



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
January 26, 2023 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, Christy Hirshberg, 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

Elder Thomas leads the invocation.

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 January 12, 2023.

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 [Mayor Wallace]: Farewell to Robert “Bo” Fridinger – Retiring after 12 years and 3 months of service in the Public Works Department.

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

Mayor Wallace presents a plaque to Robert “Bo” Fridinger and thanks him for his years of service to the Town. He wishes him well on his future endeavors.

Jim Halterman also thanks him for this time with the Town, and working together for all these years. He wishes him well.

E.2 Discussion and/or Action [Spencer Forsberg]: Mr. Forsberg will present the Town’s financial reports for the month of December.

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

Mr. Forsberg reviews the financials for the month of December.

E.3 Discussion and/or Action [Chief Thies]: Approval to acquire a License Plate Reader camera system and enter into a Software License and Service Agreement with Vigilant Solutions, LLC.

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

Chief Thies responds to a question regarding the term end of the grant and advises that an extension has already been applied for and expected to be granted that would provide an additional 90 days.

Mayor Wallace asks if there will be ongoing costs/expenses associated. Chief Thies states that everything for the next 5 years is included in this. These costs are all covered by the Stonegarden Grant.

Mayor Wallace also asks how many users are included and how many are necessary. Chief Thies will confirm this information.

Mayor Wallace also asks if we have this money to expend while we wait for reimbursement. Manager Harvey confirms that we do.

**Motion: This up to \$32,000.00 as available in the grant award agreement, Action: Approve, Moved by Johann Wallace, Seconded by Cynthia Butterworth.
Motion passed unanimously.**

E.4 Discussion and/or Action [Suzanne Harvey]: Adoption of Resolution No. 2023-03 approving the 2022 Cochise County Multi-Jurisdictional Hazard Mitigation Plan. The Plan can be viewed here: <https://www.cochise.az.gov/DocumentCenter/View/10093/Cochise-County-Multi-Jurisdictional-Plan---DRAFT--PDF?bidId=>

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

Mayor Wallace advises that he has reviewed this, it is a very expansive document. He sees no problem with it.

Motion: Resolution 2023-03, Action: Adopt, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.

E.5 Discussion and/or Action [Brandye Thorpe]: Council decision whether to interview the current applicant/s for the vacant council seat or to extend the deadline further.

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

Clerk Thorpe advises that there has been one application submitted, however it still needs to be notarized. There has been more interest expressed but no others received.

Mayor Wallace suggests that this be brought back at the last meeting in February to give time for anyone else who may want to apply.

Motion: The deadline until the end of February, Action: Extend, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.

E.6 Discussion and/or Action [Mayor Wallace]: Creating an annual plan for Councilmember training on various topics, including open meeting law, conflicts of interest, code of ethics and professional workplace interactions.

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

Mayor Wallace advises this is something that he wants to implement. Things are constantly changing and Council can be personally and financially liable if something were to happen. Councilmember Ferro states that he has no concerns, training is a good thing. He further states that all of these things are perishable skills.

Motion: An annual training plan and I am tasking myself to work with Thomas and Suzanne to establish that for Council action , Action: Create, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.

E.7 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance No. 2023-01 AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.10 "DEFINITIONS," SECTION 18.10.010 "DEFINITIONS," AND CHAPTER 18.100 "SUPPLEMENTAL REGULATIONS," SECTION 18.100.210 "HOME BASED BUSINESSES," TO CHANGE THE DEFINITION OF HOME OCCUPATION AND REVISE THE ZONING REGULATIONS PERTAINING TO HOME BASED BUSINESSES.

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

Mayor Wallace states that he does have a home based business and declares a conflict of interest. He further states that since there are only four members of Council present, if he abstains, there will not be enough votes to make this go forward. He will not engage in the discussion and his vote will count for whichever way the rest of Council votes. He confirms with Attorney Benavidez that this is acceptable. Attorney Benavidez advises he sees no issue with that.

Mayor Wallace advises that Dr. Johnson does not advise any changes based on the Public Hearing comments.

Councilmember Ferro comments about the concerns voiced at the Public Hearing, however Mayor Wallace advises this agenda item is not about the loading zones, that comes later in the Agenda.

E.8 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance No. 2023-02 AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.105 "OFF-STREET PARKING AND LOADING REGULATIONS," TO REVISE OFF-STREET PARKING AND LOADING REQUIREMENTS AND PARKING LOT DESIGN STANDARDS.

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

More concerns are voiced and discussed about the loading zone requirements and parking lot standards. Dr. Johnson will make the changes Council wants and send to Attorney Benavidez to modify the Ordinance.

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

More discussion about parking lot requirements. Guidance is given to Dr. Johnson about how Council would like to see this Ordinance.

E.9 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance No. 2023-03 AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.110 "SIGN REGULATIONS," TO REVISE REGULATIONS AND MAINTENANCE REQUIREMENTS FOR ON AND OFF-PREMISES SIGNS, TEMPORARY SIGNS AND ELECTRONIC MESSAGE DISPLAYS.

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

Mayor Wallace advises there is an error in the Ordinance itself and clarifies what it should say.

E.10 Discussion and/or Action [Mayor Wallace]: First reading of Ordinance No. 2023-04 AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.25 "SITE PLAN REQUIRED," TO REVISE SUBMITTAL AND ADMINISTRATIVE REVIEW REQUIREMENTS FOR PROPERTY DEVELOPMENT SITE PLANS.

Motion: Item E.10, Action: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Mayor Wallace would like to go back to Item E.8

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

Dr. Johnson advises that these changes should make things easier for everyone to understand.

E.11 Discussion and/or Action [Mayor Wallace]: Developing a policy for councilmembers and certain staff members to attend and participate in future council meetings via remote means when they are not able to attend in person. This item may include a discussion regarding technology upgrades needed to facilitate remote access.

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

Mayor Wallace advises that this is exactly as described. We will be looking at equipment to improve our remote capabilities for the town.

Motion: For councilmembers and certain staff members to attend and participate in future council meetings via remote means when they are not able to attend in person , Action: Develop a policy, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.

E. Reports of Current Events by Council

Councilmember Butterworth advises she did the annual walk for wellness. She attended the Celebration of Life for Pat. The SVMPO meeting is coming up in February. She went to the transportation board meeting.

Councilmember Ferro also attended the Celebration of Life. He also attended the Public Hearing.

Mayor Pro Tem Hirshberg went to the Hispanic Chamber meeting. There was a presentation about Cybersecurity and Cyberawareness.

Mayor Wallace informs everyone of the PSPRS audit. Last week was the entrance conference. There is something being worked on with one of our parks that will be coming to Council.

G. Adjournment

Motion: 7:12pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.

Approved by Mayor Johann R. Wallace on February 9, 2023.

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 January 26, 2023. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk