



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
SEPTEMBER 10, 2020 AT 7:00 PM
COUNCIL CHAMBERS
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: 7:00pm
The Pledge of Allegiance was led by: Mayor Wallace
The invocation was offered by: Elder Thomas

Roll Call.

Present: Johann Wallace, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Jean Post, Suzanne Harvey (Not voting), Thomas Benavidez, Attorney (Not voting).

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.

Mayor Wallace recognizes Jack Fishback. Mr. Fishback shares some videos from different dates of the mess at the landfill and shares his displeasure with how the Landfill is maintained. Mr. Fishback also provided Council with the Federal Code of Regulations regarding covering at the landfill.

Mayor Wallace recognizes Bill Stein. Mr. Stein talks about a new invention, a Solarwall Tower. He is interested in placing one on the Town's property with no upfront cost. It could provide a savings on the Town's electric bill.

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 Regular Council meeting held on August 27, 2020.
- C.2** Consider approval of the Payment Approval Report.
- C.3** Consider approval of the disposal of one large front load bucket and one front load bucket through Public Surplus.
- C.4** Consider approval of the disposal of the signage letters from "Dusk til Dawn" through Public Surplus.
- C.5** Consider approval of the disposal of one 30x94 gray metal folding table and 2 rolling office chairs through Public Surplus.
- C.5** Consider approval of the disposal of a 2015 Volkswagen Jetta VIN#3vw2k7aj1fm227350 through Public Surplus.
- C.6** Consider approval of the disposal of a 2002 Kia Sedona VIN#KNDUP131926213892 through Public Surplus.

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

Mayor Wallace pulls out item C.3 to get confirmation from Chief Thies.

Motion: Items C.1 through C.6 with the exception of item C.3, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.
Motion passed unanimously.

Motion: Item C.3, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mayor Wallace asks Chief Thies for confirmation that we have owned these items for more than one year. Chief Thies confirms that we purchased a dump truck on September 5th, 2019 and when the dump truck was picked up by Jim Halterman, he then took the dump truck to pick up the two buckets which had been purchased prior to the dump truck, meaning we have owned them for more than a year.

Motion: Item C.3, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
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 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 [Suzanne Harvey]: RESOLUTION NO. 2020-19 - AUTHORIZING THE TOWN TO ENTER INTO A REVISED INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TOMBSTONE FOR INTERCITY BUS SERVICES. Director Harvey will present the proposed new IGA with Tombstone regarding bus services.

Motion: Item E.1, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Director Harvey advises that the IGA has been adjusted to allow Tombstone and Huachuca City staff to have more flexibility regarding the day and times for the buses to run, reducing the number of days from three days a week to two times a week and also adds an additional stop

in Tombstone, making a total of two stops. Mayor Escapule of Tombstone is amenable to the changes and intends to sign the IGA once Council approves it.

Motion: Resolution 2020-19, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

E.2 Discussion and/or Action [Suzanne Harvey]: Director Harvey will present a request made by Southern Arizona Humanitarian Aid Resource Alliance ["S.A.H.A.R.A."] for its trash/landfill fees to be waived by the Council.

Motion: Item E.2, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Mayor Wallace recognizes Rick Hackney. Mr. Hackney advises that his organization provides aid to the community. They collect and distribute humanitarian goods mostly free of charge. They do plan to have a thrift store to help pay bills. They have a fully stocked food pantry and deliver water to wildland firefighters.

Director Harvey states that unfortunately because of the Gifting Clause, it is illegal for us to do this.

Mr. Benavidez states the Constitution does not allow us to give gifts of Town resources. It's just not allowed.

Mayor Wallace states that while he is appreciative of what they do, he is aware that we can not do this. Once S.A.H.A.R.A gets its non-profit status, then an IGA could be discussed, but it is not something that can be done now.

No Motion to be made.

E.3 Discussion and/or Action [Brandye Thorpe]: Ms. Thorpe will present the copy machine/service contract proposals for Town facilities.

Motion: Item E.3, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Ms. Thorpe presents the proposal from the current provider, All Copy Products, and two prospective providers, Arizona Business Equipment and Ricoh. She provides proposed savings from each company compared to the current amount being paid. Ricoh would be the most expensive and would provide refurbished machines, All Copy Products would be next most expensive and Arizona Business Equipment would be least expensive.

Motion: Notify All Copy Products of Town's intent to cancel and engage Arizona Business Equipment as new provider, **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Debbie Trate.

Motion passed unanimously

E.4 Discussion and/or Action [Mayor Wallace]: Mayor Wallace will open discussion regarding renewal of the agreement with Whetstone Fire District for fire protection and emergency medical services for the Town.

Motion: Item E.4, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace states this in on here because Council had directed the former Town Manager to begin this process. Mayor Wallace is asking for Council permission to proceed with negotiations with Whetstone Fire District.

Councilmember Trate asks if this is going to include medical services since Fry Fire responded to a previous incident that she is aware of. Mayor Wallace states that Fry Fire will still transport, however Whetstone Fire does respond and begin medical treatment. Whetstone has possibly been waiting on this upcoming contract to attempt to get their certificate and do their own transporting.

Councilmember Banks asks what happened to all of the information and direction that was provided to the former Town Manager. Mayor Wallace states that that is unknown and that is why he needs to engage. He is going to look back in previous minutes and see what had been previously directed.

The current contract expires December 31st, 2020 and he doesn't want to wait until the last minute to get it all worked out.

Motion: Request authorization for Mayor Wallace to engage Whetstone Fire District and Chief Bidon in regards to fire/ems services to the Town , **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

E.5 Discussion and/or Action [Mayor Wallace]: Council will provide direction to staff regarding the possibility of updates/upgrades to the Town's phone system and services.

Motion: Item E.5, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Mayor Wallace explains that this is just authorizing staff to get quotes on cost of re-wiring the Town Hall/Police Department building and relocating current phone equipment that is currently in the Fire Department to Town Hall, to possibly upgrade to VOIP phone system. Also look at getting Century Link to provide phone service and/or wired internet to Town Hall and the Police Department. We also just got a notice from AT&T that our local service with them will terminate on October 1st, 2020 so we have to get a new local carrier.

Councilmember Trate asks if it is necessary for the Town to use landline phone service, or if cellular service would suffice. Mayor Wallace states it is necessary for fax and the Police Department and as a Municipality we should have phone service. Councilmember Trate asks

if the fax even gets used. She is advised that we do use it. Mr. Benavidez states that because of our essential services we have to have a hard line.

Councilmember Post questions who else provides services. Century Link is the local provider. Councilmember Hirshberg asks how much notice we were given that they were going to do this. Ms. Thorpe advises she just saw the letter on Monday. Mayor Wallace states that they may have sent out a notice prior, however this is the first time it was brought to our attention.

Motion: Direct staff to look into our local services, identify ways to reduce cost in services and consider the options for technological advances and potentially better internet connectivity to the Admin building., **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Motion passed unanimously.

E.6 Discussion and/or Action [Chief Thies]: Chief Thies will present the proposal for procuring new police department vehicles.

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

Chief Thies presents his proposal for procuring two new vehicles for the Police Department to replace two of the Department's aging vehicles. He provides details regarding the types of vehicles looked at and which vehicle was selected as the best option for the Department. The vehicle selected was the Chevrolet Tahoe. Chief Thies states that he has the money available in the Police Department savings account to pay for the first year lease for two vehicles. He also states he will be able to budget and surplus items for the remainder of the lease term to pay for these vehicles. These vehicles will provide the safety that the current vehicles can no longer offer due to their constant mechanical problems. The budgeted amount for vehicle maintenance will be used up within the month at the current rate that there are problems with the vehicles.

Councilmember Banks asks about the Ford Explorer and why it says tested-failed and also about the gas mileage and why it is not included in the report. Chief Thies states that there was a carbon monoxide problem that was not fixed yet. He is unsure why the gas mileage is not available. The Dodge Durango is not available and so is not an option.

Chief Thies provides the pricing for equipping and painting/marketing the vehicles.

Total pricing for the option chosen is \$125,275.70 with yearly payments for two vehicles being \$24,994.54. Chief Thies states that he can also pay for the first year of lease for an additional two vehicles in January when the 2021's come out. Mayor Wallace asks what about after the first year, Chief Thies responds that is for the Town to figure out how to increase his budget. Mayor Wallace states that is for the Chief has to figure out where he can make cuts because we can't afford to increase funds for anyone right now. Trying to find funds for four new vehicles in the same fiscal year is not going to happen and will not be approved. Mayor Wallace can support two in this fiscal cycle. It's not the Town that will have to figure it out, it is up to the Police Department.

Mayor Wallace stresses that he does not want these new vehicles to be take home vehicles, they should remain here for whichever Officer is on duty.

Councilmember Banks asks if the vehicle and equipping the vehicle is all included in the lease. Chief Thies and Mayor Wallace state that it is. Mayor Pro Tem Johnson states that she was under the impression from speaking with Chief Thies that he could get two this year and two next year, speaking in terms of fiscal year not calendar year. Chief Thies states he was talking about calendar year, so in January he could get two more and will have enough for that lease amount as well for the first year, after that he is not sure how the Police Department would pay for them. Mayor Wallace states that what he sees right now is money to cover two vehicles for two years, not money to cover four vehicles for one year. Mayor Wallace states that if we start cutting budgets again, we are going to have to furlough staff. In order to pay for those vehicles we would have to do mandatory furloughs on staff in order to make the money work.

Chief Thies states that last year he was budgeted for \$684,000.00 and came in at \$611,000.00, I cut by \$72,000.00 and he plans to keep doing that. Mayor Wallace agrees that this is good however the budget is an estimate only and if we don't get the revenue to sustain it then cuts and adjustments have to be made. If we don't have the money to spend, we don't have the money to spend.

Councilmember Banks states that there is nothing stating what is currently in the fleet. Chief Thies states there is a 2010 and four 2012 Dodge Chargers and one 2012 Jeep in the fleet. She asks if the extended warranty covered all of these vehicles, which Chief Thies states it does, and clarifies that it all expires on June 20th, 2021. Councilmember Banks asks how many miles the current vehicles have on them. Chief Thies states approximately 70,000 each, some have a little bit more. The average lifespan for a police vehicle is about 7 years.

Chief Thies states he is okay with two, he will get the grant and come back in January for the others.

Mayor Wallace reiterates that he can not see supporting all four, the Town could not afford it without serious cuts or closures. Chief Thies directs a statement at Jim Halterman.

Councilmember Hirshberg asks how many Chevrolet dealers in the state responded to his request for a quote. Chief Thies states just this one, they are the best deal because there is a state contract and it's why we aren't paying approximately \$5,000.00 on tax.

Mayor Wallace asks when the first payment would be due. Chief Thies states within 30 days. Mayor Wallace asks if that is from the time of delivery or signing. Chief Thies will find out.

Mayor Wallace states that he is well aware of the problems with the current fleet, and these will be the safest for our Officers. He does not want to see them assigned to a specific Officer, he wants them to be used by the whoever is on duty. They should not be take home. The best of the older ones can be taken home by whoever is on-call.

Motion: Chief Thies going ahead with the lease of two Chevy Tahoes, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

E.7 Discussion and/or Action [Jean Post]: Councilmember Post will present options for employees who choose not to participate in the Town provided employment benefits.

Motion: Item E.7, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Councilmember Post is wondering how many people we have who are not getting the benefits offered like the Town Manager. She asks if there are any other towns that do this. Director Harvey asks if she means to employees that don't take the benefits offered by the Town, if they somehow compensate them. She states that she doesn't know much, she does know one Town that offers a flat rate of \$125.00 per pay period to anyone who doesn't take the Town offered health insurance because it is a significant cost to the Town and that employee is actually saving the Town money. Benson does it. Councilmember Trate states that she believes that is per month not per pay period. Director Harvey states that yes it's per month that they offer that flat rate and it's for any employees that don't take the benefits for whatever reason.

Councilmember Post clarifies that it is not just for Veterans, but anyone who doesn't take the benefits. Director Harvey confirms this.

Councilmember Post thinks that if we are going to offer this to the Town Manager, it should be offered to anyone. Mayor Wallace states that the Town Manager is a contract position as well and so that gets written into the contract. That is the key difference. He does like the idea of compensating someone who chooses not to take the insurance because they are saving the Town money. He is not sure that this is a decision for Council. It would be something for the Town Manager to look into. Attorney Benavidez states that it is not really a Council decision, however they could direct staff to look into it.

Councilmember Post would like it looked into. Councilmember Trate states that when she worked for a Municipality, whenever someone made suggestions like this, staff was always directed to call similar or other towns to see what they do. She suggests that this should be done.

Councilmember Butterworth states that in state and federal jobs, there is no bonus involved because if you choose not to get the benefits, you are basically giving yourself a pay raise, because you aren't paying for the benefits. There is no question about getting extra money for not taking the insurance.

Motion: Direction to staff to engage some other municipalities and see if they provide any incentive to staff who do not take town provided benefits, **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Motion passed unanimously.

E.8 Discussion and/or Action [Mayor Wallace]: Council will decide whether the Town will participate in the federal social security payroll tax deferral program offered by executive order of the President of the United States. The program merely extends the due date for an employer's obligation to withhold and pay to the US Treasury the 6.2 percent employee portion of the social security tax for pay periods beginning on September 1, 2020, and ending on December 31, 2020. Beginning in January, 2021, the Town would have to collect the deferred tax amounts from its employees because they must be repaid to the Treasury.

Motion: Item E.8, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Mayor Wallace states that if you are having money taken out of your paycheck, this deferral means that in January you will have to pay double of what you normally would to pay it all back.

Debra Trate states that the Town may be liable to pay it back if the employee were to leave. Mayor Wallace states they would not be.

Motion: Not participate in the federal social security payroll tax deferral program **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Motion passed unanimously.

E.9 Discussion and/or Action [Debra Trate]: Councilmember Trate will present the possibility of engaging Xpress BillPay for processing and mailing the Town's water/sewer/trash bills.

Motion: Item E.9, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Debbie Trate.

Councilmember Trate states that when she worked for another municipality, they used XpressBillPay. They also encouraged people to get their bills emailed to them and to pay online. Her thought is that since we have such a small staff and it takes so much time to do this that we should look into how much it would cost and also to do the campaign to do emailed bills.

Mayor Pro Tem Johnson is concerned about the people who do not have internet and would not be able to do this. Councilmember Trate says that it isn't to force people.

Motion: Direction to staff to look into XpressBillPay to see what the cost would be for them to do our billing and compare that cost to what it costs us to do it., **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Motion passed unanimously.

8:36pm

Motion: Take a 15 minute break, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Motion passed unanimously.

8:50pm

Back to session.

E.10 Discussion and/or Action [Mayor Wallace]: Executive [closed] session, pursuant to A.R.S. 38-431.03(A)(1), to interview applicants and discuss hiring a new Town Clerk. Following the executive session, the Council might take action to hire a new Town Clerk or it might direct staff concerning further recruitment activity.

Motion: Item E.10, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Mayor Wallace confirms with Director Harvey that there are two applicants and they are both present tonight.

8:51pm

Motion: Enter Closed Session, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.
Motion passed unanimously.

10:03pm

Motion: Close executive session and enter back into the public., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Motion passed unanimously.

Motion: Hire Brandye Thorpe as the Town Clerk, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Joy Banks.

Motion passed 6:1

Mayor Wallace thanks Mr. Smith for applying.

E.11 Discussion and/or Action [Mayor Pro Tem Donna Johnson]: Council might act to appoint an interim town manager should a town clerk be hired. The Council might also direct staff concerning the recruitment and hiring of a town manager.

Motion: Item E.11, Action: Open for Discussion and/or Action, **Moved by** Donna Johnson, **Seconded by** Cynthia Butterworth.

Motion: Appoint Suzanne Harvey as Interim Town Manager and continue with recruitment process as originally stated, **Action:** Amend, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Motion passed unanimously.

F. Department Director reports

Dr. Johnson states that he and Jim Halterman have been busy with engineering stuff and the signal light should be done within the next 30 days. Yard cleanup has gotten more results this year over last. HD Motorsports had a setback, through no fault of their own and that will be getting taken care of soon. He and Jim Halterman took an engineer out to the sewer ponds so that they can progress with ADEQ.

Chief Thies states that during his presentation he made a comment regarding Jim Halterman and he did not mean it the way it sounded. In no way does he mean that we should trade him for two vehicles. He apologizes. He did not mean it that way.

Mayor Wallace states that he has heard that there may be a vehicle coming before Council for Public Surplus that has been sitting for two years unused. There is a possibility of getting

about \$19,000.00 for it. It is a dump truck. For the landfill, Council should have received some photos of work that is being done despite some wind and rain.

Director Harvey states that the Library is working on Phase 2 of the reopening plans, where people will be allowed to come in and get books. Currently there is only computer usage by appointment. Limited number of people would be allowed at a time and cleaning and sanitizing would be done between each group.

Dr. Johnson adds that Jim Halterman has also gone to his first TAC meeting.

G. Items to be placed on future agendas

Councilmember Trate would like to look at becoming a part of SEACAP because they assist with water/sewer/trash bills

H. Reports of Current Events by Council

Councilmember Butterworth telephonically attended the TAC meeting. She was at the painting of the building on Saturday and they will be there again this Saturday.

Mayor Pro Tem Johnson has been attending staff meetings and tells Council that there is a lot to be learned if they come.

Mayor Wallace states that Keith Dennis emailed him stating that Hunt Park is not going to be eligible for the CDBG grant due to it's location in a flood plain, however there is the money from the CARES ACT freeing up some Town money, so he would like to have an agenda item for the next Council meeting to use around \$50,000.00 to proceed with the upgrades to the park because he does not want to leave that park out. He would like to include it in the existing scope of work if possible.


I. Adjournment

10:15pm

Motion: To Adjourn, Action: Adjourn, Moved by Johann Wallace, Seconded by Cynthia Butterworth.

Motion passed unanimously.

Approved by Mayor Johann R. Wallace on September 24th, 2020.



Mr. Johann R. Wallace
Mayor

Attest: 
Ms. Brandye Thorpe,
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 September 10, 2020. I further certify that the meeting was duly called and a quorum was present.



Ms. Brandye Thorpe,
Town Clerk