



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
Special Session
December 29, 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 (via telephone), Christy Hirshberg, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (Not voting), Town Attorney Thomas Benavidez (Not voting).

Absent:

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. New Business Before Council - 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.

D.1 Discussion and/or Action [Mayor Wallace]: RESOLUTION No. 2022-20 A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, APPROVING AN AGREEMENT FOR SALE OF TOWN REAL PROPERTY, LOCATED AT 830 ARIZONA STREET, AND AUTHORIZING EXECUTION AND DELIVERY OF ALL TITLE AND ESCROW DOCUMENTS AND PAYMENT OF CLOSING COSTS AND BROKERAGE COMMISSIONS, NECESSARY FOR CLOSING THE TRANSACTION.

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

Mayor Wallace advises that Candace White from First West Properties is present to answer questions. He asks if Attorney Benavidez is comfortable with the agreement.

Attorney Benavidez advises he is comfortable with the agreement. He thinks the contract is fine.

Mayor Wallace and Manager Harvey confirm that the handwritten notes on the agreement belong to Attorney Benavidez.

Councilmember Smelt asks how long we will have to wait, because his property does not even have a for sale sign at this time.

Mayor Wallace advises the agreement gives through April.

Councilmember Smelt asks if that means we can't get any other offers during that time.

It is confirmed that back up offers can be accepted during this timeframe with Attorney Benavidez.

Councilmember Trate states that she can't read the second sentence in the additional terms.

Manager Harvey reads the line to her.

Councilmember Trate asks what happens if he can't sell his house for the money needed.

Manager Harvey advises it is not our concern how he gets the money.

Councilmember asks what the commission is.

Candace advises that it is 6%.

Mayor Wallace advises the Town will pay that 6%.

Councilmember Smelt asks how much escrow will be and which title company will handle this.

Candace advises it will be Pioneer Title and she estimates around \$4000.00.

Councilmember Ferro asks if there will be any noise, light or odor issues due to the potential use of the building and the location near residences.

Mayor Wallace states it does not matter in regards to the sale, any business will be required to go through the proper permitting process, where that would be addressed.

Council agrees that they would like a more detailed breakdown of the costs to the Town.

Motion:Resolution 2022-20 , Action: Approve, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passes unanimously.

Adjournment 6:13pm

Approved by Mayor Johann R. Wallace on January 12, 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 December 29, 2022. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk