



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
May 9th, 2024 AT 6:00 PM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

A. Call to Order – Mayor

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum

B. Roll Call.

Roll Call.

Present: Johann Wallace, Christy Hirshberg, Cynthia Butterworth, Danielle Cardella, Jeffrey Ferro, Debra Trate, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (not voting), Town Attorney Thomas Benavidez (Not voting).

Absent: Jean Smelt.

a. 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.

C. 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.

D. 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 April 25, 2024.

C.2 Consider approval of the Payment Approval Report.

Motion: Approval of the items on the Consent Agenda, **Action:** Open for Discussion and/or Action, **moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E. 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 [Spencer Forsberg]: Mr. Forsberg will present the Town's financials for the month of February.

Motion: Mr. Forsberg will present the Town's financials for the month of February, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mr. Forsberg greets the Council and thanks them for their patience while he worked through tax season. He is presenting February's financials. For the month of February, on the revenue side he had \$186,396 and expenses of \$120,037 for the General Fund. We are in the black for the month of February for the General Fund as it stands right now. He called attention to the fact that he did not get to the Unrealized Gain or Lose for the month of February yet. So, there will be adjustments coming.

The Water Fund had a revenue of \$25,956 with expenditure of \$49,334. He brings the Council's attention to a Capital outline item of \$25,500. This was a piece of heavy equipment that was purchased. We are in the red for the month of February on the Water Fund but year-to-date we are in the black on the Water Fund.

The Sewer Fund had a revenue of \$14,648 with expenditures of \$1,212. He calls the Council's attention to some adjustment that had been made showing a negative in there which is drawing down expenditures. We are in the black for the month of February. We still would have been in the black even if that reversal hadn't been in there. Today we are at \$18,800 in the black.

The Garbage Fund for the month of February had \$13,482 for revenue and expenditure of 13,191. We are slightly in the black for the month.

The Landfill Fund \$118,174 for revenue compared to expenses of \$157,705. So, we are in the red for the month. Mr. Forsberg explains that there was some big equipment maintenance done during the month of February for the Landfill.

For the bus and transit services he still needs to make the journal entry for this item. He asked if there were any questions or additional comments from Manager Harvey.

Mayor Wallace asked that once everything had been lined out if Mr. Forsberg could please send Council the updated final revised version so that they all see it. He thanked Mr. Forsberg. Council had no other questions.

E.2 Discussion and/or Action [Suzanne Harvey]: Approval of a Memorandum of Understanding with the Arizona Rangers.

Motion: Approval of a Memorandum of Understanding with the Arizona Rangers, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace explained that this is one that is being brought back. The Rangers had the leadership change over but otherwise there was nothing different in it. This is just officially approving it before the signatures. He asked if Council had any questions. Council had no questions.

Motion: Approve the Memorandum of Understanding with the Arizona Rangers, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg. Motion passed unanimously.

E.3 Discussion and/or Action [Suzanne Harvey]: Approval of a Memorandum of Coordination with the U.S. Department of the Army, Special Operations Command [SOCOM], for Special Forces training to be conducted within the Town for a two-year period. A SOCOM representative will be available to address any questions from the Council.

Motion: Approval of a Memorandum of Coordination with the U.S. Department of the Army, Special Operations Command [SOCOM], for Special Forces training to be conducted within the Town for a two-year period. A SOCOM representative will be available to address any questions from the Council, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Michael Sasser greeted the Council and briefly explained his experience. He is a 29-year Army Vet, he has worked for Special Operations for almost 22 of those years. He worked for a company of inmate solutions. Currently they are operating out of three (3) states, Texas, New Mexico, and Arizona. They just started doing locations in Arizona last year. His job is a Realistic Military Trainer. He finds training sights and opportunities off of Military installations. He explained that sometimes the training on military installations is not as realistic as what they would want to have, and they do Special Operations training off of Bases when they can. He tells the Council that they would try to get five (5) meetings with Town Officials from Huachuca City, and they would be Civil force personnel. They would not be in uniform. They would not be carrying weapons. There would be no threat of any kind of kinetic engagements going on or anything. He explained to the council that these individuals are mainly deployed to Africa, and they support the Special Forces group, and these engagements are critical to their readiness for conducting military operations over cities. They get to see the best-case scenario of what's right, what operates in American. Now sometimes it doesn't match up with what they see in cities, and we understand that. Most of the African countries have different infrastructure but with this training they get to see what works here in America. Pick your guys brains. See the best case for how it's done right and how it operates. When they're deployed it's either to a war time situation or a peace time situation. They help law enforcement, city government, critical infrastructure, farms, and ranches. All different entities. Sometimes they can help advise people with their knowledge of what works here in America and help them along to improve their infrastructure. Mayor Wallace asked if the Council had any questions.

Several members said yes but asked that Mayor Wallace go first.

Mayor Wallace asked if they had coordinated with Fort Huachuca about already on this.

Mr. Sasser answered no because that is on Base, and they do not do training on Base.

Mayor Wallace replied that he gets that it's on Base but he's wondering if they have done anything to let them know that "Hey we might be doing this in a location near you" because we are surrounded by Fort Huachuca where Huachuca City is and the last thing Mayor Wallace wants is to get a phone call from the Base Commander about what the heck is going on in Huachuca City and do we need their help. That's the type of thing he wants to make sure we are able to prevent from happening. Tracking that you're not training on Fort Huachuca but what kind of coordination or informing have you done for Fort Huachuca.

Mr. Sasser answered that they have not contacted Fort Huachuca. He did sit in on a meeting and get the Base Commanders information last year. They did an engagement with Benson, Bisbee, and Sierra Vista last year. He tells the Council that if they want him to let Fort Huachuca know he has no issues doing that.

Mayor Pro Tem Hirshberg asked Mayor Wallace if she needs to recuse herself on this topic because of her employment on Fort Huachuca.

Mayor Wallace asked Attorney Benavidez if she needed to. He explained that from his understanding there isn't really any involvement with Fort Huachuca or any requirement. They aren't making an agreement with Fort Huachuca so he doesn't believe that she needs to recuse herself but would like verification.

Attorney Benavidez answered that he doesn't see anything there that would require a recusal. Councilmember Cardella asked as it's over a two (2) year period what is their involvement going to be. Is it a daily. Is it a scheduled thing like "hey we're coming in two (2) months and we're going to be there for X amount of days or weeks. What is your impact to the community, to our

city, to our citizens, to our staff. This is very broad and vague so she's not sure if she understands what their company does where our town is involved. Other than just being a facility for you. Mr. Sasser answered that the reason they do a two (2) year agreement is really just because of the paperwork. They were making a shorter agreement and then had others ask if they could make longer agreements. He explained that they might do one or two a year here in Arizona and that doesn't mean that every time they do it, he would be contacting Huachuca City. He might or might not.

Councilmember Cardella asked what would be happening.

Mr. Sasser explained that he would be contacting the City Manager. He would talk with her. Tell her what we're looking for and these are like basically meetings. The one that we're trying to get through you guys right now is (17.27). Three (3) city government engagements involving law enforcement and infrastructure. So, we'd ask "hey can you support this". Sometimes we may ask for four (4). This is not a binding agreement, and the Town can pull out at any time. If you don't like how we're operating, you can just say this is not working. He tells them that it is 100% up to them.

Town Manager Harvey tells the Council that they have already scheduled this, should they approve it, for three (3) days in July. What it will consist of is with these teams of Civil Affairs folks will meet with law enforcement and they'd go over the challenges of law enforcement here. What we see. What we do. They'd meet with Water and Wastewater. They'll tour our facilities and talk with Jim . She informs them that she put questions into their packets and answers to those questions. They will meet with some of the elected officials, and they will meet with Council. It is not a huge time suck or anything like that for the staff and it helps these guys to understand what it looks like for a functioning government. What you need for a functioning government.

Mayor Wallace commented that they wouldn't have people running around, knocking on doors, or playing 'shoot 'em up' out in the hills. That's not what this is. It's to see from a civil affairs perspective, if you have to go into a country to help rebuild something what is out there. We have evidence of what we know works. The structure, the organizational, the water, the government, the staff. It's to help take what's working and help to rebuild if necessary. That's kind of what this is. He asked Council if they had any other questions.

Council had no other questions.

Mayor Wallace commented that he had no other questions, and he had no problems with this. He knows what it's for and what it's about. It makes sense to look at what's functional to help rebuild if necessary. There won't be people running around in uniform or with weapons. It's just about being here to ask questions, see it firsthand, make notes, build your plans before you have to go to a country somewhere. He has no problems with it. As far as staff involvement, three (3) days out of the week or three (3) days in July is not going to be a big-time thing because they won't all be sitting down with them at the same time. It'll be a couple of hours. He asked if Council had any other questions.

Council had no other questions.

Motion: Go ahead and approve the Memorandum of Coordination with the U.S. Department of the Army, Special Operations Command, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffery Ferro.

For: Mayor Wallace, Mayor Pro Tem Hirshberg, Councilmember Butterworth, Councilmember Ferro, Councilmember Trate

Against: Councilmember Cardella
Motion passed.

E.4 Discussion and/or Action [Suzanne Harvey]: Approval of a bid to put a concrete bridge over the asphalt walking path in Leffingwell Park.

Motion: Approval of a bid to put a concrete bridge over the asphalt walking path in Leffingwell Park, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Manager Harvey reminds the Council that they have previously discussed that sometimes they need to be able to get trucks and vehicles into the park and they don't want to destroy what was just put in. So, this isn't really a bridge, it's just a way to go over or in this case through the asphalt. They are going to put it on both sides. We would be putting something else there that can support the weight of the vehicle. She tells them that they can use Contingency Funds to do this. She thinks that they'll want to do it because it will preserve that walking path. She tells them that we have a bid, it's a decent bid, and we are requesting approval to get the work done.

Mayor Wallace asked if Council had any questions.
Council had no questions.

Motion: Approve the bid to put a concrete bridge over the asphalt walking path in Leffingwell Park, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E.5 Discussion and/or Action [Mayor Wallace]: Announcement and acceptance of the resignation of Jean Smelt from Council. The Council will also direct staff concerning advertising and recruitment of a town resident to fill the vacancy until the general election in November.

Motion: Announcement and acceptance of the resignation of Jean Smelt from Council. The Council will also direct staff concerning advertising and recruitment of a town resident to fill the vacancy until the general election in November, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace commented that it is pretty straight forward. They have a Council member who is resigning. Really the conversation tonight is to look at how long they want to keep the vacancy open for and the general process.

Councilmember Ferro commented that at the end of the day they can't keep it open past August because anything past that will just pop up in the election. So, they have effectively three months. Pass that they could get pushed out by someone elected.

Councilmember Trate commented that could happen unless they run.

Town Manager Harvey recommends that they don't keep it open that long because they would like to fill the seat so that the Council has a full council. She recommends 30 days at the most so they can get somebody in there. Unless we don't get any applications, then we would come and ask for an extension.

Mayor Wallace commented that looking at the calendar their next meeting is going to be on the 23rd of May. There's nothing on the 30th and then their first meeting in June isn't until the 13th. He proposes that they have it open until June 7th, that give about a month. Or they can push it to the second meeting in June and leave it open until the 21st of June.

The Council responded with June 7th.

Mayor Wallace commented that they would go ahead and announce that there is a vacancy. June 7th is what we're looking at and we'll make that decision on what we need to do on the 13th.

Motion: Go ahead and accept the resignation of Jean Smelt from Council. Staff go ahead and publicize the vacancy on our social media platforms and such and then we will leave the opening active until 7 June 2024, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

E.6 Discussion and/or Action [Suzanne Harvey]: Approval to purchase fireworks for the Town's 4th of July celebration.

Motion: Approval to purchase fireworks for the Town's 4th of July celebration, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Town Manager Harvey tells the Council that they should see three (3) bids in their packet. Her recommendation is that they accept the \$5,600. She tells them that it is not that much more than they spent last year. It is more or less the same show. She doesn't think that they have \$6,700 in the budget to pay for it and she thinks that the \$5,070 one is a little bit shorter than what they did last year and people seemed really happy with what they did last year. So, she is recommending they accept the \$5,600 bid.

Mayor Wallace asked if Council had any questions.

Councilmember Butterworth answered yes and commented that she would like to suggest for another year, that they do not do fireworks, but they do the day in the park, just no fireworks. Birds can have heart attacks and die from their trees with the loud booms. It destructs wild animal life, dogs get lose, and we have people in Town with PTSD (Post Traumatic Stress Disorder). She doesn't think that they really need to have fireworks. She would rather see the money go to something that can be enjoyed year-round by residents.

Mayor Wallace asked if Council had any other questions.

Council had no other questions.

Motion: go ahead and approve the purchase of the fireworks in the amount of \$5,600, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Danelle Cardella.

For: Mayor Wallace, Mayor Pro Tem Hirshberg, Councilmember Trate, Councilmember Ferro, Councilmember Cardella.

Against: Councilmember Butterworth

Motion Passed.

E.7 Discussion and/or Action [Suzanne Harvey]: Appointment of a new Chief of Police to fill the current vacancy.

Motion: Appointment of a new Chief of Police to fill the current vacancy, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Town Manager Harvey reminds the Council that they have been going through the process to make a selection for the Chief of Police. She had briefed them on the process previously. It was a three (3) step process, and we completed all three (3) steps. We had an excellent board here for a selection board. It was Chief Isser; the Sierra Vista Chief of Police, Chief Savage; the Chief of Fry Fire, Doctor Cox; the principal from the school, and a Sergeant from the Cochise County Sheriff's Department. They all were unanimous in their selection of Wyatt Berry, who is currently our sergeant. They are recommending his appointment and the same is true of the resume review committee. It is her recommendation as well. It was articulated to her after the board that the Town will benefit greatly from his wide breath of experience as well as the contacts and relationship that he has throughout the county. He has been doing the job, as you know. We are in an IGA with Cochise County, and they haven't had to be out here much because he has been handling things in the absence of a Chief and has already made many much-needed improvements in the Department. Streamlined a lot of the processes. It is her recommendation that tonight they appoint Sergeant Wyatt Berry as the Chief of Police.

Mayor Wallace asked if Council had any questions.

Mayor Wallace asked when the start of the next pay period would be.

Manager Harvey answered it starts on Sunday the 12th.

Mayor Wallace asked what was recommended for salary.

Manager Harvey answered that they advertised it as \$60 - \$62,000. She thinks that we should start him at \$62,000. He has a lot of experience, but he is new to being a Police Chief. She suggested that they look at, in six (6) months when he has completed a probationary period, to bumping it up some. But she would start him at \$62,000 as her recommendation.

Councilmember Cardella asked if we would continue that IGA through his probationary period.

Manager Harvey answered no it would end.

Councilmember Fero asked if this was in the budget.

Manager Harvey answered absolutely, it was never taken out of the budget.

Mayor Wallace asked the Council if approved was the start of the new pay period okay with everyone.

Council answered yes.

Mayor Wallace asked if \$62,000 was okay.

Council answered yes.

Mayor Wallace asked if a six (6) month probationary period was okay.

Council agreed it was.

Motion: Go ahead and appoint Sergeant Wyatt Berry as our new Chief of Police, to fill the current vacancy. Effective 12 May 2024 at a salary of \$62,000 a year with a six (6) month probationary period, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffery Ferro. Motion passed unanimously.

Manager Harvey asked Mayor Wallace to talk about what they would do at the next meeting.

Mayor Wallace replied that they would do the ceremonial jamming of the pin into the chest. Manager Harvey added that he should bring his family and be prepared. Mayor Wallace commented that they would do the ceremonial piece at the next meeting but for all do rights, services, and responsibilities come Sunday Sergeant Berry will be Chief. Manager Harvey along with the Mayor and Council offer Sergeant Berry congratulations.

F. Reports of Current Events by Council

Councilmember Butterworth May 16th there is going to be a SEAGO SVMPO meeting up in Benson that she will be attending as the Vice Chair of the MPO thing. On the 17th we have the food drive. She went to the Spring Fling Meal the other day and it was a pretty decent turn out.

Councilmember Cardella will be attending the Buena Highschool graduation and the Cochise College graduations. Supporting all of our graduates.

Mayor Pro Tem Hirshberg commented that they have the Mayor and Manager meeting coming up. It's in Sierra Vista this month so she is available if need be.

Mayor Wallace went last week to the MAC Luncheon up on Fort Huachuca. That was good. The Colonel is leaving so this was his last luncheon. Now we have the new Base Commander coming in. That was good. It was a good time to see everybody, and he gave them a little update on what's going on here in Town. He was strolling through the park on Saturday during the little Get Out and Play Day. It was pretty neat with lots of good stuff. He had a conversation with the Garden. He is going to start getting more information from them so when he goes places, he can give more details about what the Garden is doing for the Town. Speaking about the Mayor and Manager meeting he asked if the members of the Council were seeing the invites when they come out for the Mayor and Managers luncheon and the Hispanic Chamber mixers.

Council responded no.

Councilmember Butterworth commented that she sees the Hispanic Chamber invites but not the Mayor and Manager ones.

Councilmember Trate added she doesn't see the one for the Sky Island region park one. Mayor Wallace commented that he doesn't see that one either. He is going to talk to Manager Harvey, and they are going to try to get something fixed so that when those notifications come out everybody is seeing them. Then if you're available and want to attend you can attend in your role as a Councilmember whatever the case may be. He explained that right now the mailing lists are going a little strange. He has actually talked to Manager Harvey about it because he asked her about the Hispanic Chamber and if everybody was getting it. They are going to fix it so that everybody should see those invites and if you're available attend it and stuff like that. He asked Manager Harvey to double check the date for the Mayors and Managers that is in May and to let everybody know so they can get back to her with RSVPs. It's pretty neat. You can go and meet other council members, mayors, vice mayors and everybody else from all over Cochise County. Sometimes they'll have visitors down from senators' offices and all of that. Manager Harvey is already making it so that we get back on the rotation to host a meeting here. He asked again that Manager Harvey get this information to the Council so they can attend if they wish. It is busy season. A lot of different things are happening with the Base change of command and it's just the rotational period,

that time of the year. Other than that, there is a Starlink satellite launch tonight at around 8:15 so keep your eyes to the west and you might be able to see it going up into the sky.

G. Adjournment

Motion: To Adjourn, **Action:** Adjourn, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

Approved by Mayor Johann R. Wallace on May 23rd, 2024.

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 May 9, 2024. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk