



# TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE  
HUACHUCA CITY TOWN COUNCIL  
December 8, 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, Christy Hirshberg, Jeffrey Ferro, Cynthia Butterworth, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (Not voting), Town Attorney Thomas Benavidez (Not voting).**

**Absent: Debra Trate, Jean Smelt.**

#### **c. Invocation**

**Mayor Wallace calls for a moment of silence.**

*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 November 10, 2022 and the Special Session held on November 17, 2022.

C.2 Consider approval of the Payment Approval Report.

C.3 Consider approval of the disposal of a JY4AM01Y53C044848-2003 Yamaha ATV, 4T1BF18B9XU325165- 1999 Toyota Avolan, 1GNFK16R6XJS70676- 1999 Chevrolet Suburban, KNAFE162765347134- 2006 Kia Spectra, 1FTYR44U84PA65303- 2004 Ford Ranger, B3KA43G27H830699- 2007 Dodge Charger, 5TDZA22C84S087804- 2004 Toyota Sienna Van, 1GNEK13T41R118326- 2001 Chevrolet Tahoe, JNKCV61E99M308574- 2009 Infiniti G37 and a 3FAKP113XXR220765- 1999 Ford Escape through Public Surplus.

**Motion:** Items listed on the consent agenda, **Action:** Open 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 approved 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 [Suzanne Harvey]:** A representative from Hinton Burdick, CPAs, will present the Town's annual financial audit report for fiscal year 2020-2021. All Town financial accounts, controls, debts, enterprises, revenues, and expenditures may be discussed.

**Motion: Item E.1, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Jeffrey Ferro.**

*Jennifer Frank presents the audit results virtually through a slide presentation.*

**Motion: The financial audit provided by Hinton Burdick, Action: Accept, Moved by Johann Wallace, Seconded by Jeffrey Ferro.**

**E.2 Discussion and/or Action [Spencer Forsberg]:** Mr. Forsberg will present the Town's finances for the preceding months.

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

*Mr. Forsberg provides a financial overview for the month of October. General Fund was in the red for the month due to the Fire Services payment, which will balance out in future months.*

**E.3 Discussion and/or Action [Mayor Wallace]:** Farewell to former Councilmember Keith Settlemeier.

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

*Mayor Wallace expresses his gratitude for Mr. Settlemeier's service to the town. Mr. Settlemeier expresses his hope that the vacant seat gets filled.*

**E.4 Discussion and/or Action [Brandye Thorpe]:** After Action Review of the Thanksgiving meal at the Lions Club.

**Motion: Item E.4, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Cynthia Butterworth.**

*Clerk Thorpe gives a brief presentation and provides Council with feedback received about the event since the meal. Over 100 people were served this year. Hoop's House received all of the leftover food for their residents.*

**E.5 Discussion and/or Action [Stephanie Fulton]:** Review of plans for the Town's Annual Holiday Gift Basket Program.

**Motion: Items listed on the consent agenda, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Jeffrey Ferro.**

**Stephanie Fulton advises there are currently 35 applications for families and seniors. These will all be able to be filled due to the generous donations received.**

**E.6 Discussion and/or Action [Suzanne Harvey]: Approval of a contract with Honorable Keith Barth to serve as the Town's Magistrate Judge.**

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

**Mayor Wallace advises that this is a contract renewal, with only slight changes to the prior contract.**

**Motion: The contract with Honorable Keith Barth to serve as the Town's Magistrate Judge,**

**Action: Approve, Moved by Johann Wallace, Seconded by Cynthia Butterworth.**

**Motion passed unanimously.**

**Mayor Wallace swears in Honorable Keith Barth.**

**E.7 Discussion and/or Action [Brandye Thorpe]: Approval of the proposed Council Meeting schedule for January 2023 thru December 2023.**

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

**Clerk Thorpe this is the same as in the previous year. Second and Fourth Thursdays each month except for November and December.**

**Motion: the proposed Council Meeting schedule for January 2023 thru December 2023, Action: Approve, Moved by Johann Wallace, Seconded by Cynthia Butterworth.**

**Motion passed unanimously.**

**E.8 Discussion and/or Action [Suzanne Harvey]: Consideration and possible approval of a letter of intent to purchase the Town's building and real property located at 830 Arizona Ave. The Council might vote to enter into executive [closed] session, pursuant to A.R.S. 38-431.03(A)(3), (4) & (7), to consult with its attorney and instruct its representatives concerning the potential sale of the property.**

**Motion: Item E.8, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Jeffrey Ferro.**

**Mayor Wallace advises this is just a letter of intent, not the actual sale. It will give the buyer the opportunity to gather the funds to purchase the property and make sure he does want to purchase it. He further reminds Council that it was purchased by the Town for more than it would appraise for and the Town should never expect to get that much from the property. He states that if it goes through, it's a way to lessen our liability for our outstanding loan.**

*Manager Harvey asks if this is binding if we were to enter into a purchase agreement or if we could continue to negotiate the price.*

*Attorney Benavidez advises that he believes this isn't quite ready for Council approval. He suggests that Council have himself and the Town Manager pursue further negotiations on this and bring it back to the Council.*

*Motion: The Town Attorney and Town Manager to pursue further negotiations and bring it back to Council when ready, Action: Authorize, Moved by Johann Wallace, Seconded by Christy Hirshberg.*

*Motion passed unanimously.*

*E.9 Discussion and/or Action [Chief Thies]: Presentation from the Police Chief concerning participation in the Law Enforcement Support Office Program ["LESO"] and changes to the State Plan of Operation regarding controlled property/equipment provided to the Town's police department through the LESO. The Chief will discuss which items of controlled equipment our police department already has and which pieces of equipment, if any, the department is considering acquiring.*

*Motion: Item E.9, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Cynthia Butterworth.*

*Chief Thies gives a presentation. He advises that the department currently has some of the controlled property/equipment and intends to return said property as it is not needed. He advises that the requirements will be met by the deadline. He further advises he would like to request a mobile command vehicle.*

*Mayor Wallace states he does not believe we need nor can we equip and maintain a mobile command vehicle. He further advises that he has not seen some of the required items, so he thinks this is great and we should do it, once the Town Manager and Town Attorney have been provided sufficient evidence that the requirements are being met.*

*Motion: Chief Thies to sign and return the addendum by the end of the year after Manager Harvey has sufficiently reviewed all expectations and is satisfied with the results of the review,*

*Action: Authorize , Moved by Johann Wallace, Seconded by Jeffrey Ferro.*

*Motion passed unanimously.*

*E.10 Discussion and/or Action [Mayor Wallace]: Update concerning applications to fill the vacant seat on the Town Council [with a term to expire in November, 2024].*

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

*Clerk Thorpe advises that there has been some interest, however no one has picked up a packet yet. She asks if Council wants to set a deadline.*

**Motion: To bring this back at the last meeting in January to see if anyone has submitted a packet and make a determination about scheduling interviews, Action: Direct Staff , Moved by Johann Wallace, Seconded by Christy Hirshberg.**  
**Motion passed unanimously.**

**E.11 Discussion and/or Action [Mayor Wallace]: Oath of Office/Swearing in of each of the recently elected Councilmembers and Mayor.**

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

**Mayor Wallace advises that we are still a Councilmember shy tonight and he would rather get everything done at once. He asks the Town Attorney if there is a statutory legal requirement that would prevent pushing this item to the first meeting in January. Attorney Benavidez advises it would be fine to do it in January.**

**Motion: This Item until the first meeting in January, Action: Postpone, Moved by Johann Wallace, Seconded by Christy Hirshberg.**  
**Motion passed unanimously.**

**E.12 Discussion and/or Action [Suzanne Harvey]: Approval of a bid for property lawnmowing services.**

**Motion: Item E.12, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.**

**Mayor Wallace advises this bid is lower than the prior bid.**

**Motion: The quote with Southwest Desert Images in the amount of \$2017.50 for the abatement of the three properties listed, Action: Open Discussion and/or Action, Moved by Johann Wallace, Seconded by Jeffrey Ferro.**  
**Motion passed unanimously.**

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

**Councilmember Butterworth advises she helped at the Thanksgiving Meal. Healthy Huachuca meeting was last night, next meeting will be in February. Still working on getting the Farmer's Market. She would like an alternate for her assigned in the SVMPO.**

**Mayor ProTem Hirshberg helped at the Thanksgiving meal as well. She also attended the Mayor/Manager meeting. She is looking forward to the parade this weekend.**

**Mayor Wallace went to the Sierra Vista parade. Tomorrow is the Polar Express and tree lighting. Next week there will be a drive through food and toy drive on the 13<sup>th</sup> and 14<sup>th</sup>. Cox is having a problem with permitting through ADOT, they are looking at re-engineering part of it to get the internet service brought to town.**

#### **G. Adjournment**

**Motion: 7:20pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg.  
Motion passed unanimously.**

Approved by Mayor Johann R. Wallace on October 27, 2022.

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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 8, 2022. I further certify that the meeting was duly called and a quorum was present.

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Ms. Brandye Thorpe,  
Town Clerk