



# TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE  
HUACHUCA CITY TOWN COUNCIL  
April 13, 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, Christy Hirshberg, Jeffrey Ferro, Cynthia Butterworth, Debra Trate, Jean Smelt, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (Not voting), Town Attorney Thomas Benavidez (Not voting).

**Absent:**

- 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 23, 2023.
- C.2 Consider approval of the Payment Approval Report.
- C.3 Consider approval of the disposal of a gray 2018 Ford Fiesta VIN: 3FADP4EJ8JM114628 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** Jeffery Ferro.

**Motion:** Approve Items on the Consent Agenda., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jean Smelt.  
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 [Mayor Wallace]: Proclamation 2023-07 – A PROCLAMATION OF THE MAYOR OF THE TOWN OF HUACHUCA CITY DECLARING THE WEEK OF APRIL 23- 29, 2023, AS LIBRARY WEEK IN THE TOWN.**

**Motion:** A Proclamation of the Mayor of the Town of Huachuca City Declaring the week of April 23- 29, 2023, as Library Week in the Town, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffery Ferro.

## **E.2 Discussion and/or Action [Suzanne Harvey]: Presentation of the Town's fiscal budget preparation and adoption schedule.**

**Motion:** Presentation of the Town's fiscal budget preparation and adoption schedule, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffery Ferro.

Manager Harvey lead the Council through a prepared budgeting calendar made by Ruben Villa. The Calendar has a recommend date for the Town to do things as well as the statutory deadlines. Manager Harvey lets the Council know that they will be coming back to the Council for direction at the next council meeting about a tax levy that is coming up as they develop the budget. She lets them know it will be disregarded if the they do not need to do Truth in Taxation this year.

Manager Harvey informs the Council that this is a work in progress that is involving all of the department heads and herself and that when they have it worked out to where it needs to be then they'll be ready to start having work sessions, the first planned for June 15<sup>th</sup>. The goal is to adopt the Final Budget on the 20<sup>th</sup> of July.

Mayor Wallace agreed that it's best to try and get things accomplished before the deadlines, that way any questions or problems can be answered or solved with time to spare before it's a problem. He wants anything that will affect the budget on the revenue side to be looked at and handled right away.

Manager Harvey reassured the Council that they are already working on that and let the Council know that if there was anything that they had questions about or wanted to be moved up in the calendar to send her an email and they would work on adjusting the calendar.

Councilmember Trate asked if they have to do the Truth in Taxation if it's allowed to ask the public if they'd rather have their Property Tax increased or the Sales Tax? Is it allowed to give them limited options?

Manager Harvey answered that for Property Tax it will always require a public hearing and that they could probably put something on facebook but there's no way to guarantee that only Town residents would answer.

Manager Harvey suggest that it could be something to address at a Town Hall Meeting but is unsure how to ensure fairness.

Manager Harvey lets the Council know all she need of them for this item is any question they may have or adjustments to the calendar they would like to see.

## **E.3 Discussion and/or Action [Suzanne Harvey]: Approval to purchase fireworks for the Town's Fourth of July celebration.**

**Motion:** Approval to purchase fireworks for the Town's Fourth of July celebration, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jeffrey Ferro.

Manager Harvey provides the Council with two estimates. The cost has not gone up from last year, it is the same. She did enquire about low noise fireworks but they are not able to do that at a level to provide a 20 to 15 minute municipal show. She also contacted the City of Tusayan because they use drones. She got information and the vendor. They pay a quarter of

the price as a deposit, \$23,000. Manager Harvey tells the Council she will continue to pursue this but she would like the Council to approval an amount of money she can spend on fireworks and if the Drones are around that she will bring an estimate back to the Council. She needs to order the fireworks with-in the next two weeks.

Councilmember Smelt asked what's the Budget?

Manager Harvey answered they budgeted \$7,000 total for fireworks and insurance.

Council member Smelt asked if we needed insurance with the fire department doing it?

Mayor Wallace answered yes, they need insurance every year; even with the fire department.

Councilmember Trate asked about who was manning the fireworks, mentioning suggesting some qualified people.

Manager Harvey answered she planned to inquire with Fry Fire if they would run it, otherwise she planned to look at Whetstone Fire as the quoted a fair price last year, have experience doing the Town's show, and have done a great job in previous years.

Councilmember Ferro advises that if Manager Harvey continues to explore the drones, she'll need to quote in the Fort for both Air Space and Frequency Management which will add in costs.

Councilmember Butterworth mentions how it would be nice to have quieter fireworks and how that's how a lot of towns are going now. How the loud booms affect wildlife, pets, and people with PTSD.

Mayor Wallace went over the two estimated options with the Council and the new option being offered to explore.

Councilmember Butterworth asked if they would need insurance if they go with Drones?

Manager Harvey answers they probably would not need the insurance if they go with Drones.

**Motion:** Approve the purchase of Fireworks for \$5,500 assuming that we are unable to find something that is more low noise or replace with a drone show that will provide a similar length show at a similar cost, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously

#### **E.4 Discussion and/or Action [Suzanne Harvey]: Adoption of an amendment to the Town's contract with Waste Management changing the methodology for the calculating the annual rate adjustment, approving the new rate schedule, and authorizing the Town staff to begin the public notice process for Council consideration of an increase in trash collection fees.**

**Motion:** Adoption of an amendment to the Town's contract with Waste Management changing the methodology for the calculating the annual rate adjustment, approving the new rate schedule, and authorizing the Town staff to begin the public notice process for Council consideration of an increase in trash collection fees, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace went over what they've been a talking about and the different CPI Rates. He suggests doing what they did last year, going back to Waste Management and seeing if they will accept 2.5% and exploring the extraordinary rate adjustment instead of going the full 5%. He asks the Council for a set amount they do not want to go over.

Councilmember Butterworth suggests 4%.

Manager Harvey clarifies that that's 4% on top of 4.5% that is provided in the contract.

Councilmember Trate suggests 3% but no higher than 3.5%.

Mayor Wallace Wants any negotiations to start with 2.5%.

Manager Harvey reminds the Council that the Town's contract with Waste Management ends in December and they will be doing a new RFP for trash services in the fall, so this may only be for six (6) months.

**Motion:** To adopt the amendment to the Town's contract with Waste Management changing the methodology for calculating the annual rate adjustment and approving the new rate schedule contingent upon agreement for the extra ordinary rate adjustment **Action:** Approve

**Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion Passed unanimously

**E.5 Discussion and/or Action [Mayor Wallace]: ORDINANCE NO. 2023-08 – AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, AMENDING THE TOWN CODE TITLE 6 “ANIMALS,” CHAPTER 6.05 “DOGS AND CATS,” SECTION 6.05.070 “DOGS AND CATS IN THE CITY PARKS PROHIBITED,” TO ALLOW DOGS AND CATS IN HUNT AND LEFFINGWELL PARKS.**

**Motion:** ORDINANCE NO. 2023-08 – An Ordinance of the Mayor and Town Council of the Town of Huachuca City, Amending the Town Code Title 6 “ANIMALS,” Chapter 6.05 “DOGS AND CATS,” Section 6.05.070 “DOGS AND CATS IN THE CITY PARKS PROHIBITED,” to Allow Dogs and Cats in Hunt and Leffingwell Parks, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jean Smelt.

This is a first reading and it will be brought back at the next meeting.

**E.6 Discussion and/or Action [Mayor Wallace]: ORDINANCE NO. 2023-07- 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 15.70 “FENCES,” TO ADOPT CHANGES TO THE REQUIREMENTS FOR BUILDING AND REPAIRING FENCES.**

**Motion:** Ordinance No. 2023-07 - Second 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.

Doctor Jim Johnson went over with the Council changes that had been made since the first reading. From Ordinance 2023-07 is has become apparent that Title 15 is not the place to change the heights as those are actually covered in the Zoning Code. After consulting with the City Attorney, it was confirmed that any change to fence height would require a citizen review to also include the Council and a public hearing. It has been pulled out so the second reading could continue and he will be preparing a zoning code update for the Council to amend fence height. The second change was a request to make sure razor wire was added and that has been added in.

**Motion:** Approve Ordinance No. 2023-07 **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jean Smelt.

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

**Councilmember Butterworth** mentions the upcoming SVMPO meeting and how they're waiting for the final decision from Phoenix about the upcoming road projects. Next Friday is the food distribution with Salvation Army in front of the back of the Senior Center and next Tuesday is the Spring Meal at the Senior Center. She reminds everyone to sign up early for that. She went to the Spotlight in Speakers the other day; it was about Ramsey Canyon and was very good and informative.

**Councilmember Trate** attended a meeting they had on Saturday with the public and thought they had a good turnout.

Councilmember Smelt also attend the meeting on Saturday. She said the main question people had was about traffic and Manager Harvey was already working on that. She also mentioned going to the K Palace and enjoying herself immensely.

**Mayor Wallace** mentions the Community Meeting they had on Saturday. He said it was a really good meeting and the biggest topic was the Highway; driving, traffic, and speeding all being concerns. Either him or Christy will attend the MAC Meeting. He reminds everyone that it's almost the end of the school year and soon kids will be out and around more. He hopes they'll spend time in the library. He talks about how the library and COX are working on setting up an E-Rate. The bus program is also up and running with good ridership.

#### G. Adjournment

**Motion:** To Adjourn, **Action:** Adjourn, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

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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 April 13, 2023. I further certify that the meeting was duly called and a quorum was present.

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Ms. Brandye Thorpe,  
Town Clerk