



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
July 28, 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, Jeffrey Ferro, Cynthia Butterworth, Keith Settlemyer, Christy Hirshberg, Attorney Thomas Benavidez (Not voting), Town Manager Suzanne Harvey (Not voting).

Absent: Debra Trate, Jean Smelt, Town Clerk Brandye Thorpe.

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 July 14, 2022.
- 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 June.

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

Spencer Forsberg reviews the General Fund for the month of June. The General Fund ended in the red \$57,700.00. This is mostly due to unrealized gains. This is our investment account, investments are down. We still hold these investments, but we saw a loss of about \$73,000.00

from last year. The Department heads did a good job of estimating and controlling their budgets for the year. Kuddos to them.

Enterprise funds: Water Fund showed in the black \$31,560.00 for the fiscal year.

Sewer Fund was in the black \$109,190.00 for the fiscal year.

Garbage Fund was in the red \$1,527.00 for the fiscal year.

Landfill Fund was in the red \$43,310.00 for the fiscal year.

Mayor Wallace advises that we have to show a loss for the investment account. The Landfill ended in the red, and the General Fund had to pay those costs. What may happen when the auditors come in is that the Landfill has to pay that money back to the General Fund. He will be interested to see what they find when they come. He wants everyone to understand that we didn't overspend in the General Fund, it's a loss that we had to post due to the investment account.

E.2 Discussion and/or Action [Suzanne Harvey]: Approval of a Memorandum of Understanding with the Fraternal Order of Police for use of the Town's building located at 813 Arizona Street for a haunted house.

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

Mayor Wallace confirms with Attorney Benavidez that this is a pretty standard agreement that the Town uses. There are tradeoffs included where they will do some cleanup outside and fix some things inside and do some painting.

Motion: The Memorandum of Understanding with the Fraternal Order of Police for use of the Town's building located at 813 Arizona Street, Action: Approve, Moved by Johann Wallace, Seconded by Cynthia Butterworth.

Motion passed unanimously.

E.3 Discussion and/or Action [Suzanne Harvey]: Approval of a Memorandum of Understanding with Huachuca City Community Garden, Inc., for continued use of Town property to maintain a community garden to the north of the Library.

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

Mayor Wallace advises that this is an update to the language to make it more current. They will be putting up a building to be used for teaching. Primarily a language update.

Motion: The Memorandum of Understanding with the Community Garden, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.4 Discussion and/or Action [Suzanne Harvey]: After action review of the Town's 4th of July event.

Mayor Wallace postpones this Agenda item for the next meeting so everyone involved can be present.

E.5 Discussion and/or Action [Suzanne Harvey]: Selection of a firm to provide criminal prosecution services to the Town in the Municipal Court.

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

Mayor Wallace advises that initially there were three bids on this but there are only two in the packet. The other one was just too high, financially the Town couldn't afford it. Of the two bids, he is leaning toward the one that is less expensive. Councilmember Ferro asks if the insurance thing was figured out. Mayor Wallace advises that in one of the bids, they were asking to be added onto the Town's insurance, which as a contractor, they cannot do. Mayor Wallace asks Attorney Benavidez if we can add a contractor onto our Risk Pool. Attorney Benavidez advises that we can't, but we might be able to work out an arrangement where they would be considered an employee, but we need to explore that and work those details out before we engage the Roberts Firm.

Mayor Wallace states that he thinks that what needs to happen is to have staff figure out all the costs associated with adding her to the Risk Pool and see if she is agreeable to it. He further advises that they will not make a decision on who to go with tonight. Just because we need to be able to understand the whole cost.

Attorney Benavidez advises that if Council authorizes staff to move forward with negotiating the contract with the Roberts firm, it would be brought back to Council for approval.

Mayor Wallace wants to make sure it is still the cheaper option once all of this is figured out. He wants to be able to choose the other option.

Motion: To go ahead and begin negotiations and if the total value of that negotiation comes in lower than the cost for Javier's law firm, to go ahead and move forward with engaging Ms. Roberts for prosecution services, Action: Direct Staff, Moved by Johann Wallace, Seconded by Jeffrey Ferro.

Motion passed unanimously.

E.6 Discussion and/or Action [Suzanne Harvey]: Approval of a contract with KE&G to provide construction services on the Community Development Block Grant ["CDBG"] park improvement project.

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

Mayor Wallace advises that staff have been talking to KE&G and some of the costs have come down and are coming into our range. At this point we would have to engage. We are within the price range we discussed with what we have now.

Motion: The contract with KE&G to provide construction services on the CDBG park improvement project, Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.7 Discussion and/or Action [Stephanie Fulton]: Update on progress on the Library's top ten priorities.

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

Mayor Wallace states it is really hard to prioritize the Library's Top Ten. He does mention that he noticed that there is nothing in the top ten for children's programming. He states that we really need to make sure we are having consistent programming available for the kids in this town. Stephanie Fulton advises that the after school programming will be starting again in September. Also a new 4H coordinator has been hire and we are hoping to be able to bring him in to do something on Fridays.

Councilmember Ferro asks that Policies and Procedures be prioritized.

Mayor Wallace agrees and also states that Digital Literacy is also important and getting something to the Community Center is as well. Stephanie Fulton advises that a grant has been approved to get a collection to be kept down at the Community Center as an extension.

Top Priorities are determined as follows:

Policies and Procedures

Strategic Plan

Digital Literacy

Motion: The top three priorities regarding the Library now are those discussed, Action: Direct Staff, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Motion passed unanimously.

E.8 Discussion and/or Action [Mayor Wallace]: Resolution 2022-17 - Adopting the property tax levy for fiscal year 2022-2023.

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

Mayor Wallace explains that we have to do this. Property tax rate will be 1.3064% for each \$100 valuation on the property. We did not raise the taxes this year.

Mayor Wallace moves for a roll call vote to approve Resolution 2022-17

Attorney Benavidez does the roll call

Vote: Motion carried by unanimous roll call vote (summary: Aye = 5).

Aye: Johann Wallace, Jeffrey Ferro, Cynthia Butterworth, Keith Settlemyer, Christy Hirshberg.

F. Reports of Current Events by Council

Mayor Pro Tem Hirshberg is excited for tomorrow's Back to School, backpack distribution and National Night Out.

Mayor Wallace is excited for tomorrow as well. On the 18th there will be a business fair, to speak with business owners about what is going right and what could improve. Tomorrow is also the Hispanic Chamber meeting. Town will not have representation at that, he will be here. Next Wednesday is the Military Affairs Luncheon.

G. Adjournment

Motion: 6:40pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Jeffrey Ferro.

Motion passed unanimously.

Approved by Mayor Johann R. Wallace on August 11, 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 July 28, 2022. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk