



PUBLIC NOTICE
HUACHUCA CITY TOWN COUNCIL
MEETS FOR A SPECIAL MEETING & POSSIBLE EXECUTIVE SESSION
TUESDAY, FEBRUARY 5, 2019 AT 6:00PM
HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD. HUACHUCA CITY,
AZ 85616

AGENDA

A. Call to Order

Mayor

The meeting was called to order at 6:02pm by Mayor Wallace. The Pledge of Allegiance was led by Mayor Wallace.

Roll Call.

Present: Johann Wallace, Donna Johnson, Joy Banks, Cynthia Butterworth.

Absent: Christy Hirshberg.

Present but abstaining from proceedings: Walt Welsch

Also Present: Town Manager Matthew Williams, Town Clerk Jennifer Fuller, Town Attorney Thomas Benavidez and Library Director Suzanne Harvey.

B. Business before the Council

Mayor

B.1 Discussion and/or Action [Manager Williams] – The Council might vote to go into executive [closed] session, pursuant to A.R.S. 38-431.03(A)(1), to discuss employment matters regarding the Library Director, Suzanne D. Harvey. Any action on this item would be taken in public [open] session

Motion: Open item, Action: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Donna Johnson.

Mayor Wallace asked Mr. Welsch if he wished to address the Council. Mr. Welsch advised the Council he had two items. The first was that he felt this meeting was in violation of Open Meeting Law because the complaint against him was not mentioned in the language of the agenda. Attorney Thomas Benavidez advised the Council that, because this was actually an HR issue, the Town had a responsibility to protect the employee and, because the complaint is an employment issue, the language on the agenda was fine.

Mr. Welsch's second item was that he considered this to be an EEOC complaint and, as such, he felt it was improper to introduce the complaint before an investigation had been conducted. Mr. Welsch stated he refused to participate in the meeting and left the Council chamber.

Mr. Benavidez informed the Council that the process Ms. Harvey had used was correct; she brought the complaint first to the attention of her immediate supervisor and the Council. This is not an EEOC complaint because she did not complain to the EEOC.

Mayor Wallace asked Ms. Harvey if she would like to address the Council. Ms. Harvey clarified that the reason she brought the complaint to the attention of her supervisor and Council was because she believed that was the proper thing to do; she had not had an intention of making a complaint to the EEOC.

Motion: direction to staff to engage the City of Sierra Vista to conduct a third-party investigation to address the claims made by Ms. Suzanne Harvey against Councilor Welsch and for Attorney Benavidez to send notice to Councilor Welsch to steer clear of the library and its employees until the investigation is completed, **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Donna Johnson. Motion passed unanimously.

C. **Adjournment**


Motion: Adjourn meeting, **Action:** Adjourn, **Moved by** Johann Wallace, **Seconded by** Donna Johnson. Motion passed unanimously.

Meeting adjourned at 6:16pm.

Approved by Mayor Wallace on February 14, 2019



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 Special Meeting for the Huachuca City Town Council held on February 5, 2019. I further certify that the meeting was duly called and a quorum was present.



Jennifer A. Fuller, Town Clerk