



TOWN OF HUACHUCA CITY

The Sunset City

500 NORTH GONZALES BOULEVARD • HUACHUCA CITY, ARIZONA 85616

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HUACHUCA CITY TOWN COUNCIL MINUTES REGULAR MEETING AT 7:00^{PM} THURSDAY, APRIL 14, 2016

- A. The Meeting was Called to Order at 7:00 p.m. and the Pledge of Allegiance was said.
- B. Roll Call

Present:

Mayor: Ken Taylor

Mayor Pro-Tem: David A. Perry

Council Members: Johann Wallace
Christy Hirshberg

Town Clerk: Tammy J. Mitchell, MMC

Town Attorney: Thomas Benavidez

Absent: Anna Gonzales
Walter Welsch
Donna Johnson

- C. Approval of Minutes from the Regular Council Meeting held on March 24, 2016, and the Executive Session Minutes from the March 24 and March 10, 2016 Executive Sessions.

Motion made by *Mayor Taylor* to open for discussion and/or action to approve the Minutes from the March 24, 2016, , and the Executive Session Minutes from the March 24 and March 10, 2016 Executive Sessions, **seconded** by *Mayor Pro Tem Perry*.

Motion made by *Mayor Taylor* to approve the minutes, **seconded** by *Mayor Pro Tem Perry*.

4-0 Motion Carried

- D. Call to the Public [3 minute limit] Agenda Items Only. (See below) None
- E. Reports by Council Members and Officers:

1. **Councilmember Welsch - Library/Senior Center-**. Town Clerk Mitchell gave the Library report that was submitted by Director Norris. Sign Language classes are going good. Director Norris is also doing a fund raiser at Applebee's for the Summer Reading Program, because the county usually gave us \$800.00 dollars and this year only gave us \$300.00 dollars. Director Norris is also working on the back to school program. They are also doing a Norma Lavender Discovery Play Garden on the side of the Library.
2. **Councilmember Johann-Wallace-Planning and Zoning-** Councilmember Wallace reported that we have a couple of things going on. First Mr. Ortega is looking at putting in a RCA Track. Tonight we also are looking for approval of the Conditional Use Permit for Theresa Whitney proposing a Youth Center, located at 400 South Huachuca Boulevard. Randy Keeling is our new Chair Person and Tiffany Chavez is our Vice Chair.
3. **Council Member Hirshberg-Parks and Recreation-**Council Member Hirshberg stated that she is looking for board members if anyone is interested. Also, Parks and Recreation meets on the second Monday of every month and you will need to be sworn in. On Saturday, April 23 we are having a bicycle Rodeo here at city hall. Summer Splash is coming soon we are setting up interviews in the next few weeks.
4. **Councilmember Johnson - Public Safety-**Chief Grey reported they discovered a box of marijuana. They believe it belongs to someone living here in town. Mayor Taylor added to be aware when you are out driving; a good friend of his was killed in a motorcycle crash. So, be careful and aware when driving.
5. **Mayor Pro Tem Perry - Public Works-** Mayor Pro Tem Perry said Public Works is out cleaning up the streets and cutting grass. The Landfill Supervisor attended informational training at ADEQ.
6. **Councilmember Gonzales - Finance-**. Town Clerk Mitchell stated we went out to bid (RFP) for a new accountant (CPA). The Haymore Firm won the bid.
7. **Mayor Taylor -**Mayor Taylor said the Little League has a Car Show planned for this weekend. They invite everyone to come out and join them.
8. **Tammy Mitchell - Town Clerk's/Administrator Report-**Clerk Mitchell said she made copies of the Little League schedule for anyone who would like to attend their games.

F. **Unfinished Business: None**

G. **New Business:**

1. **Discussion and/or Action [Mayor Taylor]: Town Code Enforcement Official's Report of Recent Activity.**

This Item Moved between Item 8 and Item 9 of the Agenda.

Motion made by Mayor Taylor to open for discussion and/or action, **seconded** by Councilmember Wallace. Dr. Johnson gave an update from the time when he started until now. Dr. Johnson went through the codes step by step and helps update them. In 2015 we had 26 building permits and now for 2016 we have 16 already. Helping the Planning and Zoning was the biggest step the city has taken. Planning and Zoning is really moving forward and is very productive for the city. He has met with many citizens and many citizens comply with what the law said. Dr. Johnson said he has always learned to put a strong foundation down to go by. We are working as a team with the Police

Dept., Fire Dept. City Attorney and the rest of the staff to get things done that are needed.

No Action

2. **Discussion and/or Action [Mayor Taylor]: Executive [Closed] Session, Pursuant to A.R.S. 38-431.03 (A) (3), for Discussion and Consultation with the Attorney of the Council for Legal Advice Concerning Enforcement of the Town's Building, Planning and Zoning Codes.**

Motion made by *Mayor Taylor* to enter Executive Session, *seconded* by *Councilmember Hirshberg* (7:53).

Motion made by *Mayor Taylor* to close Executive Session and enter regular session, *seconded* by *Councilmember Hirshberg* (8:34).

3. **Discussion and/or Action [Johann Wallace]: Approval of the Conditional Use Permit for Theresa Whitney proposing a Youth Center, located at 400 South Huachuca Boulevard.**

Motion made by *Councilmember Wallace* to open for discussion and/or action, *seconded* by *Mayor Taylor*.

Motion made by *Councilmember Wallace* to approve the Conditional Use Permit for Theresa Whitney, *seconded* by *Mayor Pro Tem Perry*.

Ms. Theresa Whitney gave a presentation of her vision and compassion on the Youth Center. Dr. Johnson said our codes require they have a Conditional Use Permit and they have complied with all the regulations and have been great to work with.

4-0 Motion Carried

4. **Discussion and/or Action [Mayor Taylor]: Appointment of Julie Mendoza to the Parks and Recreation Commission.**

Motion made by *Mayor Taylor* to appoint Julie Mendoza, Craig Smith, Diane Hildebrandt and Andrea McDowell to the Parks and Recreation Commission, *seconded* by *Councilmember Hirshberg*.

4-0 Motion Carried

5. **Discussion and/or Action [Mayor Taylor]: Appointment of Rod Pieren to the Planning and Zoning Commission.**

Motion made by *Mayor Taylor* to open for discussion and/or action, *seconded* by *Councilmember Wallace*.

Motion made by *Mayor Taylor* to appoint Rod Pieren to the Planning and Zoning Commission, *seconded* by *Councilmember Wallace*.

Mayor Taylor swore in Mr. Pieren.

4-0 Motion Carried

6. **Discussion and/or Action [Mayor Taylor]: Discussion Concerning Amending the Town Code to Allow Liquor Consumption in Town Parks for Certain Authorized Events.**

Motion made by *Mayor Taylor* to open for discussion and/or action, *seconded* by *Councilmember Hirshberg*.

Motion made by *Mayor Taylor* to direct staff to look at making changes to Town Code to allow for the Consumption of Liquor/Alcohol on Town Property, *seconded* by *Councilmember Hirshberg*.

4-0 Motion Carried

7. **Discussion and/or Action [Mayor Pro Tem Perry / Town Attorney]:**
Second Reading of Ordinance No. 2016-14 AMENDING THE TOWN'S CODE TITLE 2 "ADMINISTRATION AND PERSONNEL" TO ESTABLISH THE OFFICE OF TOWN MANAGER AND TO SPECIFY THE DUTIES AND RESPONSIBILITIES OF THE TOWN MANAGER.
Motion made by *Mayor Pro Tem Perry* to open for discussion and/or action, **seconded** by *Mayor Taylor*.
Ordinance 2016-14 Read by Title Only
Motion made by *Mayor Pro Tem Perry* to adopt Ordinance 2016-14, **seconded** by *Mayor Taylor*.
4-0 Motion Carried
8. **Discussion and/or Action [Zoning Administrator / Town Attorney]:**
Second Reading of Ordinance No. 2016-15 - AMENDING THE TOWN CODE CHAPTER 18.105 "OFF-STREET PARKING AND LOADING REGULATIONS" SECTION 18.105.070 "PARKING LOT PLACEMENT REGULATIONS" CONCERNING PARKING LOT SURFACING AND OTHER PARKING LOT REQUIREMENTS.
Motion made by *Mayor Taylor* to open for discussion and/or action, **seconded** by *Councilmember Wallace*.
Ordinance 2016-15 Read by Title Only
Motion made by *Mayor Taylor* to adopt Ordinance 2016-15, **seconded** by *Councilmember Hirshberg*.
4-0 Motion Carried
9. **Discussion and/or Action [Zoning Administrator / Town Attorney]:**
Second Reading of Ordinance No. 2016-16 - AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.10 "DEFINITIONS," CHAPTER 18.35 "R-1 RESIDENTIAL DISTRICTS," ADOPTING PARKING RESTRICTIONS FOR TRAILERS AND ACCESSORY VEHICLES IN RESIDENTIAL AREAS.
Motion made by *Mayor Taylor* to open for discussion and/or action, **seconded** by *Councilmember Wallace*.
Ordinance 2016-16 Read by Title Only
Motion made by *Mayor Taylor* to adopt Ordinance 2016-16, **seconded** by *Councilmember Hirshberg*.
4-0 Motion Carried
10. **Discussion and/or Action [Zoning Administrator / Town Attorney]:**
Second Reading of Ordinance No. 2016-17 - AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.135 "AMENDMENTS," SECTION 18.135.080 "FEES" AND CHAPTER 18.145 "BOARD OF ADJUSTMENT," SECTION 18.145.100 "FEES AND NOTICE OF PUBLICATION," CHAPTER 18.150 "FEES," SECTION 18.150.010 "PLANNING AND ZONING FEES," AND ADDING NEW CHAPTER 18.155 "VIOLATIONS AND PENALTIES," TO CHANGE THE PLANNING AND ZONING FEES CHARGED BY THE TOWN AND ESTABLISHING A NEW PROCESS FOR HANDLING ZONING VIOLATIONS AND THE PENALTIES THEREFOR.

Motion made by Mayor Taylor to open for discussion and/or action, seconded by Councilmember Wallace.

Ordinance 2016-17 Read by Title Only

Motion made by Mayor Taylor to adopt Ordinance 2016-17, seconded by Councilmember Hirshberg.

4-0 Motion Carried

11. **Discussion and/or Action [Mayor Taylor]: Executive [Closed] Session, Pursuant to A.R.S. 38-431.03 (A) (3) & (4) for Discussion and Consultation with the Attorney of the Council in Order to Consider its Position and Instruct its Attorney Regarding a Lawsuit Filed Against the Town by Kathleen and Robert Kaufman for Personal Injury Damages. Following the Executive Session, the Council Might Take Action to Direct its Attorney.**

Motion made by Mayor Taylor to open for discussion and/or action, seconded by Mayor Pro Tem Perry. Attorney Benavidez stated that the only law suit we have is the Kauffman's for the fall on the sidewalk in 2015. This has been turned over to the town's insurance.

No Action Taken

12. **Discussion and/or Action [Mayor Taylor]: Executive [Closed] Session, Pursuant to A.R.S. 38-431.03 (A) (1), (3) & (4) for Discussion Concerning the Employment of the Police Chief, Dennis Grey, and for Consultation with the Attorney of the Council for Legal Advice. Following the Executive Session, the Council Might Take Action to Direct its Attorney.**

Motion made by Mayor Taylor to enter Executive Session, seconded by Mayor Pro Tem Perry.

Motion made by Mayor Taylor to close Executive Session and enter regular session, seconded by Councilmember Wallace (9:22).

Motion made by Mayor Taylor to direct staff as discussed in Executive Session, seconded by Councilmember Hirshberg.

4-0 Motion Carried

- H. **Payment Approval Report in the amount of \$144,221.89**

Motion made by Mayor Taylor to open for discussion and/or action, seconded by Councilmember Hirshberg.

Motion made by Mayor Taylor to approve the payment of \$144,221.89, seconded by Councilmember Hirshberg.

4-0 Motion Carried

- I. **Call to the Public: [3 min. limit] ARS38-431-01 Public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.**

None

J. **Discussion and/or Action [Town Clerk]: Items to be placed on the next agenda.**
Motion made by *Mayor Taylor* to open for discussion and/or action, seconded by
Mayor Pro Tem Perry.

K. **Adjournment:**
Motion made by *Mayor Taylor* to adjourn, seconded by *Mayor Pro Tem Perry*
Adjourned at 9:24 p.m. 4-0 motion Carried

Approved by Mayor Taylor on April 28, 2016

Mayor, Kenneth Taylor

Attest: _____
Town Clerk Tammy J. Mitchell, MMC

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Town of Huachuca City held on April 14, 2016. I further certify that the meeting was duly called, and a quorum was present.

Tammy J. Mitchell, MMC, Town Clerk/Administrator