



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
March 23, 2023 AT 6:00 PM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

A. Call to Order – Mayor

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum

B. Roll Call.

Roll Call.

Present: Johann Wallace, Jeffrey Ferro, Cynthia Butterworth, Jean Smelt, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (Not voting), Town Attorney Thomas Benavidez (Not voting).

Absent: Christy Hirshberg, Debra Trate

- a. 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.

C. 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.

D. 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 March 9, 2023.
- C.2 Consider approval of the Payment Approval Report.
- C.3 Consider approval of the disposal of a Ford Fire Truck on Public Surplus.

Motion: Approval of the items on the Consent Agenda, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Councilmember Ferro asked which Ford Fire Truck it is. Manager Harvey let the Council know it's the old one that just sits at the landfill. Public Works Jim Halterman let the council know it's a 1976 Ford that was gifted to us from Fry Fire many years ago. He let the Council know that it can still pump water but shouldn't be used for firefighting.

Motion: Approve Items on the Consent Agenda., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.
Motion passed unanimously.

E. 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 present the Town's financials for the months of January and February.

Motion: Mr. Forsberg will present the Town's financials for the months of January and February, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mr. Forsberg started by saying we are now 67% through the fiscal year. He reported that for the month of February the towns revenue on the General Fund came in at \$136,0021 while expenses on the General Fund came to \$48,564. He alerted the Council that he was still going through some things for February and that these numbers would probably change. He then moved on to the Enterprise Funds. The Water Fund's revenue for the month of February is \$28,592 with expenditures of \$15,216 and a profit of \$13,375. Bringing its total year-to-date to \$46,736 in the black. Februarys Sewer Fund had a revenue of \$20,748 and expenditures of \$10,957. In the black for the month with \$9,791. This fund is about breaking even year-to-date with the loan payment taken care of. The Garbage Fund for the month of February has a revenue of \$12,554 and expenditures of \$13,218. It's in the red for this month with \$663. Year-to-date it's in the black for \$4,165 but this is going to be reviewed for accuracy.

Mayor Wallace asked that this issue does get reviewed and mentioned it may have to do with delinquent accounts. He asked if there was a way to track the delinquent accounts. He said this account should be breaking even because it's contracted out.

Manager Harvey informed the council that there have been several commercial accounts that have contacted Waste Management and made significant changes to their accounts but that was never communicated to the Town and that has affected billing properly. The problems have been fixed and the Town is working with waste Management to ensure changes and rates are communicated properly.

The Landfill Funds revenue for the month is \$109,449 with expenses of \$82,687 and is in the black with \$26,761. Year-to-date this fund is in the red and Mr. Forsberg believes that's do to equipment maintenance.

Councilmember Smelt asked why some items are like 500% over the planned budget and if they just didn't budget correctly?

Manager Harvey explained to the Council that we've seen huge increases that couldn't be budgeted for due to prices and mentions that there is an item later in the agenda being proposed to help address this.

Mr. Forsberg mentions another thing to look at is Fuel.

Councilmember Smelt asked about the Miscellaneous Category in the General Fund. Why it's 760%?

Manager Harvey let the council know that there have been several significant thing to happen. One of them being the sale of Dusk til Dawn and that might have been marked as miscellaneous and they've been able to put money into that account that they weren't expecting to get.

Councilmember smelt clarified her question because she was meaning expenses.

Mr. Forsberg explained that that's actually a credit and will probably be moved to revenue.

E.2 Discussion and/or Action [Mayor Wallace]: PROCLAMATION NO. 2023-05 - A PROCLAMATION OF THE MAYOR DECLARING THE MONTH OF APRIL, 2023, AS GARDEN MONTH IN THE TOWN OF HUACHUCA CITY.

Motion: Proclamation NO. 2023-05 A Proclamation of the Mayor Declaring the Month of April, 2023, as Garden Month in the Town of Huachuca City, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

E.3 Discussion and/or Action [Mayor Wallace]: PROCLAMATION NO. 2023-06- A PROCLAMATION OF THE MAYOR DECLARING THE MONTH OF APRIL, 2023, AS SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH IN THE TOWN OF HUACHUCA CITY.

Motion: Proclamation NO. 2023-06 A Proclamation of the Mayor Declaring the Month of April, 2023, as Sexual Assault Awareness and Prevention Month in the Town of Huachuca City., **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

E.4 Discussion and/or Action [Mayor Wallace]: PROCLAMATION NO. 2023-08- A PROCLAMATION OF THE MAYOR DECLARING THE MONTH OF APRIL, 2023, AS FAIR HOUSING MONTH IN THE TOWN OF HUACHUCA CITY.

Motion: Proclamation NO. 2023-08 A Proclamation of the Mayor Declaring the Month of April, 2023, as Fair Housing Month in the Town of Huachuca City., **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

E.5 Discussion and/or Action [Mayor Wallace]: ORDINANCE NO. 2023-06 – Second reading of AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, AMENDING THE TOWN CODE TITLE 15 “BUILDINGS AND CONSTRUCTION,” CHAPTER 15.60 “PLAN REVIEW,” AND CHAPTER 15.65 “BUILDING PERMIT FEES,” TO ADOPT CHANGES TO THE REQUIREMENTS FOR PLAN REVIEW AND BUILDING PERMITS WHEN MAKING CERTAIN REPAIRS OR IMPROVEMENTS TO REAL PROPERTY.

Motion: Ordinance NO. 2023-06 - Second reading of An Ordinance of the Mayor and Town Council of the Town of Huachuca City, Amending the Town Code Title 15 " Buildings and Construction", Chapter 15.60 "plan Review", and Chapter 15.65 " building Permit Fees", to Adopt Changes to the Requirements for Plan Review and Building Permits when making certain repairs or improvements to real property., **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Council had no questions or concerns.

Motion: Approve Ordinance NO. 2023-06, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.
Motion passed unanimously.

E.6 Discussion and/or Action [Mayor Wallace]: ORDINANCE NO. 2023-07- First reading of AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY AMENDING THE TOWN CODE TITLE 15 “BUILDINGS AND CONSTRUCTION,” CHAPTER 15.70 “FENCES,” TO ADOPT CHANGES TO THE REQUIREMENTS FOR BUILDING AND REPAIRING FENCES.

Motion: Ordinance No. 2023-07 - First reading of An Ordinance of the Mayor and Town Council of Huachuca City Amending the Town Code Title 15 "Buildings and Construction", Chapter 15.70 "fences", to Adopt Changes to the Requirements for Building and Repairing Fences. ,
Action: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Mayor Wallace went over the procedure for a first reading reminding everyone to look through the provided paperwork and whom to direct questions to. He asks that questions be sent by March 31st.

E.7 Discussion and/or Action [Jim Halterman]: Approval of repairs to the Caterpillar D8R Dozer in the amount of \$39,875.03.

Motion: Approval of repairs to the Caterpillar D8R Dozer in the amount of \$39,875.03, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Jim Halterman reported to the Council that about a month and a half ago after doing their daily run through sheet they found oil underneath the Dozer.so they Parked it and had it inspected and discovered that the seals on the outer side of the torque converter were leaking. They had another mechanic come in and it had to be taken to Tucson for repairs. It's a 1991 model and those had been the original seals. It was discovered that the engine mounts were ruined so the whole thing was shaking and causing problems. He also mentioned some other seals that had worn out, just through normal wear and tear and needed replaced. The original repair cost went up after discovering these other issues. Halterman went over the current value of the Dozer and made sure the council understood this is a good thing for the town.

Mayor Wallace commented about how we caught the big problems early and it was definitely time to replace the seals if they were the originals. He also mentioned the good job staff did in catching the problem and parking the dozer until repairs were made. Council had no questions.

Motion: Approval of repairs to the Caterpillar D8R Dozer in the amount of \$39,875.03, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

E.8 Discussion and/or Action [Stephanie Fulton]: Approval to apply for a Library Services & Technology Act ["LSTA"] grant from the AZ State Library to install a StoryWalk® in Leffingwell Park.

Motion: Approval to apply for a Library Services & Technology Act ["LSTA"] grant from the AZ State Library to install a StoryWalk in Leffingwell Park, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Library Director Fulton brought to the Council a possible grant that would put a StoryWalk in Leffingwell Park, she would call it the Leffingwell Park Storyteller. The grant is worth \$14,000 and would place 18 permanent display units in Leffingwell Park around the walking path. In the units would be stories to read and pictures. We aim to have four or more stories a year and want to be able to tie in events like the Polar Express Night. Fulton, Manager Harvey, and Public works would decide where the units go but it would be along the walking path. The ultimate goals are to promote families reading readiness and families exercising. This would be a great thing to add to our upgraded park and these can be very popular. The awards will be announced in the beginning of May. If we are awarded then we would receive the money in July 2023 and would start purchasing the units and other materials needed. August through October we would work on the installation of the units and displays being created. November we would have a grand opening event. Part of the grant includes expenses for installation, tools, and an anti-graffiti kit. Our partners would be the Town of Huachuca City Town Staff, the Cochise County Library District, the Huachuca City Community Garden, the Friends of the Huachuca City Library, and the Cochise County Cooperative Extension Program. The teachers and staff at Huachuca City School is also very excited about this chance.

Mayor Wallace wants it to be considered that they also go to Hunt Park as well. Fulton mentioned she might be able to apply for another one next year. Mayor Wallace mentioned there might be room in the budget, but we'll have to wait and see costs. Council asked if you need a specific number of units to tell a story. Fulton answered that it depended on the story. She went briefly over the process of putting the stories in the units.

Motion: The Library to apply for the LSTA grant to install a StoryWalk in Leffingwell Park, to include Hunt Park , **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro. Motion passed unanimously.

E.9 Discussion and/or Action [Stephanie Fulton]: The federal Schools and Libraries (E-rate) Program provides discounts to assist eligible schools and libraries to obtain affordable internet access and telecommunications services. Staff seeks Council approval of the selection of Cox Communications as the E-rate and internet provider for the Town's library.

Motion: The Federal Schools and Libraries (E-rate) Program provides discounts to assist eligible schools and libraries to obtain affordable internet access and telecommunications services. Staff seeks Council approval of the selection of Cox Communications as the E-rate and internet provider for the Town's library., **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Mayor Wallace went over the process of getting an E-rate contract. Cox won the contract. Cox's contract is for five years. Council had no questions.

Motion: Approve the selection of Cox Communications as the E-rate internet provider for the Town's Library., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jean Smelt. Motion passed unanimously.

E.10 Discussion and/or Action [Suzanne Harvey]: Approval of a contract for budget preparation consulting services.

Motion: Approval of a contract for budget preparation consulting services, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Manager Harvey reminds Council that we currently do not have a Finance Clerk and it is quickly becoming budget season. While she and Town Clerk Thorpe have taken over most duties of that office it would be extremely difficult to do their own work and create a quality budget. Manager Harvey reached out to three places for quotes on consultations but only heard back from one. Many other Towns and Cities do this and it is Manager Harvey's opinion that this would be the best thing to do for this year. Ruben Via provided a comprehensive quote that details his services.

Councilmember Smelt asked if we were going to hire someone as a Finance Clerk. Manager Harvey explained why that's being held off for now.

Motion: Approve the contract with Mr. Via for budget preparation and consulting services and direct staff to go ahead and generate the necessary contract for mitigation, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.
Motion passed unanimously.

E.11 Discussion and/or Action [Suzanne Harvey]: Approval of an amendment to the contract with Waste Management for refuse services to the Town, modifying the price index rate calculation for the annual contract price adjustment for inflation.

Motion: Approval of an amendment to the contract with Waste Management for refuse services to the Town, modifying the price index rate calculation for the annual contract price adjustment for inflation., **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Manager Harvey lead the Council through some provided paperwork detailing the differences between the scheduled CPI increase that will happen in July and what they could vote to change now by changing to Waste Sewer Trash CPI. July would see a residential price increase of \$1.05 while this gives us the option to make it only \$0.59 instead. Council had no questions.

Motion: Approve an amendment to the contract with Waste Management for refuse services to the Town, to modify the price index rate calculation for the annual contract price adjustment to be the WSTCPI, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.
Motion passed unanimously.

E.12 Discussion and/or Action [Suzanne Harvey]: Approval to draft a new fee schedule for the Town's Landfill services for advertisement and future consideration by the Council after public comment is received.

Motion: Approval to draft a new fee schedule for the Town's Landfill services for the advertisement and future consideration by the Council after public comment is received., **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Manager Harvey brings to the Councils attention that the Landfill is in the Red and the Town hasn't raised prices for the Landfill since 2018. She proposes a \$2.00 increase across the board for residential and commercial dumping. Manager Harvey made it clear that if this is approved this is just to start the process to raise the rates. This would allow the Town to Publish and receive community comments and feedback. She is not proposing a change to the \$10.00 up to 340-pound residential rate.

Councilmember Smelt asked if we had a huge delinquency on this. Clerk Thorpe let her know we do not.

Motion: Draft a new fee schedule for the Town's Landfill services for the advertisement and future consideration by the Council after public comment is received, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.
Motion passed unanimously.

F. Reports of Current Events by Council

Councilmember Butterworth mentioned the food distribution last Friday. She stopped counting after 73 cars, so the need is getting greater with costs going up. She talked about the Sunday morning walk with Healthy Huachuca, reminding everybody they are welcome. She will be going to the Town Hall for Residents meeting on the 25th.

Mayor Wallace also talked about the Town Hall for Residents meeting on the 25th. He went to the Hispanic Chamber Mixer on Friday and really enjoyed the speech given there, "Be a Napkin". Manager Harvey attended the Mayor and Managers luncheon on Wednesday as the representative from the Town. The buses are running, Cox is the talk of the Town, and a lot of good things are happening. Mayor Wallace warns about the weather heating up and animals starting to come back out. The Skate Park was redone and looks wonderful.

G. Adjournment

Motion: To Adjourn, **Action:** Adjourn, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.
Motion passed unanimously.

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 March 9, 2023. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk