



# TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE  
HUACHUCA CITY TOWN COUNCIL  
November 18, 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, Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Suzanne Harvey (Not voting), Thomas Benavidez, Attorney (Not voting).**

**Absent: Keith Settlemyer, Jean Smelt, Jeffrey Ferro, Brandye Thorpe.**

- 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 October 28, 2021 and the Special Session held on November 12, 2021.

C.2 Consider approval of the Payment Approval Report.

**Motion:** Items listed on the 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.

### **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 month of October.**

**Mayor Wallace advises Mr. Forsberg is running late so we will come back to this item.**

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

Spencer Forsberg goes over finances for the month of October. General fund for the month was in the red. All other funds are performing as expected.

**E.2 Discussion and/or Action [Suzanne Harvey]: Approval of the prioritization of recommended roadway improvement projects.**

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

Manager Harvey discusses the top four projects that were identified during the roadway study. Staff has reviewed everything and makes the same recommendations that were provided during the study. The top two would be submitted for funding to the SVMPO in January/February.

The other two would be submitted in April.

Dr. Jim Johnson speaks on this as well and the importance of each of these projects.

Jim Halterman advises of problems already occurring and the efforts to maintain these roads, especially Skyline Drive.

Mayor Wallace advises that he doesn't see the walking path as a priority, the only selling point is that there are no other projects that have been submitted and there is money available for it. He believes that Gila and School Drive would both be more important because of the school buses and all of the traffic to and from the school.

**Motion: The prioritization as listed for the roadway improvements projects, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

**E.3 Discussion and/or Action [Chief Thies]: Approval of road closures for the annual Christmas Parade.**

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

Chief Thies advises of the parade route and the closures. No changes from last year.

**Motion: The road closures for the Christmas Parade, Action: Approve, Moved by Johann Wallace, Seconded by Debbie Trate.**

**Motion passed unanimously.**

Mayor Wallace takes us back to item E.1.

**E.4 Discussion Only [Stephanie Fulton]: Update on the Polar Express/Tree lighting holiday events.**

**Motion: Item E.4, Action: Open for Discussion Only, Moved by Johann Wallace, Seconded by Debbie Trate.**

Stephanie Fulton provides an update on the Holiday Events.

**E.5 Discussion and/or Action [Town Attorney]:** Update concerning House Bill 2381, making changes to the Public Safety Personnel Retirement System [PSPRS] and specific changes affecting the Town's PSPRS Local Board, including hiring independent legal counsel, mandatory training, and potential for consolidating the Town's Local Board with the local board of another jurisdiction.

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

Attorney Benavidez advises of changes to statutes that effect the Town. He details the changes and mentions the potential to consolidate with another local board.

Mayor Wallace explains that the most recent action the board took was with Officer Bear and getting her into the system.

Councilmember Butterworth asks if it were consolidated, would the costs be split.

Attorney Benavidez advises they would.

Mayor Wallace asks if there is a limit to how many jurisdictions can be represented by a single board.

Attorney Benavidez advises that the State would have to approve it. It should be 2-3 entities so that each could have representation on the board.

Councilmember Trate asks how many are on our board currently.

Attorney Benavidez advises there should be five.

Mayor Wallace confirms there are five.

**Motion:** to reach out to other communities to begin looking at possible consolidation, **Action:** Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
**Motion passed unanimously.**

**E.6 Discussion and/or Action [Mayor Pro Tem Hirshberg]:** Discussion of drinking water sources for Town staff and/or volunteers.

**Motion:** Item E.6, **Action:** Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Cynthia Butterworth.

Mayor Pro Tem Hirshberg advises she requested this item because on one day we spent over \$100.00 on water so it should be looked at.

Mayor Wallace advises that because of what happened with the Census and the fact that we are going to start having less money coming in, we are going to start to look at where we are spending money now, and how we can start reducing now to help offset that impact. We are looking at a \$40,000.00 reduction, so anything we can do to start reducing costs should be done. The first place to start is why are we paying for water when we own water. It's good water. He doesn't believe there is a need to be outsourcing our water consumption. It's a waste of money. Mayor Wallace asks how much we spend on water per month.

Kristy Ramirez advises it went up from \$66 to \$91 just recently.

Manager Harvey advises that this is happening at Public Works and Landfill. They do not have a drinking fountain, and they work outside. One thing to look at would be a one time purchase of water bottles, which could be filled from the faucet in the breakroom. This would be reusable, which is also kinder to the environment. They do have a faucet, ice and a refrigerator out there. I think this is very doable.

Councilmember Butterworth reminds everyone that we are not able to gift anything to the inmates, to include cups or tumblers.

Manager Harvey states that those would stay with us.

**Motion: To stop the water service, Action: Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

Mayor Pro Tem Hirshberg asks if it can be discussed further. She wants to know if there is something else that could be done besides stopping it altogether.

Jim Halterman advises that he can fill up 5 gallon jugs with water, but he was told that he can't purchase paper cups anymore. Manager Harvey advises that is an ongoing expense whereas if a water bottle was purchased, they are refillable and used for a much longer period of time as opposed to being thrown away several times a day.

Mayor Pro Tem asks about filling the bottles at a machine instead of having Sparklets come and exchange them. There is discussion of purchasing a cooler for the 5 gallon water bottles instead of renting one.

Attorney Benavidez advises that since there was already a motion and a second it has to be completed.

**Motion: To stop the water service, Action: Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion Failed.**

**Motion: Direct staff to look into the options as discussed, Action: Table, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

**E.7 Discussion and/or Action [Suzanne Harvey]: Approval of a rental agreement with the Huachuca City Lion's Club for the use of their building on November 24, 2021, to cook and serve a Thanksgiving meal for Town residents.**

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

Manager Harvey advises this is just to use the building and have documentation.

**Motion: the rental agreement with the Huachuca City Lion's Club, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

**E.8 Discussion and/or Action [Suzanne Harvey]: Approval of the annual 3% increase to the Town's water and sewer fees.**

**Motion: Item E.8, Action: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Cynthia Butterworth.  
Item E.7 was skipped and will be returned to.**

**Attorney Benavidez advises no action is required, this was already approved when the rate study was done.**

**E.9 Discussion and/or Action [Suzanne Harvey]: Authorization for payment and decision as to which general ledger account the fee for the Fire Fighters' Presumptive Cancer payment should be charged to.**

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

**Manager Harvey explains that this was an unfunded mandate that came out of the legislature this year. This was not planned for because we did not know about it. We do have a line item for the fire department so I recommend it be put here. It is line item 10-53-366.**

**Attorney Benavidez advises each municipality has to pay this no matter if they have a fire department or not.**

**Motion: Payment as stated earlier and direct the charge to the general ledger account 10-53-366, Action: Authorize, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

**E.10 Discussion and/or Action [Matthew Doty]: Update on the landfill expansion and consent order compliance status, and approval of related expenditures.**

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

**Manager Harvey advises that the landfill expansion was approved previously by council and Hugh Walker has submitted it and ADEQ came back with some additional requirements that are not covered in his contract or fees. There is a new one in the packet for Council to review. It is going to cost us more to continue through with this however since we have already invested a significant amount of money, it wouldn't be a good idea to walk away now. Mayor Wallace states we just have to carry on.**

**Motion: the additional expences as noted to continue with the landfill expansion and consent order, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

**E.11 Discussion and/or Action [Matthew Doty]: Approval of expenditures for the repair of the Caterpillar 816k landfill compactor in the amount up of \$22,800.45.**

**Motion:** Item E.11, **Action:** Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Matthew Doty explains that the left wheel of the compactor was locking up. The operator immediately moved it to a safe location and it was parked. It was discovered that there was a drain plug that had fallen out of the rear differential. The machine has been down since. Initial thoughts were that maybe it was not torqued to spec during the last major repair. I doesn't seem that it would come loose like that to me. Empire advised that there is no way it wasn't tightened to spec, and that there appeared to be a place where the equipment was struck that could have loosened the plug. This damage could have happened at any time, but we are going to have to pay for the repairs either way.

Discussion about the possibility of further damage being discovered during the repair process, which could make the cost even higher.

Mayor Wallace clarifies that if another vendor works on this, the warranty with Caterpillar would not be valid anymore.

**Motion:** Approval of expenditures for the repair of the Caterpillar 816k landfill compactor in the amount up to \$35,000.00, **Action:** Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

**E.12 DISCUSSION AND/OR ACTION [MAYOR WALLACE]: RESOLUTION 2021-20. A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, APPROVING AND AUTHORIZING A LEASE WITH OPTION TO PURCHASE AGREEMENT FOR DISPOSAL OF SURPLUS REAL PROPERTY [830 ARIZONA STREET ALONG WITH THE ADJACENT PARCEL (TAX PARCELS 106-48-143 AND 106-47-02D); APPROVING EXECUTION OF THE AGREEMENT AND ALL RELATED DOCUMENTS; AND AUTHORIZING EXPENDITURE OF THE FUNDS REQUIRED TO CLOSE THE TRANSACTION. THE COUNCIL MIGHT VOTE TO ENTER EXECUTIVE [CLOSED] SESSION, PURSUANT TO A.R.S. 38-431.03 (A) (1), (4) AND (7), FOR LEGAL ADVICE AND DISCUSSION CONCERNING THE PROPOSED AGREEMENT.**

**Motion:** Item E.12, **Action:** Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Debbie Trate.

No need for Executive Session is determined.

Attorney Benavidez advises it is a 5 year lease with option to buy in the first 3 years.

Mayor Wallace asks how long it would be before the first payment would be made to us.

Attorney Benavidez advises a compulsory commencement date is needed.

Mayor Wallace would like staff to set that.

**Motion:** Resolution 2021-20 and allow staff to establish the compulsory commencement date,

**Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

**F. Department Director Reports**

Dr. Jim Johnson will not be at the December meeting.

Jim Halterman advises of a water leak repair.

Kristy Ramirez advises that deficiencies and errors have been being found enabling improvement.

Stephanie Fulton advises the Arizona State Librarian and the grants coordinator from the state library. They are looking into a potential program for virtual reality for seniors.

Chief Thies advises grant tracking has been improved upon. More information to come.

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

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

Councilmember Butterworth attended the global economic luncheon.

Mayor Wallace advises he spoke with Mr. Beaman about an initiative he is looking at to encourage kids to come to school.

**I. Adjournment**

**Motion: 7:32pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.**

Approved by Mayor Johann R. Wallace on December 9, 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 November 18, 2021. I further certify that the meeting was duly called and a quorum was present.



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Ms. Brandye Thorpe,  
Town Clerk