



# TOWN OF HUACHUCA CITY

*The Sunset City*

500 NORTH GONZALES BOULEVARD • HUACHUCA CITY, ARIZONA 85616

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## HUACHUCA CITY TOWN COUNCIL MINUTES REGULAR MEETING AT 7:00<sup>PM</sup> FEBRUARY 8, 2018

- A. The Meeting was called to Order at 7:00 p.m. and the Pledge of Allegiance was recited.
- B. Invocation was offered by Town Manager Matthew Williams.
- C. Roll Call and Determination of Quorum.

**Present:**

Mayor: Ken Taylor  
Mayor Pro Tem: Donna Johnson

Council Members: Joy Banks  
Cynthia Butterworth  
Christy Hirshberg  
Walter Welsch

Town Manager: Matthew Williams  
Town Clerk: Jennifer Fuller

Town Attorney: Thomas Benavidez

**Absent:** Johann Wallace, excused.

- D. Approval of Minutes from the Town Council Meeting of January 25, 2018. Motion made by Mayor Taylor to open this item, seconded by Councilor Hirshberg. Motion made by Mayor Taylor to approve the Minutes from the Town Council Meeting of January 25, 2018 as presented, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

- E. Call to the Public [3 minute limit] Agenda Items Only. (See below)  
None
- F. Reports by Council Members and Officers:

1. **Council Member Welsch - Library/Senior Center** – Read Director Harvey’s report.
2. **Council Member Wallace – Finance** – Absent, no report.
3. **Council Member Banks – Planning and Zoning** – Planning and Zoning will be working on reviewing Conditional Use Permits and the Sign Code.
4. **Council Member Butterworth – Public Safety** – There are several job openings at the Police Department and Animal Control.
5. **Council Member Hirshberg – Parks and Recreation** – Parks and Recreation will be having their monthly meeting on February 12. The Town-wide yard sale and Little League sign-up are happening.
6. **Mayor Pro Tem Johnson –Public Works** –Mr. Halterman reported on the status of the Water Tank project. Mr. Fernandez reported on the status of the landfill.
7. **Mayor – Mayor Taylor** – Mayor Taylor recognized staff, mentioned that new businesses are coming into town and it is a result of all the hard work being done.
8. **Town Manager – Manager Williams** – Mr. Williams read his report to the Council.

**G. Unfinished Business:**

1. **Discussion and/or Action [Town Manager]:** Approval of fee waiver for Vision of Hope Youth Center and Mustang Mountain Cowboy Church for use of the Huachuca City Community Center on February 17<sup>th</sup> & 24<sup>th</sup>, March 24<sup>th</sup> & 31<sup>st</sup>, April 21<sup>st</sup> & 28<sup>th</sup>, May 19<sup>th</sup> & 26<sup>th</sup>, June 23<sup>rd</sup> & 30<sup>th</sup> and July 21<sup>st</sup> & 28<sup>th</sup> for a Free Soup Lunch.

A motion was made by Mayor Taylor to open item, seconded by Mayor Pro Tem Johnson. A motion was made by Mayor Taylor to accept the dates as scheduled, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

2. **Discussion and/or Action [Town Manager]:** Required Second Reading and Adoption of Ordinance No. 2018-04, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE TITLE 2”ADMINISTRATION AND PERSONNEL” BY DELETING CHAPTER 2.130, “PERSONNEL POLICIES AND PROCEDURES” IN ITS ENTIRETY, AND CREATING A PERSONNEL POLICY MANUAL SEPARATE AND APART FROM THE TOWN CODE.

Mayor Taylor motioned to read and adopt Ordinance No. 2018-04, Mayor Pro Tem seconded the motion. Ordinance No. 2018-04 was read and adopted.

**6-0 Ordinance Adopted**

3. **Discussion and/or Action [Town Attorney]:** Adoption of Resolution No. 2018-03, declaring as a public record that certain document known as “Noise Ordinance-Reasonable Person Standard.”

A motion was made by Mayor Taylor to open this item, seconded by Mayor Pro Tem Johnson. A motion was made by Mayor Taylor to adopt the resolution, seconded by Mayor Pro Tem Johnson.

**6-0 Resolution Adopted**

4. **Discussion and/or Action[Town Manager]:** First reading of Ordinance No. 2018-05, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE TITLE 9 "PUBLIC PEACE, MORALS AND WELFARE" CHAPTER 9.05 "GENERAL OFFENSES" SECTION 9.05.100 "NOISE" BY DELETING CURRENT SECTION 9.05.100 IN ITS ENTIRETY, AND REPLACING IT WITH NEW PROVISIONS FOR NOISE STANDARDS BASED UPON A REASONABLE PERSON STANDARD, ADOPTING ENFORCEMENT PROCEDURES AND ESTABLISHING SANCTIONS FOR VIOLATIONS.

A motion was made by Mayor Taylor to read this ordinance, seconded by Mayor Pro Tem Johnson. The ordinance was read.

**No Other Action on this Item**

**H. New Business:**

1. **Discussion and/or Action [Mayor Taylor]:** First reading of Ordinance No. 2018-03, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING TOWN CODE CHAPTER 2.20 "COUNCIL PROCEDURE" SECTION 2.20.060 "ORDER OF BUSINESS" TO CHANGE THE ORDER OF BUSINESS AT MEETINGS OF THE TOWN COUNCIL. Discussion and possible decision by Council to proceed with Option 1, which includes an invocation at the beginning of Council Meetings or, Option 2, excluding the invocation.

A motion was made by Mayor Taylor to read this ordinance, seconded by Mayor Pro Tem Johnson. The council voted 3-3 in favor of Option 1, and voted 3-3 in favor of Option 2. Mayor Taylor motioned to table this item until the March 8<sup>th</sup> Council Meeting, motion seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

Council took a break at 8:00 p.m., returned to open session at 8:10 p.m.

2. **Discussion and/or Action [Mayor Taylor]:** Adoption of Resolution 2018-04, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, AND SUPPLEMENT NO. 38269-401 THERETO, WITH WELLS FARGO EQUIPMENT FINANCE, INC., FOR ACQUITION, PURCHASE, FINANCING AND LEASING OF A 2012 CATEPILLAR 835H LANDFILL COMPACTOR; AURHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZONG ALL OTHER ACTIONS NECESSARY TO CLOSING THE TRANSACTION.

A motion was made by Mayor Taylor to open this item, seconded by Councilor Butterworth. A motion made by Mayor Taylor to adopt Resolution No. 2018-04, seconded by Mayor Pro Tem Johnson.

**6-0 Resolution Adopted**

3. **Discussion and/or Action [Town Manager]:** Acceptance of proposal by Hugh A. Walker, Enterprises, Inc., to provide groundwater monitoring for the Town's landfill.

A motion was made by Mayor Taylor to open this item, seconded by Mayor Pro Tem Johnson. A motion to accept the proposal was made by Mayor Taylor, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

4. **Discussion and/or Action [Town Manager]:** First Reading of Ordinance No. 2018-06, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING TOWN CODE TITLE 2 "ADMINISTRATION AND PERSONNEL" CHAPTER 2.35 "OFFICERS" SECTIONS 2.35.015 "TOWN MANAGER" AND 2.35.080 "DEPARTMENT OF LIBRARY SERVICES" TO REQUIRE THAT, WITH THE EXCEPTION OF CERTAIN OFFICERS, DEPARTMENT HEADS OF THE TOWN ARE UNDER THE ULTIMATE AUTHORITY OF THE TOWN MANAGER.

A motion made by Mayor Taylor to read the ordinance, seconded by Mayor Pro Tem Johnson. The ordinance was read.

**No Other Action on this Item**

5. **Discussion and/or Action [Town Manager]:** Authorization to Declare as Surplus the Following Items from the Huachuca City Administration to be sold by auction or otherwise disposed of in accordance with Town Policy.

A. Lot of Cell Phones

A motion was made by Mayor Taylor to open the item, seconded by Mayor Pro Tem Johnson. Motion made by Mayor Taylor to declare items as surplus, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

6. **Discussion and/or Action [Town Manager]:** Authorization to Declare as Surplus the Following Items from the Huachuca City Administration to be sold by auction or otherwise disposed of in accordance with Town Policy.

A. Case 621 Loader VIN/JAK002018

B. Air Stream Camper

A motion was made by Mayor Taylor to open the item, seconded by Mayor Pro Tem Johnson. Motion made by Mayor Taylor to declare items as surplus, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

7. **Discussion and/or Action [Town Manager]:** Authorization to begin process of raising landfill fees, including publishing Notices of Intent and drafting an Ordinance.

A motion made by Mayor Taylor to open the item, seconded by Mayor Pro Tem Johnson. A motion was made by Mayor Taylor to direct staff to begin the process, seconded by Mayor Pro Tem Johnson.

**5-1 Motion Carried**

8. **Discussion and/or Action [Town Manager]:** Authorization to begin process of raising the fee to rent the Town's dump truck, including publishing Notices of Intent and drafting an Ordinance.

A motion was made by Mayor Taylor to open the item, seconded by Councilor Butterworth. A motion was made by Mayor Taylor to direct staff to begin the process, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

9. **Discussion and/or Action [Town Manager]:** Authorization to begin process of raising town facility fees, including publishing Notices of Intent and drafting an Ordinance.

Motion made by Mayor Taylor to open the item, seconded by Mayor Pro Tem Johnson. A motion was made to direct staff to begin the process, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

10. **Discussion and/or Action [Town Attorney]:** First Reading of Ordinance No. 2018-07, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE TITLE 9 "PUBLIC PEACE, MORALS AND WELFARE" CHAPTER 9.15 "WEAPONS" TO REPEAL TOWN REGULATION OF THE USE AND POSSESSION OF FIREARMS BY DELETING CURRENT CHAPTER 9.15 IN ITS ENTIRETY.

A motion was made by Mayor Taylor to read the ordinance, seconded by Mayor Pro Tem Johnson. The ordinance was read.

**No Other Action on this Item**

11. **Discussion and/or Action [Town Manager/Zoning Administrator]:** First Reading of Ordinance No. 2018-08, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING TOWN CODE TITLE 2 "ADMINISTRATION AND PERSONNEL" CHAPTER 2.45 "PLANNING AND ZONING COMMISSION" SECTIONS 2.45.020 "MEMBERSHIP" AND 2.45.050 "MEETINGS" TO REDUCE THE NUMBER OF APPOINTED MEMBERS OF THE PANNING AND ZONING COMMISSION FROM 7 TO 5.

Mayor Taylor made a motion to read this ordinance, seconded by Councilors Banks and Butterworth. The ordinance was read.

**No Other Action on this Item**

12. **Discussion and/or Action [Town Manager]:** Appointing Jennifer Fuller as Town Clerk.

Mayor Taylor motioned to postpone this item, seconded by Mayor Pro Tem Johnson. **5-1 Motion Carried**

**I. Payment Approval Report in the amount of \$73,432.03.**

Motion by Mayor Taylor to open item, seconded by Mayor Pro Tem Johnson. Motion made by Mayor Taylor to approve the report, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

**J. Call to the Public: [3 min. limit] ARS38-431-01 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.**

None.

**K. Discussion and/or Action [Town Clerk]: Items to be placed on the next agenda.**

None.

**L. Adjournment: 9:08 P.M.**

Motion was made by Mayor Taylor to adjourn, seconded by Councilor Butterworth.

**6-0 Motion Carried**

Approved by Mayor Taylor on February 22, 2018

  
\_\_\_\_\_  
Mayor, Kenneth Taylor

Attest:

  
\_\_\_\_\_  
Jennifer A. Fuller, Town Clerk

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 February 8, 2018. I further certify that the meeting was duly called, and a quorum was present.

  
\_\_\_\_\_  
Jennifer A. Fuller, Interim Town Clerk

