



# TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE  
HUACHUCA CITY TOWN COUNCIL  
January 23, 2020 AT 7:00 PM  
HUACHUCA CITY TOWN HALL  
500 N. GONZALES BLVD.  
HUACHUCA CITY, AZ 85616**

## AGENDA

### A. Call to Order – Mayor

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum
- c. 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: 7:22 pm**  
**The Pledge of Allegiance was led by: Mayor Wallace**  
**The Invocation was offered by: Elder Thomas**

### Roll Call

<b>Individual</b>	<b>Position</b>	<b>Present</b>	<b>Absent</b>
Johann Wallace	Mayor	X	
Donna Johnson	Mayor Pro-Tem	X	
Debra Trate	Councilor	X	
Christy Hirshberg	Councilor	X	
Joy Banks	Councilor	X	
Cynthia Butterworth	Councilor	X	
Jean Post	Councilor	X	

Eric Duthie	Interm Town Manager	X	
Janine Rustine	Town Clerk	X	
Thomas Benavidez	Town Attorney	X	

**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.

1. **Bill Stein: 207 Dragoon St., Walking paths, if you do anything parks or walkways you might want to look into making that safe again. My sidewalk raised up a few inches, there are sidewalks not just mine that need to be fixed.**
2. **Suzanne Harvey: 116 Tomahawk Dr., I wanted to put it out to the public that the Cochise county census committee is making a video and we need people to represent The Town. So if you're interested in being in the video please contact me.**

**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.

- C.1 Consider approval of the minutes of the Council meeting held on January 9, 2019.**
- C.2 Consider approval of the Payment Approval Report in the amount of \$ 93,993.53**

<b>Motion C: Open item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

<b>Motion C:</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Trate</b>	

**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 [Manager Duthie]:** Council discussion and possible approval of an Inter-Governmental Agreement with the Sierra Vista Metropolitan Planning Organization [SVMPO] for accounting for Town fund contribution options.

<b>Motion D.1: Open Item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

**Karen Lambertson:** I'm the SVMPO administrator. At the time Huachuca City joined the SVMPO your contributions were the same as Cochise County which was about \$10,000. Well Cochise County is a lot bigger and so this prompted a discussion. The board decided to develop a formula instead. From that formula it reduced the contribution of The Town, there are different ways to pay the contribution; cash payment, staff support and other "in-kind" contributions.

**Determination of Local Match Share.** Each fiscal year, the Board of Directors shall be responsible for determining the Town's share of the local match. This amount may change after initial approval of the annual work program based upon state and federal review, changes in funding allocations after the state fiscal year reconciliation in July and the federal fiscal year adjustments in October as well as work program amendments.

**Town Budget.** The Town must receive from SVMPO an estimate each year of Town's local match share in time for Town's Council to plan and budget for Town's contribution.

**Form of Contribution.** The Town may contribute its local match share through any combination of cash payment, staff support and other "in-kind" contributions in the form of hosted office space, supplies and equipment for operation of the SVMPO as well as project and meeting support.

**Documentation of Contribution:** The Town agrees to provide, upon SVMPO request, documentation of fully loaded labor rates used to determine in-kind staff contributions and formal documentation to satisfy state and federal audit requirements of other in-kind contributions or services.

**Councillor Banks:** So she wants us to change item 3?

**Town Attorney:** The change will be, The Town will determine the type(s) of match contribution which will be made towards SVMPO operating expenses during its annual budget discussions each year and submit a written confirmation to the SVMPO of which form(s) of contribution will be made for the next fiscal year upon adoption of the Town's annual budget. The idea was to make this more flexible.

**Councillor Butterworth:** When in the budget year would we know how much we need to match because we start before July.

**Karen Lamberton:** We start in March.

**Councillor Banks:** I like the change. I like the flexibility.

**Councillor Trate:** What if in future years we don't have a project

**Karen Lamberton:** Since you're partners it's your input in any project not just yours.

<b>Motion D.1: With the addendum</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councillor Banks</b>	

**D.2 Discussion and or/Action [Mayor Wallace]:** Council discussion and possible approval to forgive the general fund debt to the landfill fund, in the amount of approximately two million Dollars (\$2,000,000.00) transferred and used from 2008-2018 in order to improve operations and future audit purposes.

<b>Motion D.2: Open item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Hirschberg</b>	

**Mayor Wallace:** Since 2008 there was some poor spending, there is no way that the Town could pay back \$2,817,592 to the landfill. The auditors have recommended we forgive the debt.

**Town Attorney:** The Town isn't the only one who has done this, Glendale just recently did this.

**Spencer Forsberg:** It's just cleaning up paper at this point, the money has been used.

<b>Motion D.2:</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

**D.3 Discussion and or/Action [Jim Johnson]:** Second reading of ORDINANCE NO. 2020-02. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 8 "HEALTH AND SAFETY," TO REMOVE CHAPTER 8.20 "REMOVAL OF LITTER" AND CHAPTER 8.25 "REMOVAL OF DEBRIS AND DILAPIDATED STRUCTURES" BECAUSE THOSE CHAPTERS HAVE BEEN SUPERSEDED BY TITLE 16 OF THE TOWN CODE.

<b>Motion D.3: Open item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Butterworth</b>	

<b>Motion D.3:</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

**D.4 Discussion and or/Action [Jim Johnson]:** Second reading of ORDINANCE NO. 2020-01. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 2, CHAPTER 2.45 "PLANNING AND ZONING COMMISSION" SECTION 2.45.010 "ESTABLISHED" TO ALLOW FOR THE APPOINTMENT OF A HEARING OFFICER TO PERFORM THE DUTIES OF THE PLANNING AND ZONING COMMISSION

<b>Motion D.4: Open Item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

<b>Motion D.4:</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Butterworth</b>	

**E. New Business Before 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 and or/Action [Spencer Forsberg]:** January 2020 Town Finance Report

<b>Motion E.1: Open Item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

**Spencer Forsberg:** It's 50% through the year and I'm happy to report we're doing well, for the general fund and the four enterprise funds we are operating in the black for the year. For the Month of December:  
 Water: \$7,941.94  
 Sewer: \$6,126.36  
 Garbage: \$843.37  
 Landfill: \$-15,902.17

**E.2 Discussion and or/Action [Manager Duthie/Jim Johnson]:** Council discussion and possible approval to initiate electrical power to the building to support structural surveys, utility engagements, and evaluating other structural preparations needed at the newly obtained building asset, located at 830 Arizona St, Huachuca City, for future lease opportunities.

<b>Motion E.2: Open Item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Trate</b>	

**Mayor Wallace:** We need to turn on the power, for the safety of anyone who goes in and so we can go forth so we can get a structural survey.

**Manager Duthie:** It will take some time to get the building ready for lease; it will take months.

<b>Motion E.2: not to exceed \$5,000</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Butterworth</b>	

**E.3 Discussion and or/Action [Mayor Wallace]:** Council consideration of contract with Mountain Power Electrical Contractors, Inc., for emergency signal construction/installation.

<b>Motion E.3: Open item for discussion and/or action</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Butterworth</b>	

**Mayor Wallace:** We're just making a few changes, we're increasing the contract amount to \$160,000

Extending project timeline: 36 weeks

Extending notice to proceed: 270 days

<b>Motion E.3:</b>		<b>Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Banks</b>	

**E.4 Discussion and or/Action [Suzanne Harvey]:** Council discussion and possible approval of requests to add links to the Town's website.

<b>Motion E.4: Open item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Banks</b>	

**Suzanne Harvey:** We recently got a request from Caring.com to add a link to our website and then I would like to add The Legacy Foundation link.

<b>Motion E.4:</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	



**E.5 Discussion and or/Action [Manager Duthie]:** Council discussion and possible approval to establish a council work session on February 13, 2020 at 6pm to discuss potential "Brownfield" projects in coordination with Cochise County; and to discuss potential Congressional appropriations projects through U.S. Representative Ann Kirkpatrick's office

<b>Motion E.5: Open Item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

<b>Motion E.5:</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

**E.6 Discussion and or/Action [Town Attorney]:** The Council might vote to go into Executive [closed] session, pursuant to A.R.S. 38-431.03(A) (3) & (4), for legal advice and consultation concerning the water rights adjudication in Maricopa County Case No. W1-11-0245 ["In Re the General Adjudication of All Rights to Use Water in the Gila River System and Source"].

<b>Motion E.6: Open Item for discussion and/or action</b>		<b>Action: Open</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Councilor Banks</b>	

Motion to go into executive session made by Mayor Wallace, Seconded by Councilor Hirshberg at 8:27 pm

Motion to exit executive session made by Mayor Wallace, Seconded by Mayor ProTem Johnson at 8:43 pm

**F. Managers' Report**


**G. Items to be placed on future agendas**


- H. Reports of Current Events by Council: SVMPO meeting, we discussed the clickers which go into the vehicles
- I. Adjournment

<b>Motion: to Adjourn</b>		<b>Action: Approved</b>
<b>Moved by: Mayor Wallace</b>	<b>Seconded by: Mayor ProTem Johnson</b>	

**Meeting Adjourned: 8:45 pm**

Approved by Mayor Johann R. Wallace on February 13, 2020.

  
 Mr. Johann R. Wallace  
 Mayor

Attest:   
 Ms. Janine Rustine,  
 Town Clerk



**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 on January 23, 2020. I further certify that the meeting was duly called and a quorum was present.

  
 Ms. Janine Rustine,  
 Town Clerk