



TOWN OF HUACHUCA CITY

The Sunset City

MEETING MINUTES OF THE HUACHUCA CITY TOWN COUNCIL

March 25, 2021 AT 7:00 PM

COUNCIL CHAMBERS

500 N. GONZALES BLVD.

HUACHUCA CITY, AZ 85616

SPECIAL NOTICE: BY NEW PROCLAMATION OF THE MAYOR, DUE TO SIGNIFICANT PROGRESS IN THE BATTLE AGAINST THE COVID-19 PANDEMIC, THE MAYOR AND COUNCIL WILL RESUME IN-PERSON PUBLIC MEETINGS, BUT WILL CONTINUE TO OFFER A REMOTE ACCESS FORMAT. MEMBERS OF THE PUBLIC MAY COME TO TOWN HALL TO ATTEND THESE MEETINGS OR THEY MAY ATTEND BY GOING TO [OR CALLING TO]: <https://www.facebook.com/HuachucaCityAZ> or 520-844-2096. IN ADDITION, THE MAYOR HAS RESUMED IN-PERSON CALLS TO THE PUBLIC AT THESE MEETINGS. HOWEVER, MEMBERS OF THE PUBLIC MAY STILL CHOOSE TO SUBMIT WRITTEN COMMENTS TO THE TOWN CLERK TWENTY-FOUR HOURS IN ADVANCE OF THESE MEETINGS.

ADVANCE NOTICE OF ALL MEETINGS CAN BE FOUND AT THE TOWN'S USUAL AGENDA POSTING LOCATIONS, INCLUDING THE TOWN'S WEBSITE <https://huachucacityaz.gov/>

AGENDA

A. Call to Order – Mayor 7:00pm

- a. Pledge of Allegiance

Led by Mayor Wallace.

- b. Roll Call and Ascertain Quorum

Roll Call.

Present: Johann Wallace, Keith Settlemeyer, Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Jean Post, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting).

- c. Invocation

Led by Elder Thomas.

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.

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.

Clerk Thorpe advises there is one call to the public slip submitted by Jeffrey Ferro. Mr. Ferro will speak at item E.6.

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 Regular Council meeting held on March 11, 2021.
- C.2** Consider approval of the Payment Approval Report.
- C.3** Consider approval of the disposal of a 2010 Dodge Charger VIN# 2B3AA4CT7AH269125, 2012 Dodge Charger VIN# 2C3CDXAT6CH255677, 2003 Cadillac Deville Red 1G6KF57903U235393, 1998 Volkswagen Cabrio Black 3VWAA81E6WM813288, Toyota 4Runner White, Ford Ranger Red, Dodge Dakota White 1B7GG23Y4N5613662, and Toyota Zion Grey JTLK324164034522.

Motion: Items on the Consent Agenda, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion: Items on the Consent Agenda, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

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.

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 [Suzanne Harvey]: The Council might vote to go into executive [closed] session, pursuant to A.R.S. 38-431.03(A) (1) to conduct the six-month performance evaluation of the Town Clerk, Brandye Thorpe. Following the executive session, the Council might take action regarding the Clerk's employment and compensation.

Motion: Item E.1, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Motion:7:04pm , Action: Enter Executive Session, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

Motion: 7:13pm, **Action:** Enter Public Session, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

Motion: Terminate the Town Clerk's probation and make her a full fledged employee and make the \$4/hr temporary raise she was given permanent to increase her salary at this time by \$4/hr., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

E.2 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, consultation and to direct its attorneys 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"]. Following the executive session, the Council might take action to direct its attorneys.

Mayor Wallace: We are going to come back to item E.2 at about 7:45.

Motion: Item E.2, Action: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion: 7:41pm, Action: Enter Closed Session, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

Motion: 7:56, Action: Enter Public Session, Moved by Johann Wallace, Seconded by Debbie Trate.

Motion passed unanimously.

Mayor Wallace: There is no action to take.

E.3 Discussion and/or Action [Spencer Forsberg]: Mr. Forsberg will review the Town's finances for the months of February and March.

Motion: Item E.3, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mr. Forsberg provides February's financial report. January and March will be presented at the next meeting he presents at.

67% of the fiscal year is completed. General Fund revenue was \$128,960.00. Expenses were \$149,932.00. \$20,972.00 in the red. Our investment fund had an unrealized loss of \$10,000.00. We also had a big payment for the emergency signal light of \$52,000.00. Suzanne Harvey: We have requested reimbursement. Some of that we will get back. In addition, we have to bill Whetstone for their portion. We will be getting about \$25,000.00 of that \$50,000.00 back. Mr. Forsberg: Year to date on the general fund we are \$151,000.00 in the black. Water revenues of \$28,136.00 and expenses of \$10,480.00. \$17,656.00 in the black. Year to date \$115,000.00 in the black. Sewer fund had revenue of \$19,879.00 and expenses of \$13,987.00. \$5,891.00 in the black. Year to date almost \$31,000.00 in the black. Garbage fund revenue of \$12,095.00 and no expenses. We haven't paid the bill yet. Landfill revenue of \$137,980.00 and expenses of \$119,000.00. \$17,967.00 in the black. Year to date \$257,000.00 in the black. Landfill had some expenses that are not on a monthly basis related to financial assurance and equipment maintenance. Jay Howe: That financial assurance was the engineering and surveys. Mr. Forsberg: Also, we are still on hold transferring funds to the savings accounts until Council directs us otherwise. Mayor Wallace: Correct, we don't want move money until we get word from our Town Manager and Town Clerk that we are in a good spot, we understand, we know where we are at. Hopefully we are getting to a place where we are comfortable, and we can move this money over. Suzanne Harvey: I am feeling like we are going to ask you to allow us to start doing that at the next Council meeting. Mayor Wallace: The way you just broke it down, can we get a hard or soft copy of that so that the information can be included in the newsletter. It's even something that could be posted on Facebook and the Town's website. Councilmember Butterworth: It's nice to have something positive.

E.4 Discussion only [Suzanne Harvey]: Introduction and welcoming of the Town's new Library Director.

Motion: Item E.4, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Manager Harvey introduces Steph, who comes from the Elfrida Library. Steph details a few plans she has for the library including a phased reopening and summer splash program. She has many

years of library experience including 7 years at the Elfrida Library, 4 years at the MI Library and 6 years managing libraries in England. Total of 17 years of library experience.

E.5 Discussion and/or Action [Suzanne Harvey]: Council approval of a technical assistance and grant management agreement with the Southeastern Arizona Governments Organization (SEAGO) to assist the Town in managing its Community Development Block Grant [CDBG] for park improvements.

Motion: Item E.5, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Debbie Trate.

Clerk Thorpe advises this is a contract to continue receiving SEAGO assistance for the pending CDBG grant. Funds should be released soon and SEAGO has the knowledge and experience to make sure that we do things correctly. So far they have received no payment for their assistance.

Motion: The agreement with SEAGO, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E.6 Discussion and/or Action [Suzanne Harvey]: Information about the proposed donation of an airplane to the Town for placement in one of the Town's parks.

Motion: Item E.6, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Manager Harvey advises that a group purchased the airplane that used to sit down in lower Huachuca City. They plan to paint it and fix it up and would like to donate it to be placed in one of our parks in order to recognize the connection of our community and the military community. It is a military plane. The history of our town is tied to the history of Ft. Huachuca. We wouldn't exist if not for that North gate. The thought was, if they restore it, would we be willing to take it and the Mayor had thought that if we do take it, we would place it at the little park we have by the North gate, but nothing is there. We could put it there, get a plaque and some signage talking about the way the gate used to look too, and put some pictures and explain that connection. The group that is doing this is Blackoaks Foundation and the Greater Sierra Vista Area NAACP Youth Group. It's part of a project they are doing called Ready and Forward that wants to preserve the legacy of the Buffalo Soldiers. This will do both because the Buffalo Soldiers are also tied to Ft. Huachuca. It would be my recommendation that you grant me permission to continue negotiations so that we can make sure that this will work for us.

Jeffrey Ferro advises after what the Town Manager stated about how this is memorializing this town's connection to the military and the Buffalo Soldiers, he would like to withdraw his call to the public as it is no longer valid.

Mayor Wallace: I think it would be a good idea to have the plane, if it is restored and looks nice, if it is presentable, sitting right there by the North gate because of the connection to the military and Buffalo Soldiers. I'm all for it.

Manager Harvey: The timing is good because we have the CDBG grant and had already planned on a couple of cement pads for picnic tables. We could easily change that to one large cement pad for the plane. I would want to ascertain if they plan on fixing the interior as well as painting the outside. I would like to get the details and bring it back to you for a final decision.

Councilmember Post: Will we incur any more insurance? It could be a liability insurance wise.

Manager Harvey: I will definitely check. I would assume that as long as we have signage it would be ok.

Councilmember Trate: I think it's a good idea. I have had people comment to me that they miss the plane.

Councilmember Settlemyer: I never liked the plane when it was down in lower. Will we have to put a fence around it to keep people from climbing on it?

Manager Harvey: We will have to look at that. I will discuss that with our insurance provider. I think that other places have statues and things that present the same type of danger and they don't normally fence them off.

Councilmember Butterworth: My concern was if it was going in one of our parks, but if it's going out there, is it a liability? People are going to want to climb up in the plane to get their picture taken.

Motion: Proceed with the idea of assuming ownership of the plane but find out more details about the restoration process, inside and out and find out the details of insurance and liability,

Action: Direct Staff, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

E.7 Discussion and/or Action [Suzanne Harvey]: Council will be asked to choose colors for the painting of Town buildings.

Motion: Item E.7, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: Since it's still getting dark kind of early, the idea was to paint the building and get an idea of what it looks like. Have we painted the building yet?

Manager Harvey: We have not yet. We would like to paint the walls and leave it up for like a week and everyone can get an opportunity to see the colors in various lights. There are two color schemes that staff decided on. If you have no major concerns with these, they are the colors we are going to put on the walls and then have Council select.

Motion: Proceed with putting the swatches on the building of those colors for us to take a look at and we will make a decision at our next council meeting., **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

E.8 Discussion Only [Suzanne Harvey]: Update on the progress of the Town's bus service.

Motion: Item E.8, **Action:** Open for Discussion Only, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Manager Harvey: We did a soft opening of bus service because its been so long since we've done it we wanted to start slow. It has gone very well. Ridership has been increasing steady since we started on March 9th. Ticket sales continue to climb. Our IGA's with Sierra Vista and Tombstone expired this month. We will work to renew them but I plan to present to Council some changes because we were locked into a certain route in Sierra Vista and we don't have to be. We are looking at doing what we are already doing, which is dropping people off at Walmart, Safeway and Canyon Vista. We would like to add a stop at their transit center, which would be the only one needing to be included on the IGA. Tombstone wasn't ready to start this service yet. There was an issue because when this first began we were only going to be able to take them to the transit center, Cochise College and the hospital. Tombstone was looking at that and saying it wasn't a benefit to their residents. I think this will clear that up and we will be able to get started with Tombstone soon. We do need to provide bus service to them because it was part of the reason why we got the Legacy grant. It will be about a year and a half before we can apply for federal funding, however I have been speaking with SEAGO and the Area Agency on Aging and if our ridership is primarily the elderly, there may be an opportunity for funding through them. Councilmember Butterworth: I thought we couldn't do WalMart because it was route duplication and it negated our opportunity for grant funding? Manager Harvey: There was previously a misconception about the duplication of routes, but this is not a duplication of route because we are not doing their whole route. We are simply making courtesy stops. Also, Sierra Vista is not offering service to Huachuca City. It can't be duplication. This has been confirmed by the Regional Transportation Office out of SEAGO. They have assured me that this will not make us ineligible for federal funding.

Mayor Wallace: Looking at the time, I'm going to jump back to Item E.2.

E.9 Discussion Only [Jay Howe]: Supervisor Howe will present the Town's accomplishments with respect to its management of the Town landfill and solid waste disposal program during fiscal year 2020/21.

Motion: Item E.9, **Action:** Open for Discussion Only, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Huachuca City Landfill is the Towns greatest asset ... but it is also potentially the greatest liability. In the past year we have identified a number of issues that needed to be corrected.

- Cell construction and compaction
- Haul Road and perimeter roads construction and maintenance
- Inclimate weather processing
- Stockpiles of gravel and dirt
- Tires
- Equipment condition and preventative maintenance
- Employee morale and wages
- Compliance and regulatory relationships
- Basic Landfill training in Cell Construction, Compaction, and Public relations
- Slope integrity and finished slope grades,
- Fuel accountability,
- Windblown trash,AND MORE

While we have made tremendous progress, we still have a few issues that we will need to overcome to maintain compliance in all aspects of our operation

- We had a non-compliant pile of over 1000 tires which we were not permitted for. Those tires have been taken offsite to a permitted tire repository at a cost of nearly \$3000.00. ADEQ could have issued a Notice of Violation (NOV) to us, but at the time of inspection I committed to have them removed in 60 days.
- Heavy equipment neglected maintenance cost nearly \$10,000.00 initially to get preventative maintenance caught up to date, including restoring the 112F Motor Grader back into service, that had been sitting idle for years.
- Landfill construction. (geometry) There was no plan to construct properly to maximize airspace. Plan is in place now and is working as planned, but we still have significant challenges to utilize and reclaim over 1/2 of the existing permitted landfill space because of soft spots, uneven terrain, and over-covering with soil. (too thick in many spots, which translates into wasted airspace.)
- This year I also recognized the lack of accountability in regard to fuel usage. Because of this, the Landfill purchased and installed a fuel management system to track all fuel users and to have accurate usage data to bill the Fire dept, which is our largest fuel consumer, and give usage totals to 3 other departments for budgeting purposes. It is now online and functioning properly.
- We have installed a UPS Back up battery system in the Fee shed, where we have in the past lost data because of power outages. We still need to install an overhead camera so the fee shed attendant can inspect each load before we dispatch them to the working face to dump to ensure noncompliant materials are not allowed.
- Compaction education has been implemented with training on the proper use of the compactor to gain the industry standard compaction and maximize the available airspace. Matt has taken the initiative on this training. Ref Chapter 7 section 7.6.5 The Handbook of Landfill Operations
- Role of the Compactor at the Landfill
 - Compactor Operator Controls the Working Face
 - Compactor Operator Directs Traffic Control on the Face
 - Compactor directs the filling operation
 - Compactor Spreads the Refuse from the Dozer and Compacts in Thin 2.0' lifts to build the cell
 - Compactor is a specialized piece of equipment and is used to spread, compact and trim the refuse cell. (Compactor most efficient at handling between 50-80 Tons per hour)
- Role of the Dozer at the Landfill
 - Pushing the Face of the Cell Needs to be Done By a Dozer
 - A Compactor with steel wheels leave dimples in the tipping pad face and ruins the surface for street vehicles. Should stay on garbage or in staging area.. Never on the tipping pad.
 - Dozer operator should push refuse by keeping blade about 4.0" off the floor so as to "sweep" the deck.
 - Dozer separates out the loads and pushes to dumping location
 - Dozer pushes trash to compactor
 - Dozer constructs the cell

- Scrapers
 - Scrapers are designed to excavate, transport and dump soil NOT cover refuse
 - It is more cost effective for scraper to pile soil at edge of the cell and let the dozer cover the refuse
 - Direct Daily Soil Cover with Scrapers not Recommended, Wastes Soil, Always use the Dozer
- I have brought in new business and negotiated a special rate for a contract with Waste Management for the Border wall waste. These things and other conditions have brought in business that will exceed our revenue projections for this fiscal year.
- I have reached out to other Waste Haulers to let them know that we are here and are ready to meet their non-hazardous disposal needs. Nogales, Douglas, Local and Tucson Demolition Contractors
- I have solicited and brought into the landfill over 1500 tons of free dirt cover material to help offset our inability to haul an adequate amount of dirt on a daily basis.
- This is an ongoing effort and we are currently included in 3 local road project bids to get the millings and excavated soil for cover material
- I have formed a team of 3 men who all display great pride in what they do with emphasis on SAFETY and have improved the customer service and customer relations with education and lead by example attitudes for success.
- I have implemented a training program to train my possible replacement and it has had its desired results and continues to. I have secured Matthew Doty as a member of SWANA and would like to send him, next FY, to a SWANA class to study, test, and get his certification as Manager of Landfill Operations (MOLO). Mathew is a smart, conscientious, and hard working young man with a desire to learn all aspects of the operation, and he has a good handle on the on ground operation and equipment.
- While he may not be ready right now, I believe he is the future of this landfill as long as the Town continues to operate the landfill.
- The new culture of the Landfill Dept. is one of friendly, helpful, customer service, and trained operators that respect their job, the chain of command, the Town, and the equipment.
- I have an established, trusted relationship with Hugh A Walker Enterprises (The Town's environmental engineering consultant). I have known and worked with Hugh for over 15 years. We work together well and have completed many landfill projects successfully.
- I have maintained a good working relationship with ADEQ, ADWR, EPA Region 9, Arizona State Land, and the Army Corps of Engineers. All these regulatory agencies play a role in landfill operations.

In 2016 Huachuca City leaders approved and paid for engineering for a proposed expansion project to the tune of \$192,000.00, then it was set on a shelf and not followed through with. Because of the lack of follow through, it cost the Town an additional \$97,000.00 to get the new elevation and survey info and incorporate the condition changes into re-engineering the project to be able to submit the expansion plan to ADEQ for review and approval. (ongoing) To be completed by the end of March 2021

These additional and unnecessary costs kept me from implementing some commonsense improvements in regard to cover material and equipment. As I have stated in a number of council meetings, we are "dirt poor" and need an alternative daily cover system that meets our

needs and provides a degree of relief to our 613C scraper in its dirt hauling duties, and supplements our dirt needs.

The 613C scraper that the landfill was given by prior Town Manager is too small for this operation and needs to be running all day, every day, to keep up with cover requirements. Because of its inadequate size and the fact that it has been down a number of days for repairs, we have not been able to always meet our cover requirements as required by rule. The inadequate size of this machine has monopolized the time of one employee, all day, every day, for an operation that if we had the proper size machine would take 2 to 3 hrs. a day, saving much fuel and wear and tear on the machine, and allowing an employee additional time to support other necessary daily activities.

Because of the challenges this machine poses we are in the process of constructing a new haul road that will cut the haul distance more than in half. We have addressed drainage and runoff issues and placed culverts where necessary. It should be finished and ready to use by Mid April or sooner.

I will be proposing, in the Landfill FY22 budget, or earlier if possible, that we purchase an industrial hydro-seeder and material to spray alternative daily cover. This will save machine time, employee time, and fuel. This machine will save us money and time in the area of erosion control and bank and slope stabilization and increase available air space.



FINN Waste Cover



RECOMMENDED APPLICATION:

Mixing one bag of Waste Cover to 75 gallons of water will provide 450 square feet of coverage in standard mechanical agitation spray on equipment. A fully loaded FINN LF 120 landfill unit can cover up to 7500 square feet, while the process to load and discharge the slurry takes less than one hour.

DESCRIPTION:

FINN Waste Cover is an Alternative Daily Cover (ADC) manufactured from recycled paper and wood and containing polymers, an enzyme complex, and other proprietary ingredients. When mixed with water in a FINN landfill spray application machine, the black spray on slurry is applied to the "open face" forming a cement-like crust. Waste Cover helps to alleviate odors and breaks down garbage faster.

MEETS ASTM D4982-95:

Flammability Potential Screening Analysis of Waste

MEETS ASTM D6523-00:

Standard Guide for Alternative Daily Cover for sanitary landfills:

- Minimize Disease Vectors
- Control Leachate and Erosion
- Reduce Fire Hazard Potential
- Minimize Wind Blown Litter
- Reduce Noxious Odors.
- Provide an Aesthetic Appearance.
- Allow Accessibility Regardless of Weather

Biodegradable Non-Toxic Non-Flammable
Easy to load, mix and discharge.

Increased Capacity = Increased Revenue

Yd³ Airspace Liberated with ADC	118,560	
Total Cell Years Remaining with Soil	19.00	
Additional Years with ADC	2.00	
Total Years Remaining with ADC	21.00	
Increased Revenue due to Increased Capacity	\$2,676,492	(Tipping fees over 2.00 year extended life)

Is there any **one thing** that would help maintain compliance in all aspects of this landfill???

YES !!
This ADC spray applicator is the single most needed piece of equipment to keep this landfill looking good and maintaining compliance with slopes, erosion control, and daily and intermediate cover requirements, and it will pay for itself in a short time

- No more legit resident complaints for exposed trash.**
- Saves much wear and tear on 613 scraper... reduce working hours by at least 40% will not have to upsize scraper to keep up with dirt cover demands**
- Saves hours on D8R for ripping the pit**
- Increases airspace and life expectancy by not using dirt cover 4 out of 5 days a week.**
- Will be used for bank stabilization and reduce or eliminate slope erosion by adding Portland cement to mix**
- With banks and slopes stabilized with Portland mix it will be much more attractive to perspective buyer. This added value alone will pay for this machine many times over**
- Free up time to address other compliance issues**

When the Town has successfully obtained the permit for expansion you will have an option that now you do not have.

As I have stated many times with the expansion permit the landfill immediately GREATLY increases its value...

To the town, because you will have over 50 additional years to operate if you choose
To the open market, because it will be attractive to a Major waste corporation to purchase. It should be worth at least \$15 million or more, plus negotiated royalties, (5% OF GROSS WOULD BE \$75,000 ANNUALLY) and if sold you would be reimbursed the \$2,400,000.00 in your closure trust account.

- I have tried to generate interest in the landfill operations for the Town Council by inviting all of them to attend a field trip to educate them and get them focused on the operational challenges the landfill encounters, from personnel, construction, funding, and compliance.
- You are always welcome
- As you now know I have tendered my resignation because I need to move to Washington state to help take care of my Mom and Dad. Dads' health is failing fast and Mom will have a hard time adjusting without him. Both are in their mid 80's and I owe everything I am to them.
- I have committed to Suzanne to assist with any and all admin duties including obtaining the "elusive" expansion permit. We are so close and cannot lose momentum at this time. Suzanne is working out the details.

Mayor Wallace: The 613C, do we own that outright?

Director Howe: Yes, the only equipment we have on lease are the 816 Compactor and the D16 Bulldozer.

Mayor Wallace: What size would we need?

Director Howe: A 623, but that would be much more expensive than getting this alternative daily cover machine which would take the load off and make the 613 sufficient.

Councilmember Hirshberg: How much is the machine?

Director Howe: Depending on how you get it 60-80 thousand dollars. It's absorbable into next year's budget easily.

E.10 Discussion and/or Action [Mayor Wallace]: Declaration of a vacant seat on the Town Council due to the recent passing of Mayor Pro Tem, Donna Johnson. Council may direct staff on procedures for recruiting a candidate to serve on the Council until the next election in 2022.

Motion: Item E.10, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: It's an unfortunate thing we have to do, but we do have to do it. Looking at the calendar, do you guys want to give about a month? How about if we give until April 30th, and then do a Work Session on the 5th of May to do interviews and selection so we can have a new councilmember sworn in before our first meeting in May?

Motion: Declare the seat vacant due to the passing of Mayor Pro Tem Johnson and direct staff to begin accepting applications for the vacancy, to close on April 30th with a special meeting to be held on May 5th, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E.11 Discussion and/or Action [Mayor Wallace]: Selection of a councilmember to assume the responsibilities of Mayor Pro Tem.

Motion: Item E.11, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: I nominate Christy.
Councilmember Butterworth: Second
Mayor Wallace: Christy, do you accept?

Motion: Christy Hirshberg as the Mayor Pro Tem, **Action:** Appoint, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

E.12 Discussion and/or Action [Clerk Thorpe]: Request for approval to begin the transition to electronic Council meeting packets.

Motion: Item E.12, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: Yes.

Clerk Thorpe: Provides a visual of all of the paper that went into the making of the packets for the last Council meeting. All of it is trash now. It is an extreme waste of paper and time when it could be provided in electronic format on tablets. I would like permission to look into getting the tablets and the best way to do this for Council.

Councilmember Hirshberg: Johann does it off his phone, so I think we can do this. I think we'll be ok once we get it figured out.

Councilmember Trate: Are you looking at 8 inch or 10 inch tablets?

Mayor Wallace: This is a 10 inch right here and I paid \$149.00 for it.

Councilmember Trate: Maybe you could get a deal too. When I was in Benson, they were switching all their councilmembers to I-pads.

Councilmember Butterworth: A tablet would work, I can't read it on a phone. A tablet I can deal with.

Councilmember Post: I'll try to deal with a tablet.

Motion: The request to transition to electronic council meeting packets., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E.13 Discussion and/or Action [Suzanne Harvey]: Consideration to not have the Town Attorney, Thomas Benavidez, present at every Council meeting.

Motion: Item E.13, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: To clarify that, it is physically present. Right?

Manager Harvey: Actually, after a Council meeting recently, another member of Council had mentioned to me that previously, the Town Attorney did not attend every meeting, even on the phone.

Mayor Wallace: Correct. I'm not going that far though.

Manager Harvey: Certainly we don't want him to have to drive down. That saves us money and doesn't interrupt his schedule. The phone has been working during COVID, we definitely want to do that, however the actual thought was that sometimes we have meetings where we have nothing of import for him. There are times where we are paying him, so it would be a cost savings if he wasn't at every meeting.

Mayor Wallace: You are correct. The Town Attorney did not attend every meeting and during that time there were things done and said, actions that were not kosher, that would have benefitted from an attorney. My thought is that regardless of what an agenda looks like, we never know what might actually happen during a meeting, such as someone doing a call to the public. I have no problem with him not driving down. I still like the assurance of having the Attorney present during meetings, even if only by phone. I personally would prefer that he attend, at least remotely.

Attorney Benavidez: I just want to say that I wasn't the one who initiated this agenda item, but I'm totally good with it.

Motion: We don't have to physically have the attorney present, but we need to have him dial in for our meetings, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Motion passed unanimously.

E.14 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2021-01 AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.35 "R-1 RESIDENTIAL DISTRICTS," SECTION 18.35.035 "TRAILERS/ACCESSORY VEHICLES" TO ELIMINATE THE REQUIREMENT TO REGISTER PARKING OF TRAILERS/ACCESSORY VEHICLES ON RESIDENTIAL PROPERTY AND TO ELIMINATE THE ASSOCIATED FEE.

Motion: Item E.14, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: If everyone remembers a while back it came to planning and zoning, where we required people to register with Town Hall and pay a fee if they were going to park something in their driveway. It ended up being more staff work with really no benefit.

Dr. Jim Johnson: It has been a problem from day one. What we are doing tonight will be a great help to all of us.

Mayor Wallace: Does this mean that anybody can park anything on their property?

Dr. Jim Johnson: No, they still have to abide by the ordinance for parking. This is only eliminating them registering and paying a fee.

Councilmember Trate: You're talking about travel trailers, right?

Dr. Jim Johnson: This deals with utility trailers, travel trailers, motorcycle trailers, service type vehicles. All that kind of stuff.

Mayor Wallace: This is just the first reading, it will be at the next meeting where we take action.

E.15 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2021-02 AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," RELATING TO THE REGULATION OF RECREATIONAL MARIJUANA, MEDICAL MARIJUANA AND INDUSTRIAL HEMP;

SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; PROHIBITING MARIJUANA TESTING FACILITIES; REGULATING MARIJUANA ESTABLISHMENTS; ESTABLISHING REGULATIONS FOR PERSONAL USE OF MARIJUANA AT AN INDIVIDUAL'S PRIMARY RESIDENCE; AUTHORIZING RETAIL SALES FROM MARIJUANA, MARIJUANA PRODUCTS AND INDUSTRIAL HEMP; REQUIRING COMPLIANCE WITH STATE LICENSING REGULATIONS; PROVIDING FOR PERMIT REQUIREMENTS; ESTABLISHING PURPOSES; IMPOSING FEES; SETTING FORTH VIOLATIONS; AND PROVIDING FOR ENFORCEMENT AND PENALTIES.

Motion: Item E.15, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace: Dr. Johnson had his hearing on March 15th, only one person submitted a written comment and one person called in for clarification.

E.16 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, consultation and to direct its attorney regarding the chapter 11 bankruptcy cases involving Purdue Pharma, *et al.*, pending in the United States Bankruptcy Court for the Southern District of New York (Case No. 19-23649 (RDD)) arising out of the opioid crisis and its effects on governmental entities. Following the executive session, the Council might take action to direct its attorney concerning potential settlement.

Motion: Item E.16, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Attorney Benavidez advises no executive session is necessary. The bankruptcy court is trying to establish a process for all claimants. This is in case there is a proposed settlement. I am just going to submit documents stating that if there is a proposed settlement, it would be sent directly to the Town. I just want you to authorize me to file the paperwork.

Motion: Mr. Benavidez to file the paperwork as discussed. , **Action:** Authorize, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

F. Department Director Reports

Manager Harvey: The WIFA loan closes tomorrow. We are hoping work will begin tomorrow. We are looking for a new landfill director. Audit is almost done. I'm meeting with Rick from Whetstone Fire to start getting together to decided what will be presented. We are working with the Health Department and Fry Fire to get a vaccination clinic here on April 2nd at the Community Center. It will be the Johnson and Johnson and we hope to have 200 doses. The Library staff will be helping folks that need to register. We should be looking to schedule a budget work session late April or early May. We still need to have a work session about the ADA upgrades. I would like to have that in late April.

Clerk Thorpe: We just have some testing to get completed and we will have good internet in this building.

Dr. Jim Johnson: Regarding the road assessment we are working with the SVMPO on, we had a meeting today and have been reviewing the preliminary engineering reports. The project is about halfway completed.

Chief Thies: Tahoes are running. We conducted background investigation training. Cpl. Arnett is going to do advanced HGN DUI detection training next week. We will be replacing the logo on the front door of the Police Department. We will be qualifying next month. Trax is installed in the vehicles.

Director Fulton: I have been meeting with each employee on an individual basis. I am starting to prepare 2 employees to plan Summer Splash. We are hoping to be able to start engaging the teens in the area with our activities. I would also like to form a teen advisory board if we can get the attraction.

G. Items to be placed on future agendas

H. Reports of Current Events by Council

Councilmember Butterworth: I attended the first PACT meeting last week. Public Accountability Communication Transparency. We will be meeting once a month. There are upcoming tours at the Douglas Border Patrol station and the new County Jail.

Councilmember Post: The owners of Taco Bell are thinking about putting a Taco Bell on the West side. I think we should thank the man who is on the bicycle always picking up trash on the highway. Lowes has an advertisement running about nominating your hometown for assistance. We could use the help for paint or maybe ADA stuff, so I'm going to follow up on that.

Mayor Wallace: I am on the USPP and I got an email from a PhD candidate from the University of Arizona. I'm going to reach out to Ms. Banks to see if she would talk to this PhD candidate just because of her time on the USPP.

I. Adjournment

Motion: 9:04pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.

Approved by Mayor Johann R. Wallace on April 8, 2021.

Mr. Johann R. Wallace
Mayor

Attest: _____
Ms. Brandye Thorpe,
Town Clerk

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 on March 25, 2021. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk

DRAFT