



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
October 10, 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, Debra Trate, Cynthia Butterworth, Danielle Cardella, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (not voting), Town Attorney Thomas Benavidez (Not voting).

Absent:

- 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.

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.

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 September 26, 2024.

C.2 Consider approval of the Payment Approval Report.

Motion: Items listed on the consent agenda Action: Open for Discussion and/or Action, moved by Johann Wallace, Seconded by Debra Trate.

Motion: Approval of the 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]: Authorizing the Town Manager to modify the Financial Consultant Services contract with Ruben A Villa & Associates, LLC, to expand the scope of work to include additional accounting services.

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

Manager Harvey explains that Spencer Forsberg is currently performing the duties that would be added to this contract, however he is not experienced with municipal accounting. She has

spoken with the Town Attorney and the auditors, who both agree this would be a better solution for the Town.

Mayor Wallace expresses concern that if Ruben is working an additional 30-35 hour per week for us, will fatigue be a problem based on his workload that includes other clients.

Manager Harvey advises that she does not believe it will be a problem, and in fact Ruben will look for work with another agency to fill this if we don't do it.

Motion: Authorizing the Town Manager to modify the Financial Consultant Services contract with Ruben A Villa & Associates, LLC, to expand the scope of work to include additional accounting services., Action: Approve, moved by Johann Wallace, Seconded by Cynthia Butterworth.

Motion passed unanimously.

E.2 Discussion and/or Action [Suzanne Harvey]: Update on the plans for the Town's annual Halloween "Creepy Candy Crawl."

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

Manager Harvey provides an update on plans, including having the bus pick people up from the Activity Center and drive them down to the Community Center, setup to begin at 4:30, event beginning at 6pm. There will also be snakes and spiders.

E.3 Discussion and/or Action [Attorney Benavidez]: Brief refresher on the rules prohibiting use of Town resources to influence an election.

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

Mayor Wallace advises that with the election coming up, he asked the Attorney to do this to remind Council and staff of what can and can't be allowed by law.

Attorney Benavidez reads a portion of statute and explains that no Town official is allowed to tell anyone how to vote. He provides a couple of examples for clarity.

Mayor Wallace reiterated that no town official can attempt to sway an election.

E.4 Discussion and/or Action [Mayor Wallace]: Council discussion regarding the facility use agreement with Huachuca City School. The purpose of this agreement is to permit the parties to use each other's buildings and grounds to provide organized programs of recreation and educational activities that contribute to the physical, mental, and moral welfare of the citizens of the community. The current agreement is due to expire in June, 2026.

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

Mayor Wallace advises that he wanted to make sure that the current agreement included everything that would be needed, especially the pool, in the event that the school wanted to

use it. After reviewing it, he believes that it does but would like to confirm that with our insurance providers and also the school.

Motion: Get with Dr. Cox and Mr. Powers to review it and make sure everything is covered,
Action: Direct Staff, moved by Johann Wallace, Seconded by Cynthia Butterworth.
Motion passed unanimously.

E.5 Discussion and/or Action [Mayor Wallace]: Discussion regarding a potential collaboration with Huachuca City School to create a mountain bike skill course on school property.

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

Mayor Wallace advises that he was approached by the school to see if the Town would like to work with them on this. The school was approached about a possible grant to make it possible. He would Council to allow continuing discussions about it and see where it goes.

Motion: Ongoing discussions with the school and bring back any action to be taken, **Action:** Approve, moved by Johann Wallace, Seconded by Cynthia Butterworth.
Motion passed unanimously.

E.6 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2024-02 - AN ORDINANCE ADOPTING AMENDMENTS TO THE TOWN CODE, TITLE 6 "ANIMALS," CHAPTER 6.15 "RULES AND REGULATIONS," TO INCREASE THE MAXIMUM NUMBER OF ANIMALS PER HOUSEHOLD TO FIVE; ADDING PROVISIONS AGAINST ANIMAL HOARDING; AND AUTHORIZING HOUSING OF UP TO SIX CHICKENS.

Attorney Benavidez advises that he changed some of it because state law only states that properties less than an acre can have chickens, but our code allows them on four or more acres. He believes they should also be allowed on properties between 1-4 acres, and made the changes to reflect that.

E.7 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2024-03 - AN ORDINANCE AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.100 "SUPPLEMENTAL REGULATIONS," SECTION 18.100.260 "KEEPING OF LIVESTOCK AND PETS," TO REVISE ZONING REGULATIONS FOR KEEPING LIVESTOCK AND PROVIDING FOR THE KEEPING OF DOMESTIC CHICKENS.

E.8 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2024-04 - AN ORDINANCE AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.35 "R-1 RESIDENTIAL DISTRICTS," SECTION 18.35.030 "PERMITTED CONDITIONAL USES", AND CHAPTER 18.10 "DEFINITIONS" TO DEFINE VACATION RENTALS AND SHORT-TERM RENTALS AND TO MAKE THEM CONDITIONAL USES.

E.9 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2024-05 - AN ORDINANCE AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.100 "SUPPLEMENTAL REGULATIONS," TO ADD NEW SECTION 18.100.290 "HOOPHOUSES AND POLYHOUSES", AND CHAPTER 18.10 "DEFINITIONS" TO DEFINE HOOPHOUSES AND POLYHOUSES AND TO ESTABLISH REGULATIONS CONCERNING THEIR CONSTRUCTION, PLACEMENT AND USE. "Hoophouse or polyhouse" means a greenhouse used exclusively for producing and storing live plants.

E.10 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance 2024-05 - AN ORDINANCE AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.135 "AMENDMENTS," SECTION 18.135.030 "APPLICATIONS FOR AMENDMENT," AND SECTION 18.135.060 "PROTEST AGAINST AMENDMENTS," TO ESTABLISH REGULATIONS CONCERNING THE FILING, PROCESSING AND PROTESTING OF ZONING AMENDMENTS.

Mayor Wallace corrects this. The Ordinance number is 2024-06.

F. Reports of Current Events by Council

Councilmember Butterworth- Will be at the Creepy Candy Crawl. Food distribution is back to the third Friday of each month again. The last MPO meeting of the year will be on October 26th.

Mayor Wallace- He attended the Antioch 10 year anniversary for their Pastor on Saturday. Monday he will be at the Sonoita Veneyard. On the 18th is the Hispanic Chamber Mixer and on the 19th is the Boys and Girls Club event on Ft. Huachuca.

Councilmember Cardella- Will be at the Boys and Girls Club event on the 19th.

Councilmember Trate- Attended the SSVEC focus group.

Mayor ProTem Hirshberg- Will be at the Boys and Girls Club event and the Creepy Candy Crawl.

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 October 24, 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 October 10, 2024. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk