



# 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: [fuller@huachucacityaz.gov](mailto:fuller@huachucacityaz.gov)

## HUACHUCA CITY TOWN COUNCIL MINUTES REGULAR MEETING AT 7:00<sup>PM</sup> FEBRUARY 22, 2018

- A. The Meeting was called to Order at 7:02 p.m. and the Pledge of Allegiance was recited.
- B. Invocation was offered by Pastor Whitney of the Mustang Mountain Cowboy Church.
- C. Roll Call and Determination of Quorum.

**Present:**

Mayor: Ken Taylor  
Mayor Pro Tem: Donna Johnson

Council Members: Joy Banks  
Cynthia Butterworth  
Johann Wallace  
Walter Welsch

Town Manager: Matthew Williams  
Town Clerk: Jennifer Fuller

Town Attorney: Thomas Benavidez

**Absent:** Christy Hirshberg, excused.

- D. Approval of Minutes from the Town Council Meeting of February 8, 2018. Motion made by Mayor Taylor to open this item, seconded by Mayor Pro Tem Johnson. Motion made by Mayor Taylor to approve the Minutes from the Town Council Meeting of February 8, 2018 as presented, seconded by Mayor Pro Tem Johnson. Councilor Wallace abstained.

**5-0 Motion Carried**

- E. Call to the Public [3 minute limit] Agenda Items Only. (See below)  
None

**F. Reports by Council Members and Officers:**

1. **Councilor Welsch - Library/Senior Center** – Read Director Harvey’s report.
2. **Councilor Wallace – Finance** – Presentation of Expenses vs. Revenues for Water, Sewer and Garbage.
3. **Councilor Banks – Planning and Zoning** – Planning and Zoning held their CUP hearing on February 21, 2018.
4. **Councilor Butterworth – Public Safety** – Read reports from Chiefs Thies and Bidon.
5. **Councilor Hirshberg – Parks and Recreation** – Absent, no report.
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** – No report.
8. **Town Manager – Manager Williams** – Mr. Williams read his report to the Council.

**G. Unfinished Business:**

1. **Discussion and/or Action [Town Manager]:** Required Second Reading and Adoption of Ordinance 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. Motion made by Mayor Taylor to open this item, seconded by Mayor Pro Tem Johnson. Ordinance was read. Motion to adopt Ordinance 2018-05 was made by Mayor Taylor, seconded by Councilor Butterworth.

**6-0 Ordinance Adopted**

2. **Discussion and/or Action [Town Manager]:** Required Second Reading and Adoption of Ordinance No. 2018-06, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE 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. Motion made by Mayor Taylor to open this item, seconded by Councilor Wallace. Ordinance was read. Motion to adopt Ordinance 2018-06 was made by Mayor Taylor, seconded by Mayor Pro Tem Johnson and Councilor Wallace.

**6-0 Ordinance Adopted**

3. **Discussion and/or Action [Town Manager]:** Required Second Reading and Adoption of Ordinance 2018-07, AN ORDINANCE OF THE MAYOR AND TOWN 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. Motion made by Mayor Taylor to open this item, seconded by Mayor Pro Tem Johnson. Ordinance was read. Motion to adopt Ordinance 2018-07 was made by Mayor Taylor, seconded by Mayor Pro Tem Johnson.

**6-0 Ordinance Adopted**

4. **Discussion and/or Action [Town Manager]:** Required Second Reading and Adoption of Ordinance No. 2018-08, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE TITLE 2, 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 PLANNING AND ZONING COMMISSION FROM 7 TO 5. Motion made by Mayor Taylor to open this item, seconded by Councilors Banks and Butterworth. Ordinance was read. Motion to adopt Ordinance 2018-08 was made by Mayor Taylor, seconded by Mayor Pro Tem Johnson.

**6-0 Ordinance Adopted**

**H. New Business:**

1. **Discussion and/or Action [Town Manager]:** Approval of new membership agreement with the Arizona Municipal Risk Retention Pool for coverage of property, liability and workers' compensation claims.  
Motion to open item made by Mayor Taylor, seconded by Councilor Banks. Attorney Thomas Benavidez explained to the council that this was a formality required to remain in the Risk Retention Pool and recommended the council approve the agreement. Motion to approve the agreement made by Mayor Taylor, seconded by Mayor Pro Tem Johnson.

**6-0 Motion Carried**

2. **Discussion and/or Action [Councilor Welsch]:** Approval of the library's request to apply for the 2018 Library Services and Technology Act grant for a Digital Literacy Center.  
Motion to open item made by Councilor Welsch, seconded by Mayor Taylor. Director Harvey explained to the council what the grant is for. Motion to approve the library's request to apply made by Councilor Welsch, seconded by Mayor Taylor.

**6-0 Motion Carried**

3. **Discussion and/or Action [Councilor Wallace]:** To discuss Town Code and bill date information for town utilities and services (water, sewer and garbage).  
Motion to open item made by Councilor Wallace, seconded by Mayor Taylor. Motion to direct staff to review utility bills and due dates for water, sewer and garbage as referenced in the Town Code and adjust accordingly, made by Councilor Wallace, seconded by Mayor Taylor.

**6-0 Motion Carried**

4. **Discussion and/or Action [Town Manager]:** Authorization to pay final balance of \$5000.00 to County Ambulances, Garland Texas for purchase of the 2003 Spartan Gladiator Fire Truck.

Motion to open item made by Mayor Taylor, seconded by Mayor Pro Tem Johnson. Motion to direct staff to handle this issue, authorizing staff to spend up to \$5000, made by Mayor Taylor and seconded by Councilor Butterworth.

**6-0 Motion Carried**

5. **Discussion and/or Action [Town Manager]:** Authorization to declare as surplus property from the Huachuca City Police Department, the following item(s) to be sold by auction or otherwise disposed of in accordance with Town Policy.

a. 2001 Ford F-150 VIN/1FTRW08L61KB68266

Motion to open this item made by Mayor Taylor, seconded by Councilor Butterworth. Motion to declare item as surplus made by Mayor Taylor, seconded by Councilor Butterworth.

**6-0 Motion Carried**

6. **Discussion and/or Action [Town Attorney]:** Executive [closed] session, pursuant to A.R.S. 38-431.03(A)(3) & (4) for legal advice and settlement discussions concerning the personal injury lawsuit filed against the Town by Kathleen Kaufman. Following the executive session, the Council will return to public session to direct the Town Attorney and/or approve a settlement with the Plaintiff.

Motion made by Mayor Taylor to open this item, seconded by Councilor Banks.

Motion made by Mayor Taylor to enter into Executive Session, seconded by Councilor Wallace. Council entered into Executive Session at 8:12 p.m. Councilor Welsch stepped outside the chamber at 8:18 p.m. Motion made by Mayor Taylor to enter Open Session, seconded by Councilor Butterworth. Council entered open session at 8:20 p.m. Motion made by Mayor Taylor to direct the Town Attorney to proceed with the Risk Pool as directed, seconded by Mayor Pro Tem Johnson.

**5-0 Motion Carried**

Councilor Welsch reentered the chamber at 8:21 p.m.

- I. **Payment Approval Report in the amount of \$64,355.33.**

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.**  
Council's vote for the Order of Business and appointment of Jennifer Fuller as Town Clerk.

**L. Adjournment: 8:23 P.M.**

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

**6-0 Motion Carried**

Approved by Mayor Taylor on March 8, 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 22, 2018. I further certify that the meeting was duly called, and a quorum was present.

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

