



# TOWN OF HUACHUCA CITY

The Sunset City

## MEETING MINUTES OF THE HUACHUCA CITY TOWN COUNCIL

**May 20, 2021 AT 7:00 PM**

**COUNCIL CHAMBERS  
500 N. GONZALES BLVD.  
HUACHUCA CITY, AZ 85616**

**SPECIAL NOTICE: BY NEW PROCLAMATION OF THE MAYOR, DUE TO SIGNIFICANT PROGRESS IN THE BATTLE AGAINST THE COVID-19 PANDEMIC, THE MAYOR AND COUNCIL WILL RESUME IN-PERSON PUBLIC MEETINGS, BUT WILL CONTINUE TO OFFER A REMOTE ACCESS FORMAT. MEMBERS OF THE PUBLIC MAY COME TO TOWN HALL TO ATTEND THESE MEETINGS OR THEY MAY ATTEND BY GOING TO [OR CALLING TO]: <https://www.facebook.com/HuachucaCityAZ> or 520-844-2096. IN ADDITION, THE MAYOR HAS RESUMED IN-PERSON CALLS TO THE PUBLIC AT THESE MEETINGS. HOWEVER, MEMBERS OF THE PUBLIC MAY STILL CHOOSE TO SUBMIT WRITTEN COMMENTS TO THE TOWN CLERK TWENTY-FOUR HOURS IN ADVANCE OF THESE MEETINGS.**

**ADVANCE NOTICE OF ALL MEETINGS CAN BE FOUND AT THE TOWN'S USUAL AGENDA POSTING LOCATIONS, INCLUDING THE TOWN'S WEBSITE <https://huachucacityaz.gov/>**

### **AGENDA**

#### **A. Call to Order – Mayor 7:00pm**

- a. Pledge of Allegiance

**Led by Mayor Wallace.**

- b. Roll Call and Ascertain Quorum

**Roll Call.**

**Present: Johann Wallace, Keith Settlemyer, Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting).**

**Absent: Jean Smelt.**

- c. Invocation

**Led 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.

## **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 May 13, 2021 and the Special Session and Work Session meetings held on May 12, 2021.
- C.2** Consider approval of the Payment Approval Report.

**Motion:** Items on the Consent Agenda, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

**Motion:** Items on the Consent Agenda, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.  
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 [Mayor Wallace]:** Direction to staff regarding Director reports and the requirements for their content going forward.

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

Mayor Wallace details the changes that he would like to see on director reports moving forward, to include making sure they only cover the past 30 days, and they include all parts of the department, not just certain pieces.

**Motion:** Adjust their reports as discussed in this Council meeting, If they have any questions about it, they can ask Manager Harvey., **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.  
Motion passed unanimously.

**E.2 Discussion and/or Action [Spencer Forsberg]:** Mr. Forsberg will review the Town's finances for the month of April.

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

Mr. Forsberg provides a quick recap of the Town's finances for the month of April. The general fund and enterprise funds are discussed. For the year, the General Fund is in the black by about \$110,490.00.

**E.3 Discussion Only [Stephanie Fulton]:** Update on Senior Center re-opening and planned events.

**Motion:** Item E.3, **Action:** Open for Discussion Only, **Moved by** Johann Wallace, **Seconded by** Debbie Trate.

Stephanie Fulton advises of the following regarding the Senior Center:

- **Social Hours restart Wednesday May 19<sup>th</sup>.**  
**Every Wednesday, Thursday and Fridays from 10am-2pm.**
- **Fully restocked with cleaning supplies and products for social hours.**
- **Senior Games Nights restart Thursday June 3 and will be the first Thursday of every month apart from July (when we will be needing the SC July 4<sup>th</sup>).**
- **Future program ideas – 40s/50s/60s music nights, movie nights, speaker program to be restarted towards the end of the year or the beginning of 2022,**

potential craft club nights, chair yoga etc....

**Change name of building. Many requests from users. Library Annex? Library Activity Center? Huachuca City Activity Center? Suggestions welcomed!**

**E.4 Discussion and/or Action [Stephanie Fulton]:** Acceptance of a grant in the amount of \$21,000.00 from the Arizona State Library as part of the American Relief Act, and authorizing execution and delivery of any necessary and proper documents in furtherance of the grant.

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

Stephanie Fulton advises that this grant was unexpected. The Arizona State Library did all of the work to make it happen. It is for the amount of \$21,583.74. Some plans for the money are:

- WIFI enabled security cameras for the outside of the building.
- Home Office to Go Kits (laptop, hotspot, printers, paper) for checkout.
- More hotspots and hotspot service through August 2022.
- Outdoor movie license, renew indoor movie license, outdoor movie screen, outdoor projector. Purchase of software for library staff/patrons.
- AZ State Library compiled the data and looked at poverty/income levels and other demographic factors to determine amounts awarded.
- Laptop and printer for the Senior Center and potential for expansion of library services to the lower HC Community Center a few times per month.

**Motion: The grant in the amount of \$21,000.00 and change from the Arizona State Library., Action: Accept, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.**

**Mayor Wallace moves item E.8 up.**

**E.8 Discussion and/or Action [Chief Thies]:** Approval of proposed road closures for 4<sup>th</sup> of July activities.

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

Officer Bear presents the proposed road closures for the 4<sup>th</sup> of July events.

**Motion: The road closures as discussed for the 4th of July road closures., Action: Approve, Moved by Johann Wallace, Seconded by Debbie Trate. Motion passed unanimously.**

**E.5 Discussion and/or Action [Matthew Doty]:** Authorization for the Town Manager to contract for repairs to the Caterpillar 816K Landfill Trash Compactor.

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

Matthew Doty advises that the compactor at the landfill is currently down. There is a total of \$44,008.52 in repairs needed. There is a chance it could be more or less than that quote. The cause of the breakdown is discussed, along with actions that will be taken going forward to prevent the same issue.

**Motion:** The Town Manager to contract for repairs to the Caterpillar 816K landfill trash compactor as needed, **Action:** Authorize, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

**E.6 Discussion Only [Brandy Thorpe]:** Update regarding the status of the park upgrades project funded through the Department of Housing Community Development Block Grant [CDBG] Program.

**Motion: Item E.6, Action: Open for Discussion Only, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

Brandy Thorpe advises that the change with the Department of Housing to allow for an architect to design the park upgrades has been approved. The request for quotes will be published next week and a walk thru will be conducted mid June, with the closure date of June 30<sup>th</sup>. The project will hopefully will begin in early fall.

**E.7 Discussion and/or Action [Suzanne Harvey]:** Authorization for the Town Manager to select a provider or providers for medical, voluntary vision, and voluntary dental insurance for the Town's employees.

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

Manager Harvey describes the options for this open enrollment period and asks Council to approve consolidation of the various insurances under Cigna.

**Motion:** Town Manager to move forward with consolidating vision, dental, health and life insurance under Cigna, **Action:** Authorize, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

**E.9 Discussion and or Action [Town Attorney]:** Authorization to file a claim in the class action lawsuit filed against Wells Fargo Merchant Services, LLC, for alleged service fee overcharges to Wells Fargo Merchant Services' customers. The lawsuit is pending in federal court in the Eastern District of New York [*Patti's Pitas LLC v. Wells Fargo Merchant Services LLC*, Case No. 1:17-CV-04583].

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

Attorney Benavidez advises there is no reason not to file this claim.

**Motion: Concur with the Attorney's filing the claim in the class action lawsuit., Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

**E.10 Discussion and or/Action [Town Attorney]:** The Council might vote to go into executive [closed] session, pursuant to A.R.S. 38-431.03(A) (3) & (4), for legal advice, consultation and to direct its attorneys concerning the water rights adjudication in Maricopa County Case No. W1-11-0245 [*In Re the General Adjudication of All Rights to Use Water in the Gila River System and Source*"]. Following the executive session, the Council might take action to direct its attorneys.

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

**Motion: 7:56pm, Action: Enter Executive Session, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

**Motion: Enter Back into Public Session, Action: End Executive Session, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

#### **F. Department Director Reports**

**Stephanie Fulton advises of a donation of a Free Little Library to the Library by the Kiwanis Club of Sierra Vista and San Pedro. Mr. Goad of Mr. Shed will be delivering and installing it at the Community Center.**

#### **G. Items to be placed on future agendas**

#### **H. Reports of Current Events by Council**

Cynthia Butterworth says the Food Distribution went well this morning. She participated in a call with the County Board of Supervisors and the Humane Society of Southern Arizona is working on helping get an animal shelter up and running for Cochise County and also hoping to get some Vet Tech courses started at Cochise College.

Mayor Wallace advises there is a SVMPO meeting next week that Councilmember Butterworth will be attending in his stead.

#### **I. Adjournment**

**Motion: 8:14pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

Approved by Mayor Johann R. Wallace on June 10, 2021.

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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 May 20, 2021. I further certify that the meeting was duly called and a quorum was present.

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Ms. Brandye Thorpe,  
Town Clerk