



**MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
MEETING HELD
THURSDAY, OCTOBER 25, 2018 AT 7:00PM
HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD. HUACHUCA CITY,
AZ 85616**

AGENDA

- A. **Call to Order** The meeting was called to order at 7:00pm
- **Pledge of Allegiance**
Mayor Taylor led the Pledge of Allegiance.
 - **Roll Call and Ascertain Quorum**
Present: Ken Taylor, Donna Johnson, Joy Banks, Cynthia Butterworth, Johann Wallace, Walt Welsch, Matthew Williams (Not voting), Jennifer Fuller (Not voting), Thomas Benavidez, Town Attorney (Not voting).
Absent: Christy Hirshberg.
 - **Invocation**
The invocation was offered by Elder Tom Berger of the First Messianic Congregation.

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**

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.

There were no public comments offered at this time.

C. Consent Agenda

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 Work Session held on October 11, 2018.
- C.2 Consider approval of the minutes of the Regular Council Meeting held on October 11, 2018.
- C.3 Consider approval of the Payment Approval Report in the amount of \$ 38,421.54.

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

Walt Welsch inquired as to whether the Town receives a rebate on credit card purchases. The Town does not, Mr. Welsch feels that the Town should receive rebates.

Motion: Approve the Consent Agenda, **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.

- D.1 Discussion and/or Action [Manager Williams]: Second reading and Adoption of Ordinance 2018-25, amending the Town Code, Chapter 8.05 "Garbage and Trash Collection," section 8.05.040 "Fees for removal of garbage and rubbish," to remove the fee amounts from the Town Code and to allow the Town Council to establish and amend a fee schedule by resolution.

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

Motion: Approve and adopt, **Moved by Ken Taylor, Seconded by Joy Banks.**
Motion passed unanimously.

- D.2 Discussion Only [Councilor Welsch]: Discussion regarding the Council Code of Ethics, adopted by Council at their meeting on September 27, 2018.

Motion: Open for Discussion and/or Action, **Moved by Walt Welsch, Seconded by Johann Wallace.**

Mr. Welsch took exception to several items. Mr. Welsch advised the Council they had been told the Council Code of Ethics came from the Arizona League of Cities and Towns. Mr. Welsch advised the Council that the document did not come from the League. The League recommended looking at Chapter 1 of the Newly Elected Officials handbook. Mr. Welsch felt that, after being asked to look over the document and come to the Town Manager with suggestions, he was belittled by the Town Manager for doing so and extending the item. Mr. Williams clarified with Mr. Welsch that Mr. Welsch had a problem with the procedure and not the document. Joy Banks offered that she felt it was well done and the document has proven to be helpful. Mr. Welsch reiterated that he took offense.

No Council Action or Vote Required

- D.3 Discussion Only [Councilor Welsch]: Discussion regarding the Trash Service Request for Proposals process/procedure.

Motion: Open for Discussion and/or Action, **Moved by Walt Welsch, Seconded by Johann Wallace.**

Mr. Welsch advised this was another procedural problem. He wasn't done and had more questions. Mr. Welsch felt that the situation as Mr. Williams presented it wasn't correct. Mr. Welsch felt that a survey should have been completed.

Ms. Johnson reminded the Council of the difficulty the Town has had in the past regarding surveys and the residents' reluctance to complete them. Ms. Johnson advised she thought the way the situation was presented was fine.

No Council Action or Vote Required

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]: Monthly Budget Update Report presentation by Spencer Forsberg of Haymore and Forsberg, C.P.A.

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

No Council Action or Vote Required

- E.2 Discussion and/or Action [Mayor Taylor]: First reading of Ordinance 2018-26, amending the Town Code, Chapter 2.85 "Town Facility Use Policy," section 2.85.060 "Rules and regulations," to: remove the prohibition of intoxicating liquor and allowing beer and wine consumption, provided the beer and wine are not in glass bottles; to remove the prohibition on smoking, under certain conditions; to prohibit camping and fires in the park; and to provide penalties for violations.

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

Mayor Taylor addressed the Council in favor of the item. Mayor Taylor advised we are only removing the restriction we placed on ourselves regarding vendors and events. Mayor Taylor advised that any vendors wanting to sell alcohol would have to be permitted through the State.

Ms. Johnson also spoke in favor of the item, mentioning that the Nomadens do this every year and there is never a problem. Ms. Johnson said she had done research and a lot of communities do this. She believes the Council should consider it.

Mr. Wallace requested to add some items to the ordinance. Mr. Wallace requested it be clear in the ordinance that no alcohol would be sold at a Town sponsored event.

Mr. Welsch advised he has no problem with the alcohol, but believes Boy Scouts should be allowed to have campfires with the Town's permission.

Mr. Williams addressed the smoking issue. It is currently against Town Code to smoke in the parks but it isn't enforced.

Ms. Fuller suggested adding a prohibition on digging on Town property.

Ms. Butterworth spoke against the item, saying that the Nomadens hold their event on their property. Ms. Butterworth does not feel we have the police force to properly handle alcohol in the park.

Mayor Taylor advised that part of the permit process addresses security.

Ms. Banks feels that before any discussion regarding burning, pits, open flame or otherwise, Public Works should have an opportunity to address the issue.

Stuart Jantzen addressed the Council and spoke against this item.

No Council Action or Vote Required

- E.3 Discussion and/or Action [Manager Williams]: First reading of Ordinance 2018-27, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING TOWN CODE CHAPTER 9.05 "GENERAL OFFENSES" SECTION 9.05.150 "PLASTIC BAGS" TO REMOVE THE TOWN'S REGULATION OF PLASTIC BAGS FROM THE TOWN CODE.

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

No Council Action or Vote Required

- E.4 Discussion and/or Action [Mayor Taylor]: Council direction of staff to explore the possibility of allowing the possession of domesticated fowl, e.g., chickens, in Town limits.

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

Storm Anderson and Christine Anderson spoke in favor of this item.

Mayor Taylor advised this wasn't exactly what he wanted on the agenda. He would like to see the entire Animal Control Code addressed regarding all manners of exotic animals.

Ms. Johnson advised she would like to see rabbits allowed in Town Code.

Ms. Butterworth stated she would hate to have a boa loose in her yard. She also expressed concern that there are already people in town that do not clean up after the animals they have. Chickens bring hawks, flies and other predators.

Mr. Welsch advised that in the previous places he has lived, the Councils have agreed to chickens and rabbits, then got rid of the chickens and kept the rabbits.

Motion: direct staff to explore the possibility of changing the animal ordinance to possibly include other prohibited critters, such as fowl, **Moved by Ken Taylor, Seconded by Joy Banks.**

Motion passed unanimously.

- E.5 Discussion and/or Action [Councilor Welsch]: Discussion regarding the roof leak at the Huachuca City Senior Center.

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

Mr. Welsch advised he had brought the problem of the leak up in May, it was looked at in June. It is now October and nothing has been done. He feels that certain items need to be addressed quickly.

Ms. Johnson asked Mr. Williams if we had requested bids yet. Mr. Williams advised that we had. The roof is under warranty with the company that installed it, however, that company has since closed its business and therefore the warranty is voided. Mr. Williams addressed Mr. Welsch and advised him that he felt the statement was inaccurate. Mr. Welsch was of the opinion that the roof wasn't fixed and so nothing had been done. Mr. Welsch was sorry that Mr. Williams took the statement the way he did.

Mr. Wallace asked if the Town's insurance would cover the leak. Dr. Johnson advised that once the company goes out of business, the warranty ceases to exist. He also advised the Council that this is not only a roof problem.

No Council Action or Vote Required

- E.6 Discussion and/or Action [Manager Williams]: Resolution No. 2018-31 approving an intergovernmental agreement with YCSS (Yavapai County School Superintendent) for services related to procurement of affordable telecommunications and/or Internet access, and related equipment.

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

8:15pm Mr. Welsch left the Council Chamber, returning at 8:17pm

Motion: Approve the resolution with the amended dates on the letter and resolution, **Moved by Ken Taylor, Seconded by Joy Banks.**

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

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

Absent: Walt Welsch.

- E.7 Discussion and/or Action [Manager Williams]: Council direction to staff to explore the closure of the Huachuca City Pool.

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

Storm Anderson and Todd Anderson spoke against the closure of the pool. Stu Jantzen spoke in favor of closure.

Ms. Banks reported she attended the Healthy Communities meeting. They are for all things healthy, not just food and they come with money. Ms. Banks intends on approaching the group to see if there are funds available to help with the pool. It is an asset that the Town can't afford. We need a drop dead date to decide what to do with the pool.

Mayor Taylor advised he thinks the Council needs to give direction to staff to look for answers.

Ms. Butterworth advised she would like to see the pool stay open.

Mr. Williams advised that 40% of the pool budget is personnel services.

Ms. Johnson addressed the audience and advised that she had tried to close the pool last year and the kids from the school came and spoke and they broke her. But she wouldn't be broken this year. It is just costing too much.

Motion: to direct staff to continue to look for ways to reduce expenses; **Moved by Ken Taylor, Seconded by Johann Wallace.**

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Ken Taylor, Joy Banks, Cynthia Butterworth, Johann Wallace, Walt Welsch.

No: Donna Johnson.

- E.8 Discussion and/or Action [Manager Williams]: Appointment of Council member Joy Banks as the Town Representative to the Sentinel Landscape Partnership.

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

Ms. Banks advised the Council this is a great group that she would very much like to join.

Motion: appointment of Ms. Joy Banks as the Town representative to the Sentinel Landscape Partnership, **Action:** Approve, **Moved by** Ken Taylor, **Seconded by** Johann Wallace.
Motion passed unanimously.

F. Town Manager Report

Mr. Williams reported he had met with Waste Management that day. One of the bus drivers has found another job and so effective October 29, the 3:30 route would be eliminated. The Town has sold \$12,000 worth of surplus property since September. The Church of the Latter-Day Saints will be holding their Service Day on Saturday and this year, their project is to paint the Community Center. Mr. Williams has a conference call with the Utility Rate Study people on Friday, October 26 and there will be a Work Session at 6:00pm on December 6 to discuss the utility rates. The Town is currently negotiating the removal of the infrastructure left from the Cox Cable utility. SSVEC is advising they are owed money for the space on the poles.

G. Reports of Current Events by Council Members

Ms. Butterworth reported that Animal Shelter was painted on September 26 and she thanked several members of the Council, staff and audience. A couple weeks ago, the Animal Shelter staff took some animals to Broxton's Coffee for their adoption event. Four dogs were adopted and Broxton's has invited the Huachuca City Shelter to attend once a month.

H. Adjournment.

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

Meeting was adjourned at 8:49pm.

Approved by Mayor Wallace on November 8, 2018



Johann Wallace, Mayor

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 Huachuca City Town Council held on October 25, 2018. I further certify that the meeting was duly called and a quorum was present.



Jennifer A. Fuller, Town Clerk

