



# TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE  
HUACHUCA CITY TOWN COUNCIL  
May 12, 2022 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

**Mayor Wallace.**

- b. Roll Call and Ascertain Quorum

**Roll Call.**

**Present: Johann Wallace, Jean Smelt, Jeffrey Ferro, Cynthia Butterworth, Keith Settlemeier, Christy Hirshberg, Attorney Thomas Benavidez (not voting), Manager Harvey (not voting), Clerk Brandy Thorpe (not voting).**

**Absent: Debra Trate.**

- c. Invocation  
**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 April 28, 2022 and the Work Session held on April 21, 2022.

C.2 Consider approval of the Payment Approval Report.

C.3 Declaration as public records of the Town the following nationally recognized building codes:

C.3.1 Adoption of Resolution 2022-04 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL BUILDING CODE, AND APPENDICES THERETO, 2018 EDITION."

C.3.2 Adoption of Resolution 2022-05 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL ENERGY CONSERVATION CODE 2018 EDITION, WITH AMENDMENTS."

C.3.3 Adoption of Resolution 2022-06 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL EXISTING BUILDINGS CODE 2018 EDITION, WITH AMENDMENTS."

C.3.4 Adoption of Resolution 2022-07 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL FIRE CODE 2018 EDITION, WITH AMENDMENTS."

C.3.5 Adoption of Resolution 2022-08 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL MECHANICAL CODE, AND AMENDMENTS THERETO, 2018 EDITION."

C.3.6 Adoption of Resolution 2022-09 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL PLUMBING CODE, AND AMENDMENTS THERETO, 2018 EDITION."

C.3.7. Adoption of Resolution 2022-10 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "INTERNATIONAL RESIDENTIAL CODE, AND AMENDMENTS THERETO, 2018 EDITION."

C.3.8 Adoption of Resolution 2022-11 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "NATIONAL ELECTRICAL CODE, AND AMENDMENTS THERETO, 2020 EDITION."

C.3.9 Adoption of Resolution 2022-12 - DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "ICC/ANSI A117.1 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES 2017 EDITION."

**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.*

#### **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 [Mark Savage]: Update regarding fire protection and Emergency Medical Services [EMS] transition and fire alerting system.**

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

Chief Savage states there were 37 EMS calls for the month of April, 27 resulting in transports, 5 occurring in off peak hours. There were 29 business fire inspections. GIS locating has been started for fire hydrants and the hydrants are also being marked with blue reflectors in the streets. They are doing flow tests and inspecting hydrants. Most of the hiring has been completed. Some repairs are being done to some of the equipment/vehicles. Work has been getting completed on the station. Grants have been applied for to include solar panels on the stations and one has been approved for the fire station alerting grant, which includes automated dispatching.

**E.2 Discussion and/or Action [Suzanne Harvey]: Update on 4<sup>th</sup> of July Fireworks purchasing, discussion may also include other 4<sup>th</sup> of July events/plans.**

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

Manager Harvey advises that we are still having difficulty getting a quote for fireworks and if we will be able to get them. She states that we will still have an event, but may end it earlier to give everyone the chance to go somewhere else to see the fireworks. Whetstone Fire has provided a quote to set the fireworks off if we can get some.

Councilmember Settlemyer asks if we have looked into laser shows.

Manager Harvey advises that we have not, but she does believe we could not get anything in time for this year anyway.

Councilmember Smelt asks if we will still serve food.

Manager Harvey advises that everything will be the same as last year except we may not have a band since we are struggling to find one. We may end up with a DJ instead.

**E.3 Discussion and/or Action [Suzanne Harvey]: Approval of re-engagement of health insurance provider for eligible Town employees.**

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

Manager Harvey advises there is a 5% increase in the rate, but we have a guaranteed surplus of \$8000.00 that will be applied to our bill and means it will cost less. She believes we should re-engage. The coverage does not change at all.

**Motion: The re-engagement of the current health provider for Town employees, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion passed unanimously.**

**E.4 Discussion and/or Action [Suzanne Harvey]: Council will be asked to set planning, zoning and code enforcement priorities/focus areas for the Town's Building Official, Dr. Jim Johnson.**

Mayor Wallace advises that Dr. Johnson is not present, so this will be moved to the next meeting.

**E.5 Discussion and/or Action [Suzanne Harvey]: Approval of repairs to the Town's Caterpillar 816K landfill compactor in the amount of \$5,600.00.**

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

Manager Harvey advises that this is not just a repair, but preventative maintenance that should be done periodically. We don't want major repair costs from not doing this. I didn't have an

exact amount when this was sent, I would like to get approval for \$6000.00 in case there are other repairs to be done while they are here. It will save on the cost of them coming again, which costs us money.

Councilmember Settlemyer asks if this includes guards that could be put on the machine, which had previously been discussed.

Manager Harvey advises that it does not and it would be significantly more to do that but she can not provide an amount at this time.

**Motion:** The repairs to the Caterpillar 816K Compactor in the amount of \$7500.00, **Action:** Approve, Moved by Johann Wallace, Seconded by Jeffrey Ferro.  
**Motion passed unanimously.**

**E.6 Discussion and/or Action [Suzanne Harvey]:** Approval of an extension of the Town's current contract with First West Properties for marketing the Town's 830 Arizona Street property for sale and lease.

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

Manager Harvey advises that the contract has expired but they have continued to work for us. There has been an uptick in interest recently. We do not have the staff to do the showings, publicity and other things involved with this. She believes it would be in the best interest of the Town.

Councilmember Smelt asks what the commission is.

Attorney Benavidez advises it is 6%.

**Motion:** Extend the contract with First West Properties to market the 830 Arizona Street property for sale or lease, **Action:** Approve, Moved by Johann Wallace, Seconded by Jeffrey Ferro.  
**Motion passed unanimously.**

**E.7 Discussion and/or Action [Mayor Wallace]:** Update on the possible annexation of the portion of Lower Huachuca City not currently included within the Town's corporate limits. The Town Attorney will also provide an overview of the municipal annexation process.

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

Attorney Benavidez provides an outline of the process of annexation, including gathering signatures of property owners. He explains the steps that would need to be taken, which include creating a 10 year plan for providing services.

Mayor Wallace asks if it were to be annexed, would the property owners then be moved out of their current fire district, or would they have to still pay that tax and have the city tax on top of it.

Attorney Benavidez states that he believes they would remain in their current fire district. He will look into it further though to be sure.

Motion: To begin gathering information and looking into a cost/benefit evaluation and bring it back to council, Action: Direct Staff, Moved by Johann Wallace, Seconded by Jeffrey Ferro. Motion passed unanimously.

**E.8 Discussion and/or Action [Mayor Wallace]: Resolution 2022-03- A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH COCHISE COUNTY FOR ELECTION SUPPLIES AND SERVICES.**

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

Mayor Wallace advises that we have to do this every election year.

Motion: Resolution 2022-03, an IGA with Cochise County for election supplies and services, Action: Approve, Moved by Johann Wallace, Seconded by Jeffrey Ferro. Motion passed unanimously.

**E.9 Discussion and/or Action [Mayor Wallace]: Second Reading- The Town's Building Official, Dr. Jim Johnson, is recommending that the Town update the following building and related codes.**

Mayor Wallace advises that he wants Dr. Johnson to be present for this second reading in case there are any questions, so it will be moved to the next meeting.

**E.9.1 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-01- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION" BY REPLACING THE CURRENT BUILDING CODE OF THE TOWN, CODIFIED AT CHAPTER 15.05, WITH THE INTERNATIONAL BUILDING CODE, 2018 EDITION, WITH APPENDICES AND AMENDMENTS; AND UPDATING PENALTY PROVISIONS.**

**E.9.2 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-02- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.40 "ENERGY CONSERVATION CODE," SECTIONS 15.40.010 AND 15.40.020 TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE WITH AMENDMENTS.**

**E.9.3 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-03- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.20 EXISTING BUILDING CODE," SECTIONS 15.20.010 AND 15.20.020, TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDINGS CODE WITH AMENDMENTS.**

**E.9.4 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-04- AN ORDINANCE AMENDING THE TOWN CODE TITLE 2 "ADMINISTRATION AND PERSONNEL," CHAPTER 2.65 "VOLUNTEER FIRE**

DEPARTMENT" AND TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.50 "FIRE CODE" TO ADOPT THE INTERNATIONAL FIRE CODE 2018 EDITION WITH AMENDMENTS.

**E.9.5 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-05- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.35 "MECHANICAL CODE," SECTIONS 15.35.010 AND 15.35.020 TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS.**

**E.9.6 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-06- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.25 "PLUMBING CODE," SECTIONS 15.25.010 AND 15.25.020 TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE WITH APPENDICES AND AMENDMENTS.**

**E.9.7 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-07- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.10 "RESIDENTIAL CODE," SECTIONS 15.10.010 AND 15.10.020 TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL BUILDING CODE WITH APPENDICES AND AMENDMENTS.**

**E.9.8 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-08- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," CHAPTER 15.15 "ELECTRICAL CODE," SECTIONS 15.15.010 AND 15.15.020 TO ADOPT THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE WITH AMENDMENTS.**

**E.9.9 Discussion and/or Action [Dr. Johnson]: Ordinance 2022-09- AN ORDINANCE AMENDING THE TOWN CODE TITLE 15 "BUILDINGS AND CONSTRUCTION," TO REMOVE THE INTERNATIONAL PROPERTY MAINTENANCE CODE FROM CHAPTER 15.55 AND REPLACE IT WITH THE INTERNATIONAL CODE COUNCIL'S STANDARDS FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES 2017 EDITION.**

**E.10 Executive Session [Mayor Wallace] – The Council might vote to convene in executive [closed] session, pursuant to A.R.S. 38-431.03(A)(1) & (4), to conduct an employment evaluation of the Town Manager, Suzanne Harvey, and to discuss the terms of her employment agreement. Any action by the Council will take place in public [open] session.**

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

**Motion: 6:55 pm, Action: Enter into Executive Session, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Motion: 7:19 pm, Action: Enter back in to Public Session, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

No Action to be taken.



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

Councilmember Ferro advises he went to the family literacy event at the Library last week. There was only one family in attendance.

Councilmember Settlemeier thinks it's important for the community to get involved in these events and things.

Councilmember Smelt is going to a Seago meeting in Thatcher.

Councilmember Butterworth advises that food distribution next week will be on Thursday instead of Friday because of training for the Salvation Army people.

Mayor Pro Tem Hirshberg advises that she went to the Library and was gathering information to give to her new neighbor. They were very kind and giving.

Mayor Wallace will be at the Cochise College graduation. The USPP meeting was cancelled. The Hispanic Chamber meeting is upcoming. The Mayor/Managers luncheon is on the 25<sup>th</sup>. The Huachuca 50 has a candidate down right now and they are giving a tour of Ft. Huachuca.

**G. Adjournment**

**Motion: 7:26pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.**

Approved by Mayor Johann R. Wallace on May 26, 2022.

\_\_\_\_\_  
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 April 28, 2022. I further certify that the meeting was duly called and a quorum was present.

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Ms. Brandye Thorpe,  
Town Clerk