



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
February 27, 2020 AT 7:00 PM
HUACHUCA CITY TOWN HALL
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

AGENDA

A. Call to Order – Mayor

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum
- c. 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: 7:00 pm
The Pledge of Allegiance was led by: Mayor Wallace
The Invocation was offered by: Elder Thomas

Roll Call

Individual	Position	Present	Absent
Johann Wallace	Mayor	X	
Donna Johnson	Mayor Pro-Tem		X
Debra Trate	Councilor	X	
Christy Hirshberg	Councilor	X	
Joy Banks	Councilor	X	
Cynthia Butterworth	Councilor	X	
Jean Post	Councilor	X	

Eric Duthie	Interm Town Manager	X	
Janine Rustine	Town Clerk	X	
Thomas Benavidez	Town Attorney	X	

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.

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 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 Council meeting held on February 13, 2020.
- C.2** Consider approval of the minutes of the Council work session held on February 13, 2020.
- C.3** Consider approval of the executive minutes of the Council meeting held on February 13, 2020.
- C.4** Consider approval of the minutes of the Council meeting held on January 23, 2020.
- C.5** Consider approval of the minutes of the Council work session held on January 23, 2020.
- C.6** Consider approval of the executive minutes of the Council meeting held on January 23, 2020.
- C.7** Consider approval of the minutes of the Council work session held on January 30, 2020
- C.8** Consider approval of the Payment Approval Report in the amount of \$57,746.80

Motion C: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councilor Butterworth	

Councilor Hirshberg: The adjournment for the February 13th meeting is missing.

Motion C: fix February 13 meeting time of adjournment		Action: Approved
Moved by: Mayor Wallace	Seconded by: Councilor Butterworth	

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 [Mayor Wallace]: The Council will terminate the appointments of the remaining Planning and Zoning Commission members, and will swear-in Dr. Jim Johnson as the Town's Hearing Officer, as contemplated by A.R.S. 9-461(4), et seq, to perform the duties of the planning and zoning commission as provided in Town Ordinance 2020-01.

Motion D.1: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councilor Banks	

Call to the Public: Jim Goad, 2445 Mendocino Ct, Sierra Vista AZ: I'm really surprised you are doing away with the planning and zoning. What surprised me even more is that Dr. Johnson is taking over for the responsibilities for planning and zoning. I have read the contract between the Town of Huachuca City and Dr. Johnson. I read the contract that the Town has with Whetstone Fire Department. And Dr. Johnson's contract paragraph 86, it states Contractor, Dr. Johnson, to inspect existent properties to enforce adopted town codes and other construction projects as directed by the Town building official. A written report to be prepared and submitted to the Town building official for enforcement. So Dr. Johnson, the contractor, is to submit a written report to Dr. Johnson the building official for enforcement. We pay Dr. Johnson a base fee of \$49,200 a year for his services plus \$100 for every time he goes to a meeting or to court. I've seen many ordinances which are not being enforced, such as tall dry grass, signs on buildings that have been out of business for years, dilapidated buildings needing repair and paint, and many others, many other ordinances that are code that the Town has passed that are not being enforced. In the Whetstone Fire contract it states the department shall inspect all commercial properties once a year. They have a duty to perform contracting services but they are not doing so. The City pays for these services which are not done \$450,000 a year. Chief Thies costs the Town over \$100,000 a year. It is the duty of the police department to enforce this code and the laws of Arizona. If I was mayor the first thing I

would do is give Dr. Johnson, Chief Bideon and Chief Thies 90 days to fulfill their responsibilities or find other employment.

Mayor Wallace: The reason we are having to do this is because we cannot get anyone involved.

Councillor Banks: There were things that were not getting done because we didn't have a quorum. This is not permanent.

Mayor Wallace: We can set it back up if we had people come and want to be on the board. This allows things to get done.

Councillor Hirshberg: What do have we had in the hopper?

Dr. Johnson: We've had a property waiting for 5 months for a public hearing, I'm not sure if they are still interested at this point. There are other properties which are coming up that will need public hearings.

Councillor Post: I used to be on the board, I liked it very much. We never could do anything because we never had quorum.

Councillor Hirshberg: Can we wait two weeks?

Councillor Banks: I think this has been such a long time, we've had all this time. It's still the situation we have today.

Councillor Butterworth: We could turn around and reinstate the P&Z next council meeting if we got enough people wanting to be on it.

Mayor Wallace: This does not dissolve P&Z we can bring it back.

Motion D.1: Motion		Action: Approved
Moved by: Mayor Wallace	Seconded by: Councillor Banks	5-1

E. New Business Before 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 [Spencer Forsberg]: January 2020 Town Finance Report

Motion E.1: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councilor Banks	

General Fund: -\$77,662.11
Water: \$12,896.06
Sewer: \$11,299.16
Landfill: -\$8,769.43 due to some equipment repair expenses

Councilor Banks: Why is the safe infrastructure fund less this month?

Mayor Wallace: That was the repairs to the parking lot for the library, fire station and town hall.

Councilor Banks: Firemen's retirement?

Spencer Forsberg: We paid some pensions.

E.2 Discussion and or/Action [Mayor Wallace]: Council might select a candidate to hire for the Town Manager position, or it might select candidates to invite for subsequent interviews.

Motion E.2: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councilor Butterworth	

Mayor Wallace: I'm going to defer to Council. Do you guys want to proceed with a second interview or go with a selection?

Councilor Butterworth: selection

Councillor Banks: Second interview

Councillor Post: Second interview

Motion E.2: Motion, second interview for the top 3		Action: Approved
Moved by: Mayor Wallace	Seconded by: Councillor Butterworth	

E.3 Discussion and/or Action [Dr. Johnson]: Brownfield rehabilitation projects identification for submission to Cochise County.

Motion E.3: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councillor Butterworth	

Dr. Johnson: My office sent out three packets to three properties owners which comes to 11 properties. We have not heard back from any of them. This grant is not to clean up these properties just to do the studies. The grant is first to Sierra Vista, Douglas, and Bisbee. It's strictly a volunteer basis. We will keep you posted when we hear back from the owners.

E.4 Discussion and/or Action [Manager Duthle]: Congressional appropriations projects identification for submission to Representative Kirkpatrick.

Motion E.4: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councillor Banks	

Mayor Wallace: I've looked further into this and we're not ready to submit. It is due tomorrow.

E.5 Discussion and or/Action [Mayor Wallace]: Resolution 2020-03 approving an Intergovernmental Agreement with the City of Tombstone for connector bus line services; and identification/approval of bus stop locations.

Motion E.5: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councilor Hirshberg	

Mayor Wallace: There was some confusion about the grant paying for the fuel and maintenance. We fixed it, the grant is paying for fuel and maintenance. They are fine with housing a bus there.

Motion E.5:		Action: Approved
Moved by: Mayor Wallace	Seconded by: Councilor Hirshberg	

E.6 Discussion and/or Action [Manager Duthle]: Community Group Representatives - The Council will designate individual Councilmembers to serve different community groups in place of Councilor Banks.

Motion E.6: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councilor Butterworth	

Councilor Banks: I attend the SVMPO which Councilor Butterworth is taking over. I also attend the Upper San Pedro Partnership meetings. The Partnership Advisory Committee is important agency. Sentential Landscapes Restoration Partnership has a giant footprint.

Mr. Benavidez: I think we need to lay these out in the agenda for next meeting.

E.7 Discussion and/or Action [Manager Duthie]: Sewer pond closure update

Motion E.7: Open Item for discussion and/or action		Action: Open
Moved by: Mayor Wallace	Seconded by: Councillor Butterworth	

Manager Duthie: We've been trying to set up an appointment with ADEQ and we finally got one last Thursday. The difficulty has been with ADEQ and they admit that their project manager let abruptly. I was impressed with Mr. Halterman's record keeping. I tried to nail them down to a time table but was unable to. Right now the ball is in their court. I believe going forward the town is in very good standing.

F. Town Manager's Report

G. Items to be placed on future agendas: Community representatives

H. Reports of Current Events by Council: Councillor Banks: I went to the Healthy Cochise Summit, it was amazing. SVMPO had a work session I went to. Karen from the SVMPO said she found errors in our classification of roads. I went to the State Transportation Community, they over see ADOT. We are district three and we haven't had a representative in a few years. It was really fascinating. Dr. Duecy has awarded money for broadband for safety corridors. SEAGO is having a kickoff event March 4th, consolidated transit study which ADOT has asked them to do.


I. Adjournment

Motion: to Adjourn		Action: Approved
Moved by: Mayor Wallace	Seconded by: Councillor Hirschberg	

Meeting Adjourned: 8:01 pm

Approved by Mayor Johann R. Wallace on March 12, 2020.


Mr. Johann R. Wallace
Mayor

Attest: 
Ms. Janine Rustine,
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 February 27, 2020. I further certify that the meeting was duly called and a quorum was present.


Ms. Janine Rustine,
Town Clerk

