



# TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE  
HUACHUCA CITY TOWN COUNCIL  
August 12, 2021 AT 6:00 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 6:00pm**

- a. Pledge of Allegiance

**Led by Mayor Wallace.**

- b. Roll Call and Ascertain Quorum

#### **Roll Call.**

**Present:** Johann Wallace, Keith Settlemeyer, Cynthia Butterworth, Christy Hirshberg, Jeffrey Ferro, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting).

**Absent:** Debbie Trate, 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 Approval of the Minutes of the Regular Council Meeting and Executive Session held on July 22, 2021.

C.2 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 [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.1, **Action:** Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.

**Motion:** 6:05pm Allowing Dr. Johnson and Mr. Halterman to remain, **Action:** Enter Executive Session, Moved by Johann Wallace, Seconded by Christy Hirshberg.

**Motion passed unanimously.**

**Motion:** 6:24pm, **Action:** Close Executive Session and Open Back into Public, Moved by Johann Wallace, Seconded by Christy Hirshberg.

**Motion passed unanimously.**

**No Action to be taken.**

**E2 Discussion and/or Action [Mayor Wallace]:** RESOLUTION NO. 2021-16 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, APPROVING A PURCHASE/SALE AGREEMENT WITH MOVING SERVICES, INC., TO SELL THE TOWN'S REAL PROPERTY LOCATED AT 300 HOWARD STREET.

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

**Mayor Wallace confirms that all processes and procedures were followed.**

**Motion:** Resolution 2021-16, **Action:** Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.

**Motion passed unanimously.**

**E.3 Discussion and/or Action [Mayor Wallace]:** Designation of new primary and alternate representatives to the Sierra Vista Metropolitan Planning Organization (SVMPO) Board. The SVMPO is a transportation policy and planning agency serving the City of Sierra Vista, the Town

of Huachuca City and surrounding portions of Cochise County, in partnership with the Arizona Department of Transportation.

Motion: Item E.3, Action: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Mayor Wallace is unable to be the primary for this anymore.

Motion: Councilmember Butterworth as the primary and Councilmember Settlemyer as the alternate at the SVMPO., Action: Appoint, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

**E.4 Discussion and/or Action [Mayor Wallace]: Discussion with staff to begin determining the priorities for each of the Town's departments.**

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

Mayor Wallace asks each department head to highlight their top ten priorities to bring back before Council for review at the second meeting in September.

Motion: Proceed as discussed, Action: Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

**E.5 Discussion Only [Mayor Wallace/Town Attorney]: Refresher presentation to Council concerning the Code of Conduct and conflicts of interest.**

Motion: Item E.5, Action: Open for Discussion Only, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Attorney Benavidez goes over conflicts of interest and Councilmember behaviors. He advises that even the appearance of a conflict of interest is a bad thing.

**E.6 Discussion and/or Action [Mayor Wallace]: Council may direct staff concerning fire protection and emergency medical services, which presently are provided by Whetstone Fire District pursuant to an intergovernmental agreement which is due to expire at the end of the calendar year.**

Motion: Item E.6, Action: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Mayor Wallace requests that a staff and Council workgroup consisting of himself, Mayor Pro Tem Hirshberg, Jim Halterman, Chief Thies and Suzanne Harvey get together to determine the needs of the Town in order to put together an RFP for these services. We are currently under an extension with Whetstone Fire however his understanding is that those negotiations have stalled.

**Motion: Develop an RFP for Fire Services based on the workgroup findings and bring back to Council for approval, Action: Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

**E.7 Discussion and/or Action [Mayor Wallace]: RESOLUTION NO. 2021-17 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN AGREEMENT WITH TOMBSTONE UNIFIED SCHOOL DISTRICT # 1 TO RESOLVE AN EASEMENT DISPUTE.**

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

**Mayor Wallace advises that the School Board approved this last night at their meeting. This will give us the road and the rest belongs to the school. In return we are giving them a one time water credit of \$27,000.00. They also pay for the recording and other fees associated with this. This rescinds prior easements and approvals.**

**Motion: Resolution 2021-17, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

**E.8 Discussion and/or Action [Manager Harvey]: Approval of a Master Services Agreement with Terracon Engineering Consultants for as-needed services.**

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

**Manager Harvey advises this is an agreement that needs to be in place, we use them for methane monitoring and other things and we only pay when we use their services.**

**Motion: The Master Services Agreement with Terracon for as-needed services, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

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

**Jim Halterman advises the equipment will begin arriving tomorrow at the sewer ponds.**

**Stephanie Fulton advises there were a total of 79,450 minutes read during the summer reading program.**

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

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

Mayor Pro Tem Hirshberg advises she went to a Hispanic Chamber mixer with Manager Harvey and it was great.

Councilmember Butterworth had a SVMPO executive session that she can't speak about.

**I. Adjournment**

**Motion: 6:47pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.**

Approved by Mayor Johann R. Wallace on August 26, 2021.

\_\_\_\_\_  
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 August 12, 2021. I further certify that the meeting was duly called and a quorum was present.

\_\_\_\_\_  
Ms. Brandye Thorpe,  
Town Clerk