



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
September 23, 2021 AT 6:00 PM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

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, Debbie Trate, Jean Smelt, Jeffrey Ferro, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting).

- c. Invocation

Led by Pastor Carns.

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 and the Executive Session held on September 9, 2021.

C.2 Consider approval of the Payment Approval Report.

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

Motion: Items listed 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.

Mayor Wallace takes the meeting back to do the invocation.

D.1 Discussion and/or Action [Chief Thies]: Approval of a Memorandum of Understanding between the Town of Huachuca City and the Sierra Vista Company of the Arizona Rangers for assistance and support of the Town's police department.

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

This is brought back now that Council has had a chance to review.

Councilmember Ferro asks about a portion where it states without an officer whereas the rest of the document states with an officer. He wonders why it is different.

Chief Thies advises this was intentional so they could be there without an officer present during such things as the food distribution, which frees up officers to be able to do other things.

Councilmember Ferro asks about another section where it says that the Rangers are allowed to run the Town's vehicles Code 3 with lights and sirens if they have authorization from the Chief of Police. He asks if this is something that has to be in advance and/or in writing. Chief Thies states that he does not allow them run Code 3. If they are doing traffic control, they can turn their lights on.

Councilmember Ferro also asks if they are already covered as additionally insured for our vehicles. They have been, and they also carry their own insurance.

Chief Thies advises he would like to update this every two years, or as necessary.

Motion: The MOU between the Town and the Sierra Vista Company of the Arizona Rangers,

Action: Approve, Moved by Johann Wallace, Seconded by Debbie Trate.

Motion passed unanimously.

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]: Mr. Forsberg will review the Town's finances for the months of July and August.

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

Mr. Forsberg goes through the month of July. The Whetstone payment went out in July. There were also some invoices for a couple of months that hit in July. There was a deficit in the month of \$102,000.00. \$102,500.00 is confirmed to be the amount of the Whetstone Fire quarterly payment. The American Relief Program Act money came in as well.

Councilmember Smelt asks if some of these bills that came in July will be adjusted back to where they should have been. Mr. Forsberg states that with the audit coming up, some of these items will be moved back to the last fiscal year where they should be.

Mr. Forsberg goes through the month of August. August had positive cash flow across the board.

Councilmember Trate asks if we track the penalty payments when people are late paying their bills. Manager Harvey states that it may just be going into the general revenue and divided up in the same way as the water/sewer/trash, but we can check on it. It may not be entered as a separate line item.

Councilmember Ferro asks about the revenues and several are well under the 17% of the fiscal year amounts. He asks if this is on trend with prior years. Mr. Forsberg advises that a lot of the time, especially with grants, we stay well under until a certain part of the year where it catches up.

Councilmember Ferro also asks about donation line items and if this includes in-kind or just cash. Manager Harvey advises this is just cash. He inquires about the telephone and utilities line items that are well over the 17%. Manager Harvey advises that she already has Kristy looking into this, especially the Town Hall telephone bill. She believes that some prior fiscal year invoices were charged to this and they will need to be charged back to last fiscal year. We also recently signed a new contract with Century Link because the state has a new contract that we are eligible for which will cut our rates for the service in half. For the utilities, the rates do fluctuate from year to year and we do the best we can to forecast when we do the budget. We will pay attention to that and ask people to turn the air conditioner up, make small changes like that to conserve. Councilmember Ferro's final question is about the expenditure for Public Safety Retirement that has no budget. He believes we put it into the budget. Manager Harvey advises that we did, and we will have to look into it. This is not a part of the Police Budget, it is part of the DHS grant. What may be happening is that they reimburse us for EREs, and this is a part of the EREs and it may all be coming out of the employee benefits instead of being broken down to come out of this line. We will have to go into payroll and see what is happening.

E.2 Discussion and/or Action [Mayor Wallace]: Direction to staff regarding the Town's departmental top ten priorities. Council may determine different priorities or set additional ones after review of provided lists. Council may decide on timelines for completion of specified priorities.

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

Mayor Wallace wants everyone on Council to take a more in depth look at these. He also advises that he would like more detail, particularly the "Why". Some read as google searches. Please take a more in depth look and bring back a revised list to Council.

E.3 Discussion and/or Action [Mayor Wallace]: Direction to staff regarding the routine and preventative maintenance and documentation requirements for Town-owned vehicles and equipment.

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

Mayor Wallace advises there have been very large expenses in regards to equipment repairs lately. We need to maintain our equipment better. Each department should come up with a maintenance plan to bring back to Council. This should not just be a checklist, but a thorough plan.

Motion: Proceed as discussed with their maintenance plans and checklists for equipment maintenance, **Action:** Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg. **Motion passed unanimously.**

E.4 Discussion and/or Action [Suzanne Harvey]: Approval of a Consent Order from the Arizona Department of Environmental Quality (ADEQ) regarding regulatory compliance issues at the Town's Landfill.

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

Manager Harvey advises that this is something we need to do after the last inspection of the Landfill found several deficiencies. This allows us time to correct those deficiencies with ADEQ. Many items have already been resolved. None of these are new problems, they are problems that already existed, such as how we are reporting storm water. We are working to ensure this is done correctly from now on.

The deficiencies are described by Matthew Doty, along with how they will be corrected within the timeframe allowed.

Motion: A Consent Order , Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.5 Discussion and/or Action [Mayor Wallace]: A PROCLAMATION OF THE MAYOR OF THE TOWN OF HUACHUCA CITY DECLARING THE MONTH OF SEPTEMBER, 2021, AS "HISPANIC HERITAGE MONTH."

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

Mayor Wallace advises that recently Vice Mayor and Manager Harvey got a signed proclamation from the Governor and the Secretary of State at a Hispanic Chamber meeting. He reads ours.

E.6 Discussion and/or Action [Mayor Wallace]: A PROCLAMATION OF THE MAYOR OF THE TOWN OF HUACHUCA CITY DECLARING THE MONTH OF SEPTEMBER, 2021, AS "LIBRARY CARD SIGN UP MONTH."

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

E.7 Discussion and/or Action [Town Attorney]: Approval of the Multi-Agency "ONE ARIZONA DISTRIBUTION OF OPIOID SETTLEMENT FUNDS AGREEMENT", for sharing of any opioid litigation proceeds recovered by the State Attorney General from certain manufacturers and distributors of opioid prescription drugs. This agreement is merely to establish how any proceeds will be apportioned between the various levels of government. It is anticipated that there will be two settlement agreements presented for approval in the next few months which will establish the actual amount of the settlement proceeds.

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

Attorney Benavidez advises that this is about how proceeds would be distributed, based on population. This is a good thing to move into. We are hoping that within the next month or two, to get some actual settlement amounts.

Motion: Multi-Agency "ONE ARIZONA DISTRIBUTION OF OPIOID SETTLEMENT FUNDS AGREEMENT", **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg. Motion passed unanimously.

F. Department Director Reports

Jim Halterman advises the work is going well at the sewer ponds.

Matthew Doty advises that he has a new area for a borrow pit blue staked for use.

Kristy Ramirez is working to provide the ability to submit purchase orders online through Caselle.

Manager Harvey advises that the audit has been pushed back to November. She plans to go to the Rural Summit. This is where we will do a pitch to state legislators to fund the Skyline Drive project. There will be a wellness class on Saturdays for 6 weeks. There are also business classes thanks to the Small Business College at Cochise College. As a reminder there is a Work Session on Monday.

G. Items to be placed on future agendas

H. Reports of Current Events by Council

Councilmember Butterworth advises the food distribution had a lot of people come through.

Councilmember Ferro has started his tours with each of the department heads.

Mayor Pro Tem went to the Hispanic Chamber to receive the Proclamation from Governor Ducey's office.

Councilmember Trate is trying to be able to get more classes to Town.

Councilmember Smelt went to a CABLE meeting. She is a little disappointed that they are not making much progress. The November meeting will be here.

I. Adjournment

Motion: 7:30pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.

Approved by Mayor Johann R. Wallace on October 14, 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 September 23, 2021. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk