



TOWN OF HUACHUCA CITY

The Sunset City

500 NORTH GONZALES BOULEVARD • HUACHUCA CITY, ARIZONA 85616

PHONE (520) 456- 1354 • TDD (520) 456-1353 FAX: (520) 456-2230

E-MAIL: tmitchell@huachucacityaz.gov

HUACHUCA CITY TOWN COUNCIL MINUTES REGULAR MEETING AT 7:00^{PM} THURSDAY, AUGUST 10, 2017

A. Call to Order and Pledge of Allegiance. The meeting was called to order at 7:00 p.m.

B. Roll Call: Present:

Mayor:

Mayor Pro-Tem: Mayor Pro Tem Johnson

**Council Members: Johann Wallace
Christy Hirshberg
Cynthia Butterworth
Walter Welsch**

Town Clerk/Administrator: Tammy Mitchell

Town Attorney: Thomas Benavidez

Absent: Council Member Jane Hjeldness

C. Approval of Regular Minutes from the Town Council meetings of July 13 and 27, 2017. Motion made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to approve Minutes from July 13 and 17, 2017. Mayor abstained on the July 27.

July 13, 2017 6-0 Motion Carried

July 27, 2017 5-1 Motion Carried

D. Call to the Public {3 minute limit} Agenda Items Only. (See below) No call slips. None

E. Reports by Council Members and Officers.

- 1. Council Member Welsch - Library/Senior Center- Director Suzanne Harvey reported that the Library collected and deposited \$262.60 in Library fine/fees in the month of July. Our Back-to-School event was a fantastic success. We had about 427 people attended and handed out 185 fully packed backpacks. The Library Director Harvey would like a huge thank you to local**

organizations and businesses that donated money, time and supplies. Director Harvey sent out thank you letters and also wanted to mention George W. Prioleau, Masonic Lodge #13. They donated over 96 backpacks and came to the event to help pass them out. Parks and Recreation also helped and the Huachuca City Lions Club gave out free popcorn. Having the event with the National Night Out worked out great and we want to do it again next year. The Huachuca City Elementary School Library is currently closed. We will encourage the teachers to bring their classes to our library in order to help alleviate hardship for avid readers. Currently the Kindergarten and 1st grade plan on coming to the Library weekly.

2. **Council Member Hjeldness- Finance-** Clerk Mitchell mentioned that we need to have a special meeting for the Tax Levy on either the 16th or 17th of August. The Council decided on August 16, 2017 at 6:30 p.m. Council Member Welsch stated that the commodities at the Senior Center are doing well.
3. **Council Member J. Wallace – Planning and Zoning [might include a report by the Planning and Zoning Administrator]** - Council Member Wallace reported that they are still working on the sign code updates. Nicole Harges, 309 Third Street, Huachuca City is a P&Z Commissioner came and helped give an update on the P&Z meeting. They worked on general code updates and setting dates for the next public hearing.
4. **Council Member Butterworth – Public Safety [might include reports by the police and fire chiefs]** - Council Member Butterworth reported that from the period of 7/23 to 8/5 2017 Officers have responded to 69 calls for service of which 61 were traffic stops. Issued 46 warnings and equipment repair order with 41 separate violations and issued 22 separate charges on 12 tickets. Animal Control has responded to 5 calls for service. The Fire Department has responded to 18 EMS calls and 2 Fire Calls. Dispatch has cleared 20 calls for service, answered 531 calls and greeted 266 visitors. Chief Thies commented that he would like to remind the council members from responding to complaints against the police department or other town complaints. It is important to do your research first. Ms. Geri Sullivan came to present the way of tracking the elderly or the disabled that would like for us to check on them. Ms Sullivan said that all of those who wish to be on this program can call dispatch and let them know. It is a wonderful thing that the city does for the community. This will hopefully be a change of the plaques so they can talk to a human dispatcher. We will be able to see the number that calls so if a family member calls us we can tell them that they did or didn't call in. We feel this is a great program for the citizens. Mayor Pro Tem Johnson questioned the change concerning her mother. Ms Jennifer Fuller commented that we formed a new dispatcher organization and sold tickets to win a quilt. With all the dispatchers we would like to present this plant to Council Member Hirshberg for helping us sell tickets to help this organization.
5. **Council Member Hirshberg– Parks and Recreation–Council Member** Hirshberg reported that we have our next meeting on Monday the 14th. The National Night Out went really well and was a lot of fun. Council Member Hirshberg conveyed to come out and join us for our Ice Cream Social this Friday. On September 30, we will have our Small business and craft expo. This year we are trying to have groups form at the expo while the parents can shop.
6. **Mayor Pro Tem Johnson - Public Works [might include a report by the landfill supervisor]** – Mayor Pro Tem Johnson read the report from Supervisor

Halterman. Mayor Pro Tem Johnson commented that PW is doing their monthly groundwater monitoring, cutting along the highway & alleys, pulled samples from the waste water facility and installed new meters at the school. Mayor Pro Tem Johnson stated that Antelope Run Electric is working in the trouble shooting process, finding repair parts at Keeline Park Ball Field. Lightening struck and burned out two wire surge protectors on two switches. We are waiting to see if there is damage to each individual pole. Mayor Taylor announced that we hired a new Land Fill Supervisor so stop by and welcome him.

7. **Mayor's Report**-Mayor Taylor has no report at this time.
8. **Town Clerk's Report**- Clerk Mitchell reported that the bid opening for the Water Tank Project will be held on August 22, 2017 at 3:00 p.m.

- F. **Unfinished Business:** **Discussion and/or Action [Mayor Taylor]:** **Authorizing staff to begin the process of publicly advertising for the position of town manager and reviewing the resumes received to-date from existing employees interested in the position.** Motion made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to open this item. 6-0 Motion Carried
Clerk Mitchell mentioned that we received no applications from the internal posting. Motion made by Mayor Taylor, seconded by Council Member Wallace to begin the process for hiring a Town Manager. 6-0 Motion Carried

G. **New Business:**

1. **Discussion and/or Action [Mayor Taylor]: Notice of Potential Election to Recall Town Council Members.** Motion made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to open this item. 6-0 Motion Carried
Mayor Taylor commented that George Nerhan has taken out recall petitions on Council Members Johann Wallace, Jane Hjeldness and Cynthia Butterworth. Mayor Taylor stated that he also took out petitions on him but he would have to pay for that election. Attorney Benavidez commented that anyone signing the recall petition for the mayor would have to pay for that recall. There were also petitions taken out for a Referendum on Ordinance 2017-02.
2. **Discussion and/or Action [Mayor Taylor]: Second Reading of Ordinance 2017-05, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE, CHAPTER 2.125 "PERSONNEL SYSTEM," ADDING NEW SECTION 2.125.025 "NEPOTISM AND CONFLICTS OF INTEREST" ADOPTING THE STATE'S STATUTES ON NEPOTISM AND CONFLICTS OF INTEREST.** Motion made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to open this item. 6-0 Motion Carried
Motion made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to adopt Ordinance 2017-05. 6-0 Motion Carried

3. **Discussion Only [Mayor Taylor]: Notifying residents and businesses that Pulse Broadband Engineers will be in the area looking at existing infrastructure for the feasibility study.** Motion Made by Mayor Taylor, seconded by Council Member J. Wallace to open this item. 6-0 Motion Carried
Mayor Taylor commented that we have scheduled the feasibility study in the city to start on May 14, 2017. These gentlemen from Pulse Broadband will have name badges given to by the city. If anyone has any questions why they are out there let them know to call the city.

4. **Discussion and/or Action [Councilmember Wallace]: Promoting Ms. Suzanne Harvey to the position of Library Director with the Town of Huachuca City. This will be a probationary appointment, with a review conducted six months from the date she assumed those duties in accordance with Town Code, sections 2.130.260 "Promotional Appointments" and 2.130.300 "Period of Evaluation." Six month evaluation to occur no later than December 14, 2017.** Motion made by Council Member Welsch, seconded by Council Member Hirshberg to open this item. 6-0 Motion Carried
Motion made by Council Member Wallace, seconded by Council Member Hirshberg to Director of Library Services with a starting date of 5/30/2017. 6-0 Motion Carried

5. **Discussion and/or Action [Councilmember Welsch]: Reviewing the salary recommended by Staff for Ms. Suzanne Harvey who has been performing the duties of Library Director effective 05.30.2017. Council may accept or amend the salary as recommended by Staff.** Motion made by Council Member Welsch, seconded by Mayor Taylor to open this item. 6-0 Motion Carried
Council member Welsch asked Clerk Mitchell where she was at with this item. Clerk Mitchell responded that she is following the salary range that was set by council in January. Ms. Suzanne Harvey will start at \$16.83 and have her back paid from when she took over on May 5, 2017. Motion made by Council Member Welsch, seconded by Mayor Taylor to set the Library Director position at \$16.83 and be back paid from 5/30/2017. Mayor Pro Tem Johnson voted Nay. 5-1 Motion Carried

6. **Discussion and/or Action [Councilmember Wallace]: Authorizing staff to begin the process of advertising for the position of IT Support Technician with the Town of Huachuca City. This may include receiving bids from interested companies who may wish to provide managed IT services to the Town.** Motion made by Council Member Wallace, seconded Mayor Taylor to open this item. 6-0 Motion Carried
Council Member Wallace conveyed that he is finishing up the RFP for an IT Services and he is hoping to contract out or we can hire in house part time. Motion made by Council Member Wallace, seconded by Mayor Taylor to have staff move forward with advertising for the IT Services Position and collecting RFP if necessary for these services. 6-0 Motion Carried

7. **Discussion and/or Action [Council Member Butterworth]: Concerning Hiring an Assistant Fire Chief.** Council Member Butterworth postponed this item.

8. **Discussion and/or Action [Town Attorney]: Concerning Possible Formation of a Citizen Review Committee/Board for the Town's Police Department.** Motion made by Mayor Taylor, seconded by Mayor Pro Tem Johnson to open this item. 6-0 Motion Carried

Attorney Benavidez commented that he has brought some information with him that may help. This is for forming a Citizen Review Board. Attorney Benavidez gave everyone a copy of the paperwork he brought tonight.

Mayor Pro Tem Johnson left at 8:12 p.m.

9. **Discussion and/or Action [Town Attorney]: Resolution No. 2017-09 and 2017-10 authorizing transfer of funds on deposit earmarked for ADEQ landfill financial assurance into the ADEQ landfill financial assurance Trust.** Motion made by Mayor Taylor, seconded by Council Member Wallace to open this item. 6-0 Motion Carried

Mayor Taylor reported that we have set up a trust fund with ADEG for the landfill closure and need to get the money release to the Trust from other agencies that we have the money in. Mayor Taylor mentioned that we had a phone conference with ADEQ and it was very good and interesting. Mayor Taylor wanted to give kudos to Clerk Mitchell she fired answer all of their questions without hesitation. Motion made by Mayor Taylor, seconded by Council Member Butterworth to adopt Resolution 2017-09 and 2017-10 and transfer the money to the trust. 5-0 Motion Carried

10. **Discussion and/or Action [Town Attorney]: Concerning the Hiring of the Town Clerk's Sister to Work at the Town.** Motion made by Mayor Taylor, seconded by Council Member Wallace to open this item. 5-0 Motion Carried

Attorney Benavidez commented he has received a letter from the former Library Director who resigned about a month ago and has a different view on the hiring of the Town Clerks sister for Library aide. Mayor Taylor stated that there are three things we can do, one we can take the knowledge we have from Ms. Norris and this could be a terminate defense, second we could hire an outside investigator and third do nothing. Council Member Wallace commented that it is out in the public we are not hiding anything. Council Member stated that he read the letter and questions the veracity of the letter considering all the things we know. Council Member Wallace said he laughed at this letter and he is not aware of any favoritism toward Ms. Mitchell's sister and we have seen none. We know the fact that she works there and we move on. Council Member Butterworth commented that she has been there for a year and a half why is came to our attention now. Now, all of a sudden it is an issue. Clerk Mitchell said that she is a part time Library Aide at 25 hours a week at minimum wage. Council Member Hirshberg said after discussions that we had, she does not put any credibility into this letter and Clerk Mitchell does not supervise her sister and that is the important part. Council member Walter Welsch commented that he thinks this should be investigated. He has tried to bring this up before and he had nothing to go on and now he has this letter. We are the council we can do something about it and know what other people know about it. Mayor Taylor said for the interest of justice the appropriate thing to do is have a third party investigate this. Council member Butterworth said to Ms. Mitchell,

did you hire your sister, Clerk Mitchell replied no, did you make Ms. Norris hire your sister, Clerk Mitchell replied no, did you use her for special privileges, Clerk Mitchell replied no, did you recommend her for hire, Clerk Mitchell replied no, did you recommend your sister for anything, Clerk Mitchell replied no. Council Member Butterworth stated now you can take the word of our Town Clerk who runs this town or the word of a letter from someone who has been untruthful. Council Member Wallace asked how many aides our library has. Library Director Harvey said five at minimum wage. Attorney Benavidez said maybe the town could bring people in under oath and asked them what happen. There are no piles of paperwork to investigate but you can get a third party who we don't know who we could get. Mayor Taylor said maybe we could get DPS and he asked Chief Thies and Chief Thies replied that is an option. Council Motion made by Member Wallace, seconded by Council Member Butterworth to knowledge that fact that the clerk's sister works at the library, knowledge the fact that she gets no special treatment and let's put this all behind us. Council Member Welsch voted nay and Mayor Taylor voted nay. 3-2 Motion Carried

- H. **Payment Approval Report in the amount of \$163,807.98.** Motion made by Mayor Taylor, seconded by Council Member Hirshberg to open this item.

5-0 Motion Carried

Motion made by Mayor Taylor, seconded by Council Member Butterworth to approve the Payment approval report and pay the bills in the amount of \$163,807.98. 5-0 Motion Carried

- I. **Call to the Public: [3 min. limit] ARS 38-431-01 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.** Neal Josephson, 806 Ridgeview, Mr. Josephson stated that it was mentioned that it was said that the senior center was left a mess after the 4th of July and he begs to differ. The senior center is a public building and it was a mess when we walked in. It has outdated food sitting next to the coffee pot and this is what you feed our seniors.

Mr. Josephson said that when the mayor was coming back from Tucson that you saw a dust devil well ADEQ knows the difference when a piece of machinery is causing a lot of dust and not a dust devil. Mr. Josephson stated that he sent an 8 X 10 glossy and you can see it was the machinery causing the dust. He stated that you make us look like fools to ADEQ, this is a law you are breaking and it makes you look like a piss-ant. Mayor Taylor asked Council Member Welsch if he would like to respond to the criticism concerning the senior center. Mayor Taylor indicated that he would like to respond to the criticism on the ADEQ issue. Mayor Taylor told Mr. Josephson that he did know what he said to ADEQ. After those words, the Mayor chastised Mr. Josephson for constantly criticizing the Council, but never doing anything constructive to help the Town.

- J. **Items to be placed on the next agenda: Item number 7 if Chief Allmon is able to attend.**

- K. **Adjournment:** Motion made by Mayor Taylor, seconded by Council Member Wallace to adjourn, adjourned at 8:48 p.m.

Approved by Mayor Taylor on August 10, 2017



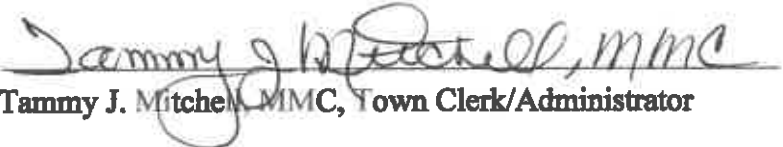
Mayor, Kenneth Taylor

Attest: 
Town Clerk Tammy J. Mitchell, MMC

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Town of Huachuca City held on August 25, 2017. I further certify that the meeting was duly called, and a quorum was present.



Tammy J. Mitchell, MMC, Town Clerk/Administrator