



**MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
MEETING HELD
THURSDAY, JUNE 28, 2018 AT 7:00PM
HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD. HUACHUCA CITY,
AZ 85616**

MINUTES

A. Call to Order

Mayor Pro Tem

- Pledge of Allegiance
- Roll Call and Ascertain Quorum
- 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.

The meeting was called to order at 7:00PM. The Pledge of Allegiance was led by Mayor Pro Tem Johnson. Roll was called.

Members present:

Members absent:

- Mayor Pro Tem Johnson
- Councilor Banks
- Councilor Butterworth
- Councilor Hirshberg
- Councilor Wallace
- Councilor Welsch

Mayor Taylor, excused

Also present were Town Manager Matthew Williams, Town Clerk Jennifer Fuller, Town Attorney Thomas Benavidez, Finance Director Ha Vu, Library Director Suzanne Harvey, Police Chief James Thies, Fire Chief Peter Bidon and Building Official Dr. Jim Johnson.

The invocation was offered by Deacon Brad Libby of the Mustang Mountain Cowboy Church.

B. Call to the Public

Mayor Pro Tem

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.

Allyne McFalls addressed the Council regarding her vision for the property known as Camp Naco.

C. Consent Agenda

Mayor Pro Tem

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 Town Council Regular Meeting held on June 14, 2018.

C.2 Consider approval of the Payment Approval Report in the amount of \$54,412.24
Motion to approve the Consent Agenda as presented made by Mayor Pro Tem Johnson, seconded by Councilor Wallace.

6-0 Motion Carried

D. Unfinished Business before the Council

Mayor Pro Tem

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 the Council

Mayor Pro Tem

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 [Attorney Benavidez]: Executive Session Dusk 'til Dawn Cabaret Litigation. The Council will vote to go into executive [closed] session, pursuant to A.R.S. 38-431.03 (A) (3) and (4), to consult with its attorneys regarding the lawsuit filed in Cochise County Superior Court, Case No. CV2017-00126. Following the executive session, the Council may take action to direct the attorneys concerning the case.

Motion to enter into executive [closed] session made by Mayor Pro Tem Johnson, seconded by Councilor Hirshberg.

6-0 Motion Carried

Council entered into executive [closed] session at 7:08p.m. Council re-entered open session at 7:54p.m.

- E.2 Discussion Only [Councilor Wallace]: Monthly Financial Report by Haymore & Forsberg, C.P.A. *Motion to open item for discussion only made by Councilor Wallace, seconded by Mayor Pro Tem Johnson.*

No Action Required

- E.3 Discussion and/or Action [Manager Williams]: Resolution 2018-12, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, ADOPTING CHANGES TO THE TOWN'S PERSONNEL POLICIES CONCERNING HOLIDAY PAY. *Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.*

Motion to approve Resolution 2018-12 made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

6-0 Motion Carried

- E.4 Discussion and/or Action [Mayor Taylor]: Resolution 2018-13, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, APPROVING LANDFILLPROPERTY LEASE PAYMENT TO THE TOWN OF HUACHUCA CITY.

Item was postponed

- E.5 Discussion and/or Action [Director Harvey]: Resolution 2018-15, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, ADOPTING A POOL FEE USE SCHEDULE.

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

Motion to approve adoption of Resolution 2018-15 made by Mayor Pro Tem Johnson, seconded by Councilor Hirshberg.

6-0 Motion Carried

- E.6 Discussion and/or Action [Manager Williams]: Council Decision Request to direct staff to begin the process of pursuing funding through ADOT for the Huachuca City Transit Program and establish an appropriate bus fare schedule and set fees for advertising on the buses.

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

Council expressed concern for the one-way fare of \$1.25 inside the town limits of Huachuca City being excessive. After discussion, it was determined the Council will hold a work session regarding the fares for the bus, but staff could begin the process of setting fees for advertising. Jeffrey Ferro suggested the Town define "disabled" very carefully.

Motion to direct staff to begin the process to set fees for advertising on the bus, and schedule a work session to discuss bus fares was made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

6-0 Motion Carried

- E.7 Discussion and/or Action [Clerk Saenz]: First Reading of Ordinance 2018-15, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL," CHAPTER 2.40 "MAGISTRATE," SECTION 2.40.050 "COURT FEES,' TO REMOVE THE FEE SCHEDULE FROM THE TOWN CODE AND ALLOW THE TOWN COUNCIL TO ESTABLISH FEES FOR THE COURT BY ADOPTING RESOLUTIONS.

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

First Reading only.

No Action Required

- E.8 Discussion and/or Action [Clerk Saenz]: Council Decision Request to direct staff to begin the process of increasing its magistrate court fees and establishing a Court Diversion Program with associated fees.

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Welsch.

Motion to direct staff to begin the 60 day process to increase court fees and create a diversion program fee was made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth

6-0 Motion Carried

- E.9 Discussion and/or Action [Manager Williams]: First Reading or Ordinance 2018-17, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL," CHAPTER 2.20 "COUNCIL PROCEDURE," SECTION 2.20.010 "REGULAR MEETINGS," TO ALLOW THE MAYOR AND COUNCIL TO CANCEL OR RESCHEDULE REGULAR MEETINGS DUE TO HOLIDAYS AND OTHER SPECIAL EVENTS.

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

First Reading only.

No Action Required

- E.10 Discussion and/or Action [Councilor Wallace]: Council Decision Request to direct staff to begin the process of relinquishing ownership of the property known as "Camp Naco".

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

Motion to direct staff to begin the process of relinquishing ownership of Camp Naco to an interested party, which could include a direct transfer to the City of Bisbee, provided the party

guarantee the property will be retained as a historical site was made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

6-0 Motion Carried

- E.11 Discussion and/or Action [Manager Williams]: Council Decision Request authorizing Judge Lund's appointment of Judge Leslie Sansone as a pro tem magistrate.
*Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.***

*Judge Lund's contract permits her to appoint a pro tem in her absence, with Council's approval.
Motion to approve Judge Lund's appointment of Judge Sansone as a pro tem magistrate was made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.*

6-0 Motion Carried

- E.12 Discussion and/or Action [Manager Williams]: Council Decision Request to authorize staff to begin the process of pursuing an increase in sales tax for Huachuca City.
*Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.***

Motion to direct staff to begin the process to increase Sales Tax Fees and Revenues made by Mayor Pro Tem Johnson, seconded by Councilor Hirshberg.

6-0 Motion Carried

- E.13 Discussion and/or Action [Manager Williams]: Council Decision Request to authorize staff to begin the process of pursuing a Use Tax for Huachuca City.
*Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Welsch.***

Motion to direct staff to begin the sixty day process to set Use tax Fees and Revenue made by Mayor Pro Tem Johnson, seconded by Councilor Wallace.

6-0 Motion Carried

- E.14 Discussion and/or Action [Dr. Johnson]: Adoption of Resolution No. 2018-16 approving an Intergovernmental Agreement with Cochise County for Plan Review and Building Inspection Services.
*Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilors Banks and Butterworth.***

Motion to approve adoption of Resolution 2018-08 made by Mayor Pro Tem Johnson, seconded by Councilor Butterworth.

6-0 Motion Carried

- E.15 Discussion and/or Action [Manager Williams]: Authorize staff to declare as surplus the following item(s) to be sold by auction or otherwise disposed of in accordance with Town Policy:**

Landfill

- a. Dump Truck Bed
- b. Trailer Chassis AZ 308066
- c. Ford F250 Crew Cab

Motion to open item for discussion and/or action made by Mayor Pro Tem Johnson, seconded by Councilor Hirshberg.

Motion to declare items as surplus made by Mayor Pro Tem Johnson, seconded by Councilors Wallace and Butterworth.

6-0 Motion Carried

F. Reports by Commission Liaisons and Officers

- F.1 Library
- F.2 Planning & Zoning
- F.3 Finance
- F.4 Public Safety
- F.5 Parks & Recreation
- F.6 Public Works & Landfill
- F.7 Mayor's Report
- F.8 Town Manager's Report
- F.9 Town Clerk's Report

Mayor Pro Tem

- Councilor Welsch
- Councilor Banks
- Councilor Wallace
- Councilor Butterworth
- Councilor Hirshberg
- Mayor Pro Tem Johnson
- Mayor Taylor
- Manager Williams
- Clerk Fuller

G. Items to be placed on future agendas.

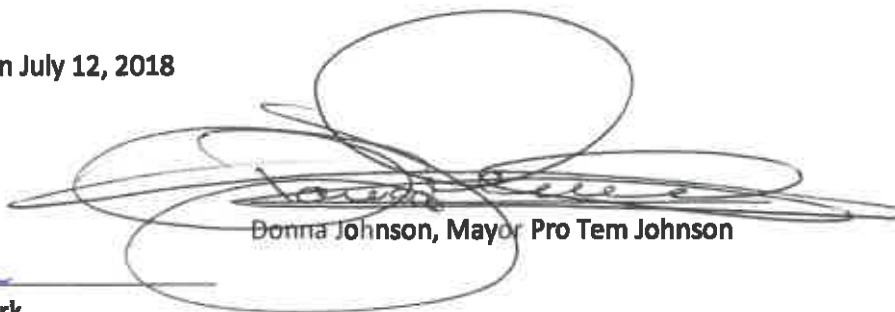
H. Adjournment.

Mayor Pro Tem Johnson Mayor Pro Tem Johnson motioned to adjourn the meeting, seconded by Councilor Wallace.

Meeting was adjourned at 9:42pm.

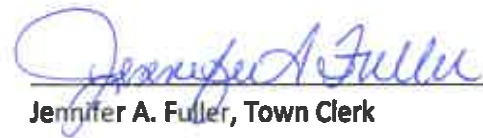
Approved by Mayor Pro Tem Johnson on July 12, 2018

Attest: 
Jennifer A. Fuller, Town Clerk


Donna Johnson, Mayor Pro Tem Johnson



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 28, 2018. I further certify that the meeting was duly called and a quorum was present.


Jennifer A. Fuller, Town Clerk

