



**MINUTES OF THE
 HUACHUCA CITY TOWN COUNCIL
 MEETING HELD
 THURSDAY, AUGUST 8, 2019 AT 7:00PM
 HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD.
 HUACHUCA CITY, AZ 85616**

AGENDA

A. Call to Order

Mayor

- Pledge of Allegiance
- Roll Call and Ascertain Quorum
- Invocation

Any prayer/invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the prayer/invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker. A list of volunteers is maintained by the Town Clerk's Office and interested persons should contact the Town Clerk's Office for further information.

The meeting was called to order at: 7:04

The Pledge of Allegiance was led by: Mayor Wallace

Roll Call

<i>Present:</i>		<i>Absent:</i>	
Johann Wallace - Mayor	Christy Hirshberg – Council Member	Matthew Williams – Town Manager	Walt Welsch – Council Member
Pro Tem - Donna Johnson	Debra Trate – Council Member	Thomas Benavidez – Town Attorney	
Joy Banks – Council Member			
Cynthia Butterworth – Council Member			

B. Call to the Public

Mayor

A.R.S. 38-431.01 states the 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.

Call to Public:

C. Consent Agenda

Mayor

All items listed in the Consent Agenda are considered routine matters and will be enacted by one motion of the Council. There will be no separate discussion of these items unless a Member of the Town Council requests that an item or items be removed for discussion. Council Members may ask questions without removal of the item from the Consent Agenda. Items removed from the Consent Agenda are considered in their normal sequence as listed on the agenda, unless called out of sequence.

Motion C: Open item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Council Member Hirshberg	

- C.1** Consider approval of the minutes of the Council meeting held on July 25, 2019.
- C.2** Consider approval of the minutes of the Executive session held on July 25, 2019.
- C.3** Consider approval of the Payment Approval Report in the amount of \$44,300.63.
- C.4** Consider approval of \$6620.78 for rental scraper while Town scraper was being repaired.
- C.5** Consider approval of payment of \$5228 for police academy expenses for new police recruit.
- C.6** Consider approval of payment of \$8690.98 for Office 365 G3 software package.
- C.7** Authorize the declaration as surplus property the following items, to be sold by auction or otherwise disposed of in accordance with Town Policy:
 - a.** 1969 Winnebago RV VIN # 6381931556

Motion C:		Action: Approved
Moved by: Mayor Wallace	Seconded by: Council Member Trate	

***Huachuca City Council Roll Call
For a Regular Council Meeting
Thursday, August 8, 2019***

		Present	Absent
Mayor:	Johann Wallace	<u>✓</u>	<u> </u>
Mayor Pro-Tem	Donna Johnson	<u>✓</u>	<u> </u>
Council Members:	Cynthia Butterworth	<u>✓</u>	<u> </u>
	Joy Banks	<u>✓</u>	<u> </u>
	Christy Hirshberg	<u>✓</u>	<u> </u>
	Debbie Trate	<u>✓</u>	<u> </u>
	Walter Welsch	<u> </u>	<u>X</u>
Town Manager:	Matthew Williams	<u>✓</u>	<u> </u>
Town Clerk:	Janine Collins	<u>✓</u>	<u> </u>
Town Attorney:	Thomas Benavidez	<u>✓</u>	<u> </u>

D. Unfinished Business before the Council

Mayor

Public comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

D.1. Discussion and/or Action [Mayor Wallace]: Council approval of Resolution 2019-25 to approve the installation of four stop signs at the intersection of Mohave and Navajo streets.

Motion D.1: Open item for discussion and/or action		Action:
Moved by: Mayor Wallace	Seconded by: Council Member Hirshberg	

Mayor Wallace: This Resolution has the change we requested turning it from two stop signs to a four way stop.

Motion D.1:		Action:
Moved by: Mayor Wallace	Seconded by: Council Member Butterworth	

7:07 Mayor Wallace suspends rules for Invocation seconded by Hirshberg

The Invocation was offered by: Mr. James Thomas

7:09 Mayor Wallace reopens regular meeting, seconded by Mayor ProTem Johnson

E. New Business before the Council

Mayor

Public comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

E.1 Discussion [Spencer Forsberg] Fiscal year 2018-19 financial status and year-end close out presentation.

Motion E.1: Open item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Council Member Butterworth	

Spencer Forsberg: Good news, when we compare Fiscal Year 2019 to Fiscal Year 2018.

	<u><i>FY Gain/Losses</i></u>	<u><i>Change in Value</i></u>
General fund:	2019- \$-119,847.93 2018- \$-347,899.20	2019- \$216,065.12 2018- \$-11,986.15
Water:	2019- \$-94,285.02 2018- \$-222,749.90	2019- \$64,053.16 2019- \$-64,411.72
Sewer:	2019- \$-38,613.45 2018- \$-139,562.35	2019- \$42,426.52 2018- \$-58,522.38
Garbage:	2019- \$-22,712.59 2018- \$37,190.78	2019- \$9,682.47 2018- \$68,585.84
Landfill:	2019- \$47,878.58 2018- \$-472,388.26	2019- \$245,666.22 2018- \$-274,600.62

Cumulative Net Profit/Loss:

2019: \$-227,580.41
2018: \$-1,145,408.93

Change in Value: Increase of \$917,828.52

E.2 Discussion and/or action [Council member Banks]: Council approval of Resolution 2019-26 to adopt an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation [ADOT] to fund installation of an emergency pre-emption signal on Highway 90.

Motion E.2: Open item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Mayor ProTem Johnson	

Matthew Williams: This is the Resolution for the installation of the emergency signal on Highway 90. We could see the work starting in January/ February time frame depending on the availability of poles. Since hurricane season has started and the demands for poles go up due to the fact that poles get damaged by the hurricanes and those get replaced first. This signal is for police and fire and we have requested that the lights

be red and that the poles are tall enough for the future when this becomes a full traffic intersection all we need to do is switch out lights.

SVMPO Rep: This is the first partnership with the Sierra Vista MPO with Huachuca City. HURF exchange from State fund the project so the town only has to match labor costs.

Matthew Williams: Can't beat the price of this project, working with other cities is how we get things like this done.

Mayor ProTem Johnson: So there will be three lights?

SVMPO Rep: Yes, two at the intersection and then one further down the hill as an advanced signal warning light.

Motion E.2:		Action: Approved
Moved by: Mayor Wallace	Seconded by: Mayor ProTem Johnson	

E.3 Discussion and/or Action [Manager Williams]: Presentation and Council approval of Resolution 2019-27 adopting a plan and policy to fund the Town's Public Safety Personnel Retirement System (PSPRS) unfunded liability.

Motion E.3: Open item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Mayor ProTem Johnson	

Matthew Williams: PSPRS was established so that police officers & fire department staff could retire at an age where could still safely perform their jobs. Town pays in 21.81% of annual police officer pay per police officer into retirement annually. Officers pay in between 7.65% and 11.65% depending on what tier they fall under. The Town has NO Fire Department PSPRS debt. Police officers pay retirement under 1 of 3 tiers. The Town has 4 police officers under this tier; they have needed to start by January 2011. We have 1 officer in tier 2, they had to have been hired from 01/01/12-06/30/2016. Tier 3, we have one officer in the Academy who will be in this tier. The Town bought its officers continuous prior years served in 2010 when Town entered PSPRS system. The Town pays its required contributions monthly as required. Yet the Town owes \$306,677 in unfunded liability. What created the unfunded liability three Main Factors: PSPRS is supposed to earn 7.3% in interest per year. During the Great Recession it made almost nothing. PSPRS plans for 3.5% income growth annually thru raises or thru additional officers. Town officers just received a 1% raise...their first raise in 6 years. Life expectancies...retired officers are living longer

Joy Banks: Why such a big change in survivor benefits?

Matthew Williams: The State made those changes.

Mayor Wallace: It's a shame that the people in tier 3 pay more but don't have survivor benefits.

Matthew Williams: The Town is actually 74.1% funded which is really good compared to many other towns. 100% funding by June 30, 2036 is required, in accordance with the amortization timeline set forth by the PSPRS June 30, 2017 Actuarial Valuation. We should start paying next year paying 17.3% annually to unfunded liability beginning with FY 2020-21. By paying 17.3% annually the unfunded liability will be zero by FY 2030-31. . I'm proposing we begin paying 17.3% on debt in FY 2020-21; lump sum annual payment. 17.3%=10% toward principal & 7.3% interest for a total of 17.3%. Will pay in full by 2030. Paying this plan by 2030 will save the Town \$662,873.76 vs waiting until 2036. Town will pay in a total of \$353,085.94 by FY 2030. If no payments made until 2036 the town would owe \$1,015,979.70. The Town could also seek a bond or financing to pay down the debt lump sum and pay a lower interest on financing.

Council Member Butterworth: Is this extra or is this everything annually?

Matthew Williams: This is on top of what we pay annually.

Mayor Wallace: Could we look into paying a flat amount every year?

Matthew Williams: Yes we can look into that instead of a percentage.

Motion E.3:		Action: Approved
Moved by: Mayor Wallace	Seconded by: Council Member Banks	

E.4 Discussion only [Mayor Wallace]: Reminder of cancellation of August 22, 2019, Council meeting due to a scheduling conflict with the League of Arizona Cities and Towns conference.

Motion E.4: Open item for discussion and/or action		Action: Reminder
Moved by: Mayor Wallace	Seconded by: Mayor ProTem Johnson	

E.5 Discussion only [Mayor Wallace]: First reading of Ordinance 2019-15, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL" TO ADD PROVISIONS FOR ESTABLISHING A PUBLIC SAFETY PERSONNEL

RETIREMENT SYSTEM (PSPRS) LOCAL BOARD IN TOWN CODE AND TO REFERENCE STATE STATUTORY REQUIREMENTS FOR PSPRS BOARDS.

Motion E.5: Open Item for discussion		Action: Open
Moved by: Mayor Wallace	Seconded by: Council Member Hirshberg	

Mayor Wallace: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL" TO ADD PROVISIONS FOR ESTABLISHING A PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) LOCAL BOARD IN TOWN CODE AND TO REFERENCE STATE STATUTORY REQUIREMENTS FOR PSPRS LOCAL BOARDS.

E.6 Discussion Only [Director Harvey]: Town 4th of July event after action report

Motion E.6: Open item for discussion and/or action		Action: Moved to Sept
Moved by: Mayor Wallace	Seconded by:	

E.7 Discussion and or/Action [Clerk Collins]: Council approval of resolution 2019-28 adopting the Arizona State Library's public records retention and destruction schedules for the Town's records.

Motion E.7: Open item for discussion and/or action		Action: Moved to Sept
Moved by: Mayor Wallace	Seconded by:	

E.8 Discussion and/or Action [Mayor Wallace]: First Reading of Ordinance 2019-14, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL," TO CHANGE THE DUTIES OF THE POLICE CHIEF, TOWN MANAGER, TOWN CLERK, FINANCE CLERK AND TOWN COUNCIL; REMOVE PROVISIONS FOR K-9 OFFICERS; HAVE POLICE OFFICERS' AND ANIMAL CONTROL OFFICERS' PAY RATES ESTABLISHED BY THE TOWN MANAGER; AND AUTHORIZE THE TOWN MANAGER TO HIRE POLICE OFFICERS AND ANIMAL CONTROL OFFICERS BASED ON A NEED AND BUDGET AVAILABILITY.

Motion E.8: Open item for discussion and/or action		Action: Moved to Sept
Moved by: Mayor Wallace	Seconded by:	

E.9 Discussion and/or action [Mayor Wallace: Council approval for the creation of a Review Board or Advisory Commission for the Town Police Department.

Motion E.9: Open item for discussion		Action: Open
Moved by: Mayor Wallace	Seconded by: Mayor ProTem Johnson	

Mayor Wallace: To create a board if there are any complaints from citizens against the police station. Provide comment and recommendations on Huachuca City Police Department policy, procedure, and practice. This will be an ongoing discussion for future meetings.

F. Reports of Current Events by Council: Senior center will be open for coffee when the Chiricahua clinic is there.

G. Items to be placed on future agendas: 4th of July, Retention Resolution, and Reading of Ordinance 2019-14.

H. Attached to Minutes: Public comment submitted my email


I. Adjournment: 8:06

Motion: to Adjourn		Action:
Moved by: Mayor Wallace	Seconded by: Mayor ProTem Johnson	

Meeting was adjourned at 8:06.

Approved by Mayor Wallace on September 12th, 2019

Attest:


 Janine Collins, Town Clerk


 Johann Wallace, Mayor

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Huachuca City Town Council held August 8, 2019. I further certify that the meeting was duly called and a quorum was present.



A handwritten signature in blue ink, appearing to read "Janine Collins", written over a horizontal line.

Janine Collins, Town Clerk

Matthew Williams

From: Johann R. Wallace
Sent: Thursday, August 8, 2019 11:20 AM
To: Matthew Williams
Cc: Jim Thies
Subject: Fwd: HCPD review board

FYSA

Respectfully,

Mr. Johann R. Wallace, Mayor
Town of Huachuca City
jwallace@huachucacityaz.gov
Mobile: 520-595-8237

From: Richard Miller <richardamiller@outlook.com>
Sent: Thursday, August 8, 2019 9:10:13 AM
To: Johann R. Wallace <jwallace@huachucacityaz.gov>; Donna Johnson <djohnson@huachucacityaz.gov>; Cynthia Butterworth <cbutterworth@huachucacityaz.gov>; Christy Hirshberg <chirshberg@huachucacityaz.gov>; Ms. Debra Trate <dtrate@huachucacityaz.gov>; wwelsh@huachucacity.gov <wwelsh@huachucacity.gov>; Joy Banks <jbanks@huachucacityaz.gov>
Subject: HCPD review board

HC Council,

Because I can not attend city council meeting because of past threats at council meeting by pro temp David Perry which is a violation of Arizona rules for town council meetings. The council is suppose to have a safe and appropriate behavior at meetings. I am asking my statement to be read out loud at tonight's council meeting.

HC Council,

For Huachuca City Council to create an committee to reveiw police is a mistake. Clearly if you have to create a department there must be a demand for one, this is also acknowledgement that there is a problem with JCPD. To put a civilian group to review who has no legal experience or legal capabilities the council would only be putting these citizens safety in jeopardy from HCPD.

As a citizen who has brought documents to council meetings and turned them in showing laws were being broken, text messages of investigations taking place(which the city has now changed their story and their was never a investigation), where council members threaten citizens at meetings and then get caught lying to police by witnesses which Chief Thies has no problem with, a town manager who's office provide fake business license to court as evidence and refuses to look into and much more.

What good would this new oversight do? The reality is we dont just have police problems we have integrity

issues at townhall because no matter what the council refuses to do anything no matter how much evidence is turned in.

Chief Thies testified as Chief it's not his job to make sure the officers are doing a proper job, then what is the Chief's job? This was to justify no investigation taking place in my last case.

When things are this ridiculous the only answer is to replace the officers, they are retaliating now and they will continue to retaliate until the council truly takes action.

Mr Welsh told me at the debate after Perry got caught lying to police. As a citizen "you shouldn't take the council seriously." That statement becomes more true everyday.

Richard A Miller

301 Apache st
Huachuca City AZ 85616

(520)780-2891

richardamiller@outlook.com