



PUBLIC NOTICE
HUACHUCA CITY TOWN COUNCIL
MEETS
THURSDAY, SEPTEMBER 13, 2018, AT 7:00PM
HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD. HUACHUCA CITY,
AZ 85616

AGENDA

A. Call to Order

Mayor

- Pledge of Allegiance
- Roll Call and Ascertain Quorum

Roll Call.

Present: Ken Taylor, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Johann Wallace, Walt Welsch, Matthew Williams (Not voting), Jennifer Fuller (Not voting), Thomas Benavidez - Attorney (Not voting).

- Invocation

Offered by Elder Thomas

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.

Karen Lamberton of the SVMPO introduced herself to the Council.

Dave Perry addressed the Council regarding his concerns about the trash ordinances and the possible privatization of trash pick-up in town.

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 the 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 Public Hearing held on August 16, 2018.
- C.2 Consider approval of the minutes of the Work Session held on August 16, 2018.
- C.3 Consider approval of the minutes of the Regular Council Meeting held on August 16, 2018.
- C.4 Consider approval of the Payment Approval Report in the amount of \$ 85,915.15
- C.5 Consider approval of a Special Event Liquor License for the Nomaden Motorcycle Club, located at 137 N. Huachuca Blvd., Huachuca City AZ 85616, Series #15, Nomaden MC Christmas Toy Drive on October 7, 2018

Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Donna Johnson.**

Motion: Consent Agenda as presented, **Action:** Approve, **Moved by Ken Taylor, Seconded by Donna Johnson.**

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 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.1 Discussion and/or Action [Manager Williams]: Consider Adoption of Resolution 2018-28, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH SIERRA VISTA FOR COOPERATION IN OPERATING AN INTERCITY BUS ROUTE. Discussion

and action will include establishing a dedicated bus route, and establishment of designated bus stops in Huachuca City, Whetstone and Sierra Vista.

Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Donna Johnson.**

Motion: Postpone, **Moved by Ken Taylor, Seconded by Joy Banks.**

Motion passed unanimously.

- E.2 Discussion and/or Action [Manager Williams]: Consider Adoption of Resolution 2018-24, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, ESTABLISHING A BUS FARE SCHEDULE.

Motion: Postpone, **Moved by Ken Taylor, Seconded by Cynthia Butterworth**

Motion passed unanimously.

- E.3 Discussion and/or Action [Manager Williams]: Discussion and action to approve a quote from CenturyLink to move the Town's two 911 Dispatch seats to other agencies. Discussion and action might include a proposed intergovernmental dispatch services agreement with Cochise County and the City of Sierra Vista for dispatch services.

Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Donna Johnson.**

Motion: Approve to quote to move the two dispatch seats, **Moved by Ken Taylor, Seconded by Donna Johnson.**

Motion passed unanimously.

- E.4 Discussion and/or Action [Chief Bidon]: Discussion and review of the contract performance of Whetstone Fire District and Fire Chief, Peter Bidon, under the terms of the intergovernmental agreement between the Town and the Fire District.

Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Joy Banks.**

Chief Peter Bidon and Whetstone Fire District Chairperson Michelle Bell addressed the Council.

Johann Wallace commented, praising Chief Bidon and The Whetstone Fire Department. Walt Welsch commented the only complaint he has heard is regarding the ambulance service, that Whetstone Fire should service the area rather than Fry Fire.

No Council Vote or Action Required.

- E.5 Discussion and/or Action [Director Harvey]: Consider approval of a quarterly payment to a consultant (K12 Hands) to develop curriculum for a Digital Literacy Center. The payment would come from a Library Service and Technology Act grant the library was awarded.

Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Cynthia Butterworth.**

Motion: Approval of quarterly payments to K12 Hands, **Seconded by Christy Hirshberg.**

Motion passed unanimously.

- E.6 Discussion and/or Action [Manager Williams]: Consider adoption of RESOLUTION 2018-25, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, CANVASSING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 28, 2018.

Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Joy Banks.**

7:59pm Walt Welsch left the Council Chambers.

Motion: Adopt Resolution 2018-25, Moved by Ken Taylor, Seconded by Joy Banks.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Ken Taylor, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Johann Wallace.

Absent: Walt Welsch.

8:02 Walt Welsch returned to the Council Chambers.

- E.7 Discussion and/or Action [Councillor Banks]: Appointment of Council member Joy Banks to the Upper San Pedro Partnership Technical Advisory Committee (TAC).
Motion: Open for Discussion and/or Action, Moved by Joy Banks, Seconded by Ken Taylor.
Motion: Appoint Ms. Banks to the Upper San Pedro TAC, Moved by Ken Taylor, Seconded by Donna Johnson.
Motion passed unanimously.
- E.8 Discussion and/or Action [Manager Williams]: Consider Adoption of Resolution 2018-23, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, ESTABLISHING A MUNICIPAL COURT FEE SCHEDULE.
Motion: Open for Discussion and/or Action, Moved by Ken Taylor, Seconded by Donna Johnson.
Motion: adoption of Resolution 2018-23, Action: Approve, Moved by Ken Taylor, Seconded by Donna Johnson.
Vote: Motion passed (summary: Yes = 6, No = 1, Abstain = 0).
Yes: Ken Taylor, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Johann Wallace.
No: Walt Welsch.
- E.9 Discussion and/or Action [Manager Williams]: Consider approval of the purchase of a Roll-Off Truck and/or request the blanket approval of the Council for the purchase of a similar vehicle.
Motion: Open for Discussion and/or Action, Moved by Ken Taylor, Seconded by Joy Banks.
Motion: purchase of Roll-Off Truck in the amount of \$30,000., Action: Approve, Moved by Ken Taylor, Seconded by Donna Johnson.
Motion passed unanimously.
- E.10 Discussion and/or Action [Manager Williams]: Consider Adoption of Resolution 2018-29, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH COCHISE COUNTY FOR OPERATION OF THE HUACHUCA CITY ANIMAL SHELTER. Discussion and action will also include the terms of the current agreement and staff coverage For the Animal Shelter.
Motion: Open for Discussion and/or Action, Moved by Ken Taylor, Seconded by Donna Johnson.
Walt Welsch recommended opting out of the agreement with Cochise County. Johann Wallace requested actual numbers of County animals brought in to the shelter for the next meeting.
Motion: Postpone, Moved by Ken Taylor, Seconded by Cynthia Butterworth.
Motion passed unanimously.

- E.11 Discussion and/or Action [Mayor Taylor]: Second Reading and Adoption of Ordinance 2018-18, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, RELATING TO THE PRIVILEGE TAX; AMENDING THE TOWN TAX CODE BY CHANGING THE RATES OF TAXATION; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY AND DESIGNATING AN EFFECTIVE DATE.
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Johann Wallace.**
Motion: adoption of Ordinance 2018-18, Action: Approve, Moved by Ken Taylor, Seconded by Donna Johnson.
Motion passed unanimously.
- E.12 Discussion and/or Action [Councilor Welsch]: Second Reading and Adoption of Ordinance 2018-19, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE CHAPTER 2.20 "COUNCIL PROCEDURE" SECTION 2.20.060 "ORDER OF BUSINESS" TO REMOVE THE ORDER OF BUSINESS FROM THE TOWN CODE AND ALLOW THE COUNCIL TO SET THE ORDER OF BUSINESS AT MEETINGS OF THE TOWN COUNCIL BY RESOLUTION OF THE COUNCIL.
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Joy Banks.**
Motion: adoption of Ordinance 2018-19, Action: Approve, Moved by Walt Welsch, Seconded by Ken Taylor.
Motion passed unanimously.
- E.13 Discussion and/or Action [Manager Williams]: Second Reading and Adoption of Ordinance 2018-20, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 8 "HEALTH AND SAFETY," CHAPTER 8.10 "PREPARATION OF REFUSE FOR COLLECTION," SECTIONS 8.10.010 "PREPARATION OF REFUSE," 8.10.020 "LOCATION FOR PICK-UP," 8.10.050 "ALTERNATIVE DISPOSAL OF REFUSE" AND 8.10.090 "DUMPING REFUSE" TO IMPROVE THE HEALTH AND WELFARE OF THE TOWN, IMPROVE THE TOWN'S TRASH COLLECTION EFFORTS AND TO ALLOW FOR THE POSSIBILITY OF ENGAGING A PRIVATE ENTERPRISE TO PROVIDE TRASH COLLECTION SERVICE.
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Donna Johnson.**
Motion: adoption of Ordinance 2018-20, Action: Approve, Moved by Ken Taylor, Seconded by Donna Johnson.
Motion passed unanimously.
- E.14 Discussion and/or Action [Manager Williams]: Second Reading and Adoption of Ordinance 2018-21, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 8 "HEALTH AND SAFETY," CHAPTER 8.10 "PREPARATION OF REFUSE FOR COLLECTION," SECTION 8.10.050 "ALTERNATIVE DISPOSAL OF REFUSE" TO IMPROVE THE HEALTH AND WELFARE OF THE TOWN BY REQUIRING RESIDENTS TO USE THE TRASH COLLECTION SERVICES PROVIDED BY OR CONTRACTED BY THE TOWN.
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Johann Wallace.**

It was decided there needed to be an amendment to the Ordinance. Under section B, the phrase "Town Code subsection 8.10.010(H), does supersede this subsection regarding recyclables and natural compost."

Motion: adoption of Ordinance 2018-21, with the included amendment, **Action:** Approve, **Moved by Ken Taylor, Seconded by Johann Wallace.**

Motion passed unanimously.

- E.15 Discussion and/or Action [Councilor Wallace]: Second Reading and Adoption of Ordinance 2018-22, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE CHAPTER 2.85 "TOWN FACILITY USE POLICY," SECTION 2.85.050 "CHARGES" AND CHAPTER 10.30 "PARKS, RECREATION AND TRANSPORTATION FACILITIES," SECTION 10.30.030 "USE OF COMMUNITY CENTER," TO REMOVE THE OPTION FOR CERTAIN PRIVATE ORGANIZATIONS TO USE TOWN FACILITIES FREE OF CHARGE.
This item was postponed.
- E.16 Discussion and/or Action [Chief Thies]: First Readings of Ordinance 2018-23, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, ADOPTING AMENDMENTS TO THE TOWN CODE, TITLE 6 "ANIMALS," WHICH AMENDMENTS PROVIDE FOR SPECIFIC AND VARYING PENALTIES FOR VIOLATIONS OF THE TOWN'S ANIMAL CODE, and Ordinance 2018-24, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 1, CHAPTER 1.05 "GENERAL PROVISIONS", SECTION 1.05.110 "PENALTY," TO CLARIFY THAT NOT ALL VIOLATIONS OF THE TOWN CODE ARE MISDEMEANORS AND THAT SPECIFIC PENALTY PROVISIONS MIGHT BE PROVIDED THROUGHOUT THE CODE.
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Cynthia Butterworth.**
No Council Vote or Action Required.
- E.17 Discussion and/or Action [Manager Williams]: Consider adoption of the Council Code of Ethics.
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Donna Johnson.**
Mr. Welsch would like to see a New Councilmember Guide and believes that item should come before the Code of Ethics.
Motion: Postpone, **Moved by Ken Taylor, Seconded by Cynthia Butterworth.**
Vote: Motion passed (summary: Yes = 6, No = 1, Abstain = 0).
Yes: Ken Taylor, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirschberg, Johann Wallace.
No: Walt Welsch.
- E.18 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:
Tiger mowers
Motion: Open for Discussion and/or Action, **Moved by Ken Taylor, Seconded by Donna Johnson.**

Motion: sale of surplus items, **Action:** Approve, **Moved by** Ken Taylor, **Seconded by** Donna Johnson.

Motion passed unanimously.

E.19 Discussion and/or Action [Manager Williams]: Council Decision Request for approval of the purchase of groundwater pumps from QED at a cost of \$23,533.55
This item was postponed.

E.20 Discussion and/or Action [Manager Williams]: Acceptance or rejection of bid proposals for Internet Technology "IT" Managed Services for the Town. Discussion and action might include awarding of a contract.

Mr. Wallace recused himself from the discussion and left the Council Chambers at 8:53pm.

Motion: Open for Discussion and/or Action, **Moved by** Ken Taylor, **Seconded by** Joy Banks. Both bids were presented and discussed.

Mr. Welsch left the Council Chamber at 8:85pm, returning at 8:59pm.

Motion: acceptance of the IT Managed Services bid from Sentinel, **Action:** Approve, **Moved by** Ken Taylor, **Seconded by** Joy Banks.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Ken Taylor, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Wait Welsch.

Excused: Johann Wallace.

Mr. Jeffrey Ferro addressed the Council regarding the next item.

E.21 Discussion and/or Action [Mayor Taylor]: Executive [closed] session, pursuant to A.R.S. 38-431.03(A)(1), for discussion and six month evaluation of the Town Clerk, Jennifer Fuller's, job performance. Any formal action on this item will be taken in open session.

Motion: Enter Closed Session, **Moved by** Ken Taylor, **Seconded by** Donna Johnson.

Motion passed unanimously.

Council entered into closed session at 9:13pm.

Motion: Return to open session, **Moved by** Ken Taylor, **Seconded by** Joy Banks.

Motion passed unanimously.

Council returned to open session at 9:36pm.

F. Town Manager's Report

G. Items to be placed on future agendas.

H. Adjournment.

Motion: Adjourn, **Moved by** Ken Taylor, **Seconded by** Donna Johnson.

Motion passed unanimously.

Meeting was adjourned at 9:41pm.

Approved by Mayor Taylor on September 27, 2018


Kenneth Taylor, Mayor

Attest: 
Jennifer A. Fuller, Town Clerk



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 September 13, 2018. I further certify that the meeting was duly called and a quorum was present.


Jennifer A. Fuller, Town Clerk