



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
June 13, 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, Danielle Cardella, Cynthia Butterworth, Jeffrey Ferro, Christy Hirshberg, Debra Trate, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (not voting), Town Attorney Thomas Benavidez (Not voting).

Absent:

- 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, Work Session and Public Hearing held on June 13, 2024.

C.2 Consider approval of the Payment Approval Report.

C.3 Consider approval of the disposal of a 1995 Geo Prizm VIN 1Y1SK528XSZ016705 through Public Surplus.

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: Approval of the items on the Consent Agenda, **Action:** Approve, **moved by** Johann Wallace, **Seconded by** Debra Trate.
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 April.

Motion: Item E.1, Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Christy Hirshberg.

Mr. Forsberg presents the financials for the month of April. There was a payment for fire services that hit this month.

E.2 Discussion and/or Action [Suzanne Harvey]: Presentation of plans for the Town's 4th of July Celebration.

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

Manager Harvey updates on the plans for the 4th of July and shows everyone the new signs and banner that were made.

E.3 Discussion and/or Action [Corporal Arnett]: Approval of the road closures for the Town's 4th of July Celebration.

Motion: Item E.3, Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Christy Hirshberg.

Mayor Wallace asks that as we are looking at Ordinances, unless there is some sort of statutory law that says otherwise, we should look at taking out the requirement for the Police Department to get road closures approved by Council. He states that if the Police need to close roads for events they should have the authority to do so without Council approval.

Motion: road closures for the Town's 4th of July celebration Action: Approve, moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.4 Discussion and/or Action [Suzanne Harvey]: RESOLUTION NO. 2024-05 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ADOPTING A PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM ["PSPRS"] FUNDING POLICY.

Motion: Item E.4, Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Christy Hirshberg.

Manager Harvey advises that we have to do this every year and we are going to continue to do the same as we have been.

Motion: Resolution 2024-05 Action: Approve, moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.5 Discussion and/or Action [Suzanne Harvey]: Approval of an updated contract with Benavidez Law Group, P.C., for continuation of attorney services for the Town, on an at-will and as-needed basis.

Motion: Item E.5, Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Christy Hirshberg.

Manager Harvey advises that the fees have not been updated since 2014 and costs have gone up exponentially since then. She also advises that this removes the portion of the contract where the firm provides prosecution services since we have a separate contract for those services. She believes we should approve this.

Mayor Wallace states we should absolutely approve this. Mr. Benavidez serves the Town well and knows the Town and its needs.

Motion: Updated contract with Benavidez Law Group, P.C. **Action:** Approve, moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.6 Discussion and/or Action [Manager Harvey]: RESOLUTION NO. 2024-07 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION ["HOME RULE"] FROM 2020 TO BE PRESENTED TO THE VOTERS AT THE GENERAL ELECTION ON NOVEMBER 5, 2024.

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

Motion: Resolution 2024-07 **Action:** Approve, moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.7 Discussion and/or Action [Manager Harvey]: Approval of amendments to the Town's current budget for Fiscal Year 2023-2024, ending June 30, 2024.

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

Ruben Villa advises that this is a normal procedure at the end of a fiscal year. It adjusts funds from unexpended lines to over expended lines and makes the budgeting process for the following fiscal year easier. All proposed changes were provided in the packet.

Motion: Amendments to the Town's current budget for Fiscal Year 2023-2024 **Action:** Approve, moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.8 Discussion and/or Action [Suzanne Harvey]: Approval of a tentative budget for fiscal year 2024-2025. All anticipated revenues and expenditures may be discussed, including property and sales taxes, enterprise funds, water, sewer and solid waste revenues and expenditures, potential grant revenue, capital improvements and expenditures, personnel salaries and benefits, Highway User Revenue Funds, police and fire services, and carryover

funds from the current budget. The budget adoption process and schedule may also be discussed and acted upon.

Motion: Item E.8, Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Christy Hirshberg.

Ruben Villa advises that the changes discussed in the Work Session were made. A few additional changes were made and provided for review in the packet.

Motion: Tentative budget for fiscal year 2024-2025 Action: Approve, moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.

E.9 Discussion and or Action [Attorney Benavidez] - Approval of a national opioid claims settlement with Kroger Company [operating in Arizona as Fry's and Smith's] for claims arising out of Kroger's role in distribution of dangerous and addictive opioid prescription medications [In re National Prescription Opiate Litigation, MDL No. 2804]. If a sufficient number of Arizona's local governments approve the settlement, those approving local governments will receive their proportionate shares of the settlement proceeds as established in the previously approved, "One Arizona" opioid settlement distribution plan. The national settlement amount is estimated to be 1.2 billion dollars, paid out over the next 11 years, to be used for opioid crisis impact abatement efforts.

Motion: Item E.9, Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Christy Hirshberg.

Mr. Benavidez advises Council to approve this. There is no reason not to. It will probably not benefit the Town much, but it won't hurt the Town at all.

Motion: A national opioid claims settlement with Kroger Company Action: Approve, moved by Johann Wallace, Seconded by Debra Trate.
Motion passed unanimously.

F. Reports of Current Events by Council

Councilmember Butterworth – MPO meeting yesterday. Suzanne will be attending the Rural Transportation Summit in Prescott. The Paving of 90 is supposed to start in October and they are supposed to start in Sierra Vista. July 11th they will be onsite for a project review of Skyline. Food distribution was Friday and it is really sad how many people are showing up in need of food.

Mayor Wallace- Will be at the Hispanic Chamber Mixer on the 19th. Looking forward to the 4th of July. Love the retro signage. Earlier this week met with Jason Bowing to talk all things SSVEC. Today was their annual meeting in Willcox. It's change of command season so up on base there will be some change of commands. Got to meet the new Garrison Commander.
Councilmember Ferro- No report

Councilmember Cardella- Looking forward to bringing the kids out for the 4th of July.

Councilmember Trate- No report

Mayor Pro Tem Hirshberg- Excited for the 4th of July. Love the new signs. On the 19th is the Hispanic Chamber of Commerce thing.

G. Adjournment

Motion: To Adjourn, **Action:** Adjourn, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.
Motion passed unanimously.

Approved by Mayor Johann R. Wallace on July 11, 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 June 27, 2024. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk