDONED TRAILERS AND CARS IN PEOPLE'S YARDS ARE ACTUALLY A DISGRACE. THERE ARE ZONING LAWS EVERYWHERE IN EVERY TOWN SHE EVER HEARD OF. SHE HAD A FELLOW FROM THE MIDWEST WHO CAME TO HER HOUSE A COUPLE OF WEEKS AGO AND SHE WILL NOT SAY WHAT HE SAID, BUT IT WAS NOT COMPLIMENTARY.

MANAGER BASTEEN SAID THEY SENT OUT LETTERS STATING THAT THEY WILL START ENFORCING ABANDONED CARS. HE SAID HE HAD A LADY COME TO HIM AND ASK HIM WHY HE PUT A LETTER ON HER CAR, BUT HE TOLD HER HE DID NOT. COME TO FIND OUT SOMEONE MADE A COPY OF THE LETTER AND PUT IT ON HER CAR UP AT THE APARTMENTS. HE SAID THAT IS ALL PRIVATE PROPERTY AND THE APARTMENTS SHOULD BE ABLE TO ENFORCE THEIR OWN SET OF RULES UP THERE AND IT SHOULD NOT HAVE ANYTHING TO DO WITH THE TOWN.

HE WANTED TO START WITH ALL VEHICLES IN RIGHT-OF-WAYS, ON STATE PROPERTY AND TOWN OF DUNCAN PROPERTY. HE SAID THEN HE WILL GO THROUGH THE ORDINANCES TO ADDRESS ABANDONED CARS AND DILAPIDATED CARS, THEY JUST NEED TO ENFORCE THAT.

THE MANAGER SAID SO FAR HE HAS HAD COMPLAINTS AND PEOPLE COMPLIMENT IT AND HE HAS ACTUALLY HAD PEOPLE MOVED CARS OUT OF THE WAY. HE SAID HE GETS THOSE THAT COMPLAIN THAT THE TOWN LOOKS BAD, BUT DON'T COME AFTER MY PROPERTY.

HE SAID THEY NEED TO ADDRESS WHAT THEY CONSIDER A CLASSIC CAR OR A COLLECTIBLE AND WHAT IS JUST AN ABANDONED CAR AND WHAT YEAR DO THEY START OFF WITH.

HE EXPLAINED TO THE COUNCIL HOW IT WOULD WORK. HE HAS SPOKEN WITH WATERS TOWING AND HOW IT WOULD WORK IS THAT THEY WOULD PICK UP THE CARS AND MOVE THEM TO OUR AIRPORT IF THE OWNER DOES NOT TURN OVER THE TITLE AND CHOOSES TO DO NOTHING, THEY WOULD PROCEED TO FILE AN ABANDONED CAR TITLE. ONCE THAT HAPPENS THE STATE WILL FINE THE LAST REGISTERED OWNER A \$500 FINE. IF THE OWNER TURNS THE TITLE OVER TO WATERS TOWING NOTHING WILL HAPPEN. ONCE THE CARS ARE REMOVED, WATERS TOWING CAN TAKE POSSESSION OF THE VEHICLES AND DO WHAT THEY WANT WITH THEM. HE SAID THERE WILL BE NO COST TO THE TOWN FOR TOWING AND HE IS NOT LOOKING TO MAKE ANY MONEY, JUST TO CLEAN UP THE TOWN.

VICE-MAYOR SMITH SAID IN REGARDS TO USING THE CLASSIC CAR, SHE THINKS IT SHOULD BE SOMETHING THAT SOMEONE IS TRYING TO WORK ON. SHE SAID THEY COULD HAVE CLASSIC CARS ALL AROUND TOWN, BUT THEY COULD ALSO BE VERY RUSTY. THEY COULD BE WORKING ON THEM TO GET THEM BACK INTO SHAPE OR COVERED, ETC.

MANAGER BASTEEN SAID THE ONLY ONE WHO HAS COME TO THE TOWN, EVEN BEFORE HE WAS THE TOWN MANAGER IS MR. GERMAINE. HE HAS THE TRUCK SITTING OUTSIDE OF HIS BUSINESS AS AN ATTRACTION FOR HIS BUSINESS. HE SAID HE KNOWS HE WILL NOT WORK ON IT, BUT HE HAS THE APPROVAL OF THE COUNCIL IN THE PAST TO HAVE THAT THERE.

COUNCILMEMBER MENDELSON SAID SHE CAN THINK OF ANOTHER EXAMPLE, SAM SMITH'S ANTIQUE AUTOS BY HIS HOUSE ALONG THE RAILROAD TRACKS. SHE SAID IT IS LIKE A MUSEUM. SHE ASKED FOR THE MANAGER'S VIEW ON HIS. MANAGER BASTEEN SAID HIS PERSONAL VIEW IS HE THINKS IT IS OKAY, THOSE ARE VERY ANTIQUE CARS AND INTERESTING TO LOOK AT. COUNCILMEMBER MENDELSON SAID HE KEEPS THEM NEAT. COUNCILMEMBER MENDOZA WANTED TO KNOW IF HE CAN REGISTER THEM AS HISTORIC VEHICLES? THE MANAGER SAID HE PROBABLY CAN. ADAM COX SAID HE THINKS IF THEY ARE REGISTERED AND INSURED THERE SHOULD NOT BE A PROBLEM.

THE MANAGER SAID THAT IS BASICALLY WHAT THE ORDINANCE SAID IF THE VEHICLE IS REGISTERED AND EVEN IF IT IS REGISTERED AND THE HOOD IS OFF OF IT AND THERE IS NO MOTOR, THEN THEY WILL PROBABLY SAY SOMETHING. HE SAID THE GENTLEMAN WHO WAS JUST MENTIONED, DID APPROACH HIM AND HE TOLD HIM AS LONG AS THEY COME TO HIM AND SAY THIS IS WHAT THEY ARE DOING WITH IT, HE CAN TELL THEM TO GIVE HIM A TIME LINE. HE SAID ANOTHER GENTLEMAN CALLED HIM ABOUT A BOAT, HE SAID THEY ARE GOING TO RESTORE IT AND HE SAID AS LONG AS HE KNOWS AND IT IS NOT JUST GATHERING WEEDS THAT IS ALL HE IS CONCERNED ABOUT.

COUNCILMEMBER MENDELSON ASKED WHAT ABOUT THE OLD DUNCAN FIRE TRUCK DOWN ON THE CORNER? HE SAID THEY COULD PUT PLATES ON IT AND IT MAY STILL BE REGISTERED. COUNCILMEMBER MENDELSON SAID THEY SHOULD PROBABLY MAKE SURE IT IS REGISTERED. THE MAYOR AGREED.

COUNCILMEMBER MENDOZA ASKED THE MANAGER, SO WATERS TOWING WILL PICK UP THE CARS AT NO COST TO THE TOWN OF DUNCAN AND THEY WILL TAKE THEM UP TO THE AIRPORT AND THEY WILL BECOME THE OWNERS OF THOSE VEHICLES? HE SAID WATERS WILL PROCEED WITH THE PAPERWORK AND THROUGH THE STATE TO TAKE OVER THOSE VEHICLES. HE SAID IF

SOMEONE WANTS TO GET THEIR CAR OUT OF IMPOUND, THEN WATERS TOWING CAN SAY WE WILL CHARGE YOU THIS AMOUNT TO GET IT OUT OF IMPOUND.

COUNCILMEMBER MENDELSON ASKED WHAT IS TO KEEP PEOPLE FROM COMING AND TAKING THEIR OWN CARS FROM UP THERE? MANAGER BASTEEN SAID THEY WILL FENCE IT OFF.

THE MANAGER SAID ONE GENTLEMAN ASKED HIM IF HE COULD MOVE THE VEHICLE INTO HIS YARD AND HE SAID YES, BUT WE WILL COME AFTER IT EVENTUALLY TOO. HE THEN ASKED WHAT IF WE MOVE IT OUT OF TOWN LIMITS? HE SAID THAT IS FINE, THEN IT WOULD BE A COUNTY ISSUE.

HE SAID REFERRING BACK TO MS. SPROLES COMMENT ABOUT THE GENTLEMAN THAT CAME FROM THE EAST, THAT IS ONE OF HIS CONCERNS IS PEOPLE DON'T KNOW WHERE THE TOWN LIMITS START. HE SAID PEOPLE ARE COMING IN FROM LORDSBURG OR CLIFTON AND THEY HIT A CERTAIN SPOT THAT IS COUNTY AND THEY HAVE NO JURISDICTION OUT THERE. HE SAID THE COUNTY SAID THEY WILL START ENFORCING IT, THEY TRIED IT BEFORE AND IT DID NOT GO OVER WELL. HE SAID THE TOWN OF DUNCAN HAS TRIED IT BEFORE. MAYOR THURMAN SAID THEY NEED TO TRY AGAIN, IT MAY NOT HAVE WORKED THE FIRST TIME, BUT IT MAY WORK THIS TIME. COUNCILMEMBER MENDOZA SAID THEY HAVE TO BE PERSISTANT AND LET THE COMMUNITY KNOW WHY THEY ARE DOING THIS.

COUNCILMEMBER RIOS ASKED WILL THERE BE A PROVISION, IF A PERSON HAS AN OLDER CAR THAT WILL NOT BE REGISTERED AND LICENSED, BECAUSE THAT WILL COST SOME MONEY. COULD THERE BE A PROVISION IF THEY TARPED IT? THE MANAGER SAID TARPING IT LOOKS BETTER THAN IT SETTING OUT THERE IN THE OPEN. MAYOR THURMAN SAID A PRIVACY FENCE MAY BE BETTER. COUNCILMEMBER RIOS SAID THEY HAVE VIRTUALLY NO GARAGES HERE, BUT IF THEY HAVE A SENTIMENTAL COULD THEY GET BY WITH TARPING IT AND PUTTING IT TO THE BACK OF THE PROPERTY?

VICE-MAYOR SMITH SAID SHE THINKS THEY WOULD ALSO NEED TO BE ABLE TO SEE UNDERNEATH THE CAR AND ARE THERE TIRES UNDERNEATH THE CAR AND IF SO ARE THEY PUMPED? SHE SAID SHE THINKS IT IS A BIG EYESORE WHEN THERE ARE WEEDS GROWING UP UNDER IT OR IT'S ON BLOCKS. SHE SAID THEY CAN STRATEGICALLY HIDE THOSE THINGS UNTIL THEY ARE READY TO WORK ON SOMETHING. MANAGER BASTEEN SAID HE AGREES AND THAT IS PART OF THEIR ORDINANCE THAT THE TIRES HAVE TO BE ON THERE AND AIRED UP AND DEFINITELY MAINTAINED AROUND THE VEHICLE WITH NO WEEDS.

HE SAID IF HE IS GOING TO MAKE SOMEONE REGISTER THEIR VEHICLE WITH A YEARLY COST, IS IT WORTH PAYING FOR THAT VEHICLE TO SET THERE? MAYBE 3 YEARS, BUT 5 TO 10 YEARS IS IT STILL WORTH IT? HE SAID CLIFTON HAS DONE THE SAME THING THEY ARE TRYING TO DO IN DUNCAN.

THE MANAGER SAID HE KNOWS IT IS A TOUGH DECISION, BUT THIS IS THE BIGGEST COMPLAINT BESIDES ROADS? HE SAID ONCE THEY GET THOSE OFF OF RIGHT-OF-WAYS AND TOWN PROPERTY AND STATE PROPERTY, THEY WILL START WITH PERSONAL PROPERTY. HE SAID THERE WERE 38 CARS ON RIGHT-OF-WAYS, TOWN PROPERTY AND STATE PROPERTY.

MAYOR THURMAN ASKED IF THEY WILL NOTIFY THE PEOPLE WITH CLASSIC CARS, BUT DON'T HAVE ANY WHEELS ON THE CARS? MANAGER BASTEEN SAID HE HASN'T ADDRESSED THE PRIVATE PROPERTY YET. MAYOR THURMAN SAID THE ORDINANCE SAYS THAT SOMEONE CAN BUILD A PRIVACY FENCE. COUNCILMEMBER RIOS WONDERED IF THERE WERE OPTIONS.

MANAGER BASTEEN SAID NOT MANY, BUT THERE ARE SOME. HE SAID THE PRIVACY FENCE, MAKING SURE THE TIRES ARE AIRED UP OR JUST GETTING THE CARS REGISTERED.

COUNCILMEMBER MENDOZA SAID SHE THINKS IT IS GOOD TO GET THE TOWN CLEANED UP. LOUANNE WHITE ASKED IF THEY WILL DOING ANYTHING ABOUT TRASHY YARDS IN GENERAL. MANAGER BASTEEN SAID THEY ARE, HE IS JUST TRYING TO TAKE CARE OF IT SLOWLY. LOUANN SAID SHE WAS UNDER THE IMPRESSION THAT THEY COULD NOT DO ANYTHING WITHOUT A MAGISTRATE. THE MANAGER SAID IT HELPS TO HAVE A MAGISTRATE, BUT THEY CAN GO TO THE REGULAR COURT AND THE COURT CAN COME BACK AND SAY THIS IS OUT OF OUR JURISDICTION. HE SAID THE GENTLEMAN ACROSS FROM HER THAT HAS THE JUNKYARD, THE TOWN HAS GONE BEFORE A JUDGE AND THEY TOLD HIM TO CLEAN IT UP AND AS FAR AS HE KNOWS HE DID FOR A WHILE. LOUANNE SAID HE IS ENCROACHING. MANAGER BASTEEN SAID HE TOOK PICTURES AND THIS GENTLEMAN WILL GET ABOUT 10 NOTICES. LOUANNE SAID SHE LIKES HIM AND SHE DOES NOT WANT TO MAKE WAVES FOR HIM, BUT AT THE SAME TIME SHE DOES. SHE SAID IT IS AN EYESORE RIGHT IN THE MIDDLE OF TOWN. THE MANAGER SAID PEOPLE WANT THINGS CLEANED UP, BUT THEY DON'T WANT TO MAKE ENEMIES, HE SAID PEOPLE CAN BE MAD AT HIM.

ADAM COX SAID HE IS ALL FOR THE CLEANUP. HE SAID MORENCI OR FREEPORT DID SOMETHING TO STORE PEOPLE'S ITEMS. THE MANAGER SAID THEY WERE GOING TO BUILD A FACILITY FOR BOATS AND RV'S, BUT HE DOES NOT THINK DUNCAN IS IN THAT POSITION RIGHT NOW TO BE ABLE TO BUILD SOMETHING.

MANAGER BASTEEN SAID THE CARS THAT ARE ON THE RIGHT-OF-WAYS WILL GET 9 OR 10 DAYS TO REMOVE THEM. THE CARS ON PRIVATE PROPERTY ACCORDING TO THE ORDINANCE GET 30 DAYS AND THEY HAVE THE RIGHT TO COME TO THE COUNCIL OR THE TOWN MANAGER TO EXPLAIN.

LOUANNE ASKED ABOUT THE SAME GENTLEMAN, THAT AREA RIGHT THERE WITH A BIG CORNER LOT; DOES THAT BELONG TO HIM? THE MANAGER SAID NO, IT DOES NOT. SHE ASKED IF IT BELONGS TO THE TOWN. THE MANAGER SAID NO, THERE ARE SECTIONS IN THERE THAT BELONG TO THE TOWN. HE SAID IF YOU ARE GOING NORTH ON HARWELL AND YOU TURN THAT CORNER RIGHT THERE BELONGS TO THE TOWN. HE SAID THERE IS A SEMI, A TRUCK AND SOMETHING ELSE ON THERE. THE LOT THAT HAS THE BROWN AND TAN TRUCK ON IT BELONGS TO A DIFFERENT INDIVIDUAL AND HE WAS TOLD THAT HE WAS GOING TO COME AND GET THE TRUCK WITHIN THE COMING WEEKS. ACROSS THE STREET FROM THE SEMI IS TOWN PROPERTY AND THERE ARE SIX OR SEVEN VEHICLES ON THERE THAT NEED TO BE MOVED. THE MANAGER SAID HE IS AWARE OF THOSE SO HE WILL EVENTUALLY SHOVE THEM BACK INTO HIS AREA, BUT THAT IS WHEN THEY WILL HAVE TO TELL HIM THEY ARE ON PRIVATE PROPERTY NOW AND SOMETHING NEEDS TO BE DONE. LOUANNE SAID EVEN IF HE HAD A FENCE, HE IS DOWN IN A HOLE AND YOU COULD STILL SEE IT.

THE MANAGER SAID THEY ARE GOING TO ADDRESS IT, BUT IT WILL BE A LENGTHY PROCESS AND HOPEFULLY THEY CAN MOVE ALONG QUICKLY BECAUSE IT NEEDS TO GET DONE.

THE CLERK ASKED IF SOMEONE WANTS TO GET RID OF VEHICLES, THEY HAVE THE TITLE NOTARIZED AND GIVE THE TITLE TO THE TOWN. MANAGER BASTEEN SAID THE TITLE WOULD NOT GO TO THE TOWN, BUT TO WATERS TOWING.

COUNCILMEMBER RIOS SAID IF THEY ARE GOING TO ANNEX IN MORE PROPERTY, THIS WILL BE A HOT SPOT. THE MANAGER SAID YES, IT WILL DETOUR PEOPLE, BUT IF THE COUNTY FOLLOWS

THROUGH TOO, IT MAY OR MAY NOT BE AN ISSUE. HE SAID HE WAS HOPING THAT SUPERVISOR LUNT WOULD BE HERE. COUNCILMEMBER MENDELSON SAID HE DID NOT GET ENOUGH NOTICE.

MANAGER BASTEEN SAID MS. SPROLES IS NOT IN TOWN LIMITS. THE CLERK SAID WATERS TOWING IS NOT EITHER. HE SAID THE BOUNDARIES OF DUNCAN ARE WEIRD AND PEOPLE DON'T REALIZE IT. THE MAYOR SAID IF THE TOWN AND COUNTY CAN GET THINGS CLEANED UP IT WILL LOOK A WHOLE LOT BETTER.

COUNCILMEMBER MENDELSON THANKED THE MANAGER FOR MAKING THIS HAPPEN, IT HAS BEEN TALKED ABOUT FOR A WHILE.

VICE-MAYOR SMITH WANTED TO KNOW IF THEY CAN SEND LETTERS OF REQUEST TO THE COUNTY TO CREATE A PARTNER DEAL WITH THIS INITIATIVE. THE MANAGER SAID YES, HE CAN DEFINITELY SPEAK WITH THE COUNTY SUPERVISOR AND INTERIM COUNTY MANAGER. VICE-MAYOR SMITH SAID SHE WOULD LIKE TO SEE SOMETHING IN WRITING AS WELL.

MANAGER BASTEEN SAID HE WILL DRAFT A LETTER THAT THE COUNCIL CAN APPROVE AT THE NEXT MEETING TO SEND TO THE COUNTY.

- 14. EXECUTIVE SESSION: TOWN MANAGER EVALUATION AND DUTIES: AT 6:30 PM, COUNCILMEMBER DEBORAH MENDELSON MADE A MOTION TO GO INTO EXECUTIVE SESSION. COUNCILMEMBER MARYANN MENDOZA SECONDED. ALL FAVORED. MOTION CARRIED.**

**AT 7:35 PM, COUNCILMEMBER MARYANN MENDOZA MADE A MOTION TO RETURN TO REGULAR SESSION. COUNCILMEMBER DEBORAH MENDELSON SECONDED. ALL FAVORED. MOTION CARRIED.**

**COUNCILMEMBER DEBORAH MENDELSON MADE A MOTION TO ACCEPT THE EXECUTIVE MINUTES. COUNCILMEMBER MARYANN MENDOZA SECONDED. FOUR FAVORED. VICE-MAYOR VALERIE SMITH ABSTAINED. MOTION CARRIED.**

- 15. CONSIDERATION OF DATE AND TIME OF THE NEXT MEETING: THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, SEPTEMBER 12<sup>TH</sup> AT 5:00 PM.**

- 16. CONSIDERATION OF ITEMS FOR THE NEXT MEETING: PRESENTATION OF WEBSITES, RESOLUTION FROM THE UPPER GILA RIVER ALLIANCE, RATES FOR HEAVY EQUIPMENT RENTAL, NEW TRAVEL POLICY, CENTENNIAL PARK RESTROOMS, DESIGN A TOWN FLAG, DRAFT VEHICLE LETTER TO THE COUNTY FOR THE COUNCIL TO APPROVE, EVALUATION FORMS**

- 17. ADJOURNMENT: AT 7:45 PM, COUNCILMEMBER DEBORAH MENDELSON MADE A MOTION TO ADJOURN. COUNCILMEMBER MARYANN MENDOZA SECONDED. ALL FAVORED. MOTION CARRIED.**

**CERTIFICATION:**

**I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE REGULAR MEETING MINUTES OF THE DUNCAN TOWN COUNCIL HELD ON THE 14<sup>TH</sup> DAY OF AUGUST, 2019. I FURTHER CERTIFY THAT THE MEETING WAS DULY CALLED AND HELD AND THAT A QUORUM WAS PRESENT.**

**DATED THIS 27<sup>TH</sup> DAY OF AUGUST, 2019.**

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**CYNTHIA NICHOLS, TOWN CLERK**