



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
September 14, 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, Cynthia Butterworth, Jeffrey Ferro, Jean Smelt, Town Manager Suzanne Harvey (Not voting), Town Clerk Brandye Thorpe (not voting), Town Attorney Thomas Benavidez (Not voting).

Absent: Danielle Cardella, 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 meetings held on August 24, 2023.

C.2 Consider approval of the Payment Approval Report.

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

Motion: Approve Items on the Consent Agenda, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

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 [Suzanne Harvey]: The Town’s auditors, HintonBurdick, PLLC, will present the Town’s audit results for fiscal year 2021-2022.

Mayor Wallace informs the Council that the auditors are ill and so this agenda item will be moved to the next meeting.

E.2 Discussion and/or Action [Building Inspector Jim Johnson]: Authorization to abate hazardous conditions on the following properties: 103 Tomahawk Drive, 217 Pima Street and 303 Apache Street.

Motion: Authorization to abate hazardous conditions on the following properties: 103 Tomahawk Drive, 217 Pima Street, and 303 Apache Street, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Building Inspector Dr. Jim Johnson greeted the Council and let them know that these are the properties that the Town's mowing vendor recommends we have taken care of. They like to wait for this time of year, so it only needs to be mowed once and these are the properties that are fire hazards as they are now. In the paperwork the Council has is a bid from STI and he comments that the only thing they recommend is that they do not do herbicides sprays. He says they are not recommending the spray because of health reasons but recommend the rest of the contract to get those properties mowed.

Mayor Wallace asks about how the Town will be recouping the costs for this, saying he knows it comes from the Town's abatement budget, but he'd like to know will the Town be billing the property owners or placing a lien on the property?

Dr. Johnson answered that there will be liens placed on the properties.

Mayor Wallace asked if we know who the property owners are?

Dr. Johnson answered that for the Pima Street and Apache Street properties the owners have both passed away, and the Tomahawk property belongs to a former military that was last tracked to El Paso.

Mayor Wallace thanks Dr. Johnson for his answers.

Mayor Pro Tem Hirshberg asked if we had received more than one estimate?

Dr. Johnson answered no, and then went into detail over the differences between the companies that were used last year, some no longer in business, pricing and the pricing being offered in the bid. He tells the Council that they will look for other bids if that is what the Council would like to do but to this point they haven't.

Councilmember Ferro commented that if it's legal and ethical then he has no problems.

Councilmember Butterworth commented to just get it done.

Motion: Authorization to abate hazardous conditions on the following properties: 103 Tomahawk Drive, 217 Pima Street, and 303 Apache Street with exclusion of the use of herbicide sprays, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

E.3 Discussion and/or Action [Chief Thies]: Acceptance of a grant agreement with the Legacy Foundation of Southeast Arizona, for funding of the police department's "School Resources Officer Start Up Program."

Motion: Acceptance of a grant agreement with the Legacy Foundation of Southeast Arizona, for funding of the police department's "School Resources Officer Start Up Program", **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace explains to the Council that Chief Thies is unavailable for the meeting tonight but goes on to explain that this is in relation to the School Resource Officer. What this is for is to approve the grant that Chief Thies applied for and was awarded so he can use it for city

equipment for the SRO. Mayor Wallace says this is pretty much just part of the process of checking it off as done correctly through Town code. He comments on the good job Chief Thies does of finding and applying for things that help the Town.

Mayor Wallace asked Resource Officer Rosing if he had anything to add.

Officer Rosing commented that he had attended the first SRO meeting in Tombstone the day before, where all three of the TUSD officers were introduced. There are two in Tombstone and one here. He tells the Council that he will be touching base with them as this is the first time Huachuca City has ever had an SRO and there are a lot of "moving parts" involved in the job. Mayor Wallace mentioned his recent talk with Principle Beaman and how SRO was a topic of it.

Motion: Approve and accept the grant agreement with the Legacy Foundation of Southeast Arizona, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Jean Smelt.

Motion passed unanimously.

E.4 Discussion and/or Action [Director Fulton]: Acceptance of a grant agreement with the Legacy Foundation of Southeast Arizona, for funding of the Town's "Helping Huachuca City Stay Hydrated!" project.

Motion: Acceptance of a grant agreement with the Legacy Foundation of Southeast Arizona, for funding the Town's "Helping Huachuca City Stay Hydrated!" project, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Director Fulton explains to the Council that this is a Legacy grant also and we were awarded \$3,000. It is to replace the current water fountain in Leffingwell Park with a new fountain that will contain a bottle filler as well. She tells them that the old fountain can be saved and hopefully used down in Hunt Park, which would save the Town more money. What is not spent on the water fountain itself can be put towards an ice machine for the Town, which would be approximately \$500 dollars.

Councilmember Ferro asked if we're going to reuse the current water fountain will it require any type of cleaning or refurbishment before it's use?

Director Fulton answers that she wouldn't be knowledgeable about that, that would have to be something directed to Public Works.

Mayor Wallace comments that sounds like something they can get answered/ more information on in an email.

Mayor Wallace asks for this water fountains bottle filler how many filters would we get with it? He reminds everyone that this is a part these would require.

Director Fulton answers that they haven't purchased anything yet but for the one she based the quote on she believes it comes with two filters. She would need to go back to confirm. She tells Council that now that she has received the grant, she has mostly passed it on to Public Works to order the item.

Mayor Wallace recommends that if there are extra dollars in this grant after purchasing the fountain, that those funds be used to buy extra filters as it will be a sustained cost for the fountain going forward and they could look elsewhere to see about an ice machine. He also mentioned

trying to prepare for any maintenance it would need, using the extra funds to get spare parts while the Town has it and while parts are in stock.

Motion: Accept of a grant agreement with the Legacy Foundation of Southeast Arizona, for funding of the Town's "Helping Huachuca City Stay Hydrated!" project, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E.5 Discussion and/or Action [Mayor Wallace]: Approval to purchase Microsoft software licenses for the Town's information technology through CDW Government LLC.

Motion: Approval to purchase Microsoft software licenses for the Town's information technology through CDW Government LLC, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace explains to the Council that this is for all the Town's emails, office applications, plus a whole host of other things. We get a share point online portal and Microsoft Teams. He comments that soon they will be using that to stream the meetings. The costs have gone up by a couple hundred dollars in the last year but it's still under \$10,000.

Councilmember Ferro asks if this is an annual cost?

Mayor Wallace answers that yes, it is an annual cost. He explains that they had tried to provide a three-year quote at \$3,500 but having it at an annual lets us change the requirements to how much we need. Based on what we're seeing from the staffing levels we may be able to reduce the number of seats, thereby reducing the cost overall.

Motion: Approve the purchase of Microsoft software licenses for the Town's information technology through CDW Government LLC, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Jean Smelt.
Motion passed unanimously.

E.6 Discussion and/or Action [Director Fulton]: Approval of the date and location for the Town's "Creepy Candy Crawl" to celebrate Halloween, 2023.

Motion: Approval of the date and location for the Town's "Creepy Candy Crawl" to celebrate Halloween, 2023, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace comments that the location was already decided in the AAR last year to be the Community Center down in Hunt Park.

Director Fulton confirms this.

Mayor Wallace replies that it's Christmas up here and Halloween down there and they've heard a lot of good feedback about it.

Director Fulton suggests to the Council to change the "Creepy Candy Crawl" to "Creepy Candy Cruise."

Councilmember Butterworth jokingly asks are we crawling or cruising?

Mayor Wallace replies that you can still cruise on foot.

Director Fulton agrees with Mayor Wallace and comments especially if there's lots of candy out. She tells them she's happy to keep it as "Creepy Candy Cruise". Halloween will be on a Tuesday this year and the event will be open to the public from 6- 7:30 pm. Set-up will be from 5pm onwards. She will coordinate with Chief Thies for the blocking off of the street and she will be looking for volunteers from Councilmembers to man a Council table.

Councilmember Butterworth volunteers.

Mayor Wallace replies that he will be manning his trunk.

Director Fulton tells the Council that there will be 1st, 2nd, and 3rd place prizes for best table/trunk display and that they are also looking for donations of candy and that can be dropped off at the library. She has already been working on the flyers and has made a sign-up sheet that will be going out next week.

Councilmember Butterworth commented that she was going to ask about that and if people would need to register? She said she had people ask her about it.

Director Fulton answered that they always have a sign-up sheet and that it helps to be able to see space-wise for the tables.

Motion: Approve the date and location for the Town's "Creepy Candy Crawl" to celebrate Halloween, 2023, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg. Motion passed unanimously.

E.7 Discussion and/or Action [Jim Halterman]: Approval to remove the horseshoe pit from Leffingwell Park.

Motion: Approval to remove the horseshoe pit from Leffingwell Park, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace tells the Council that Jim Halterman has asked to have the horseshoe pits removed and he has had conversations with Manager Harvey and Public Works Jim Halterman about it, but he has also seen people using the pits. He suggests that before the Council decides that they put it to the public, online, in the library, etc. and see what they have to say then base their decision off that.

Manager Harvey asks to clarify that instead of having to bring it back to the Council they can just go off the public's feedback and make a decision? She asks if they can do something "hard copy" at the library?

Mayor Wallace agrees to these.

Councilmember Ferro asks if they want to have a Call to Public meeting here at Town hall?

Mayor Wallace answers that it's not that kind of "call to public", he was just meaning to get it out to the public and have it be their voice and choice.

Councilmember Butterworth comments that she's seen people using the horseshoe pits, it's not an everyday thing but it does get used.

Councilmember Smelt asks that if we do take it out, could we make it into a volleyball pit? Isn't it sand?

Members of the Council answer that it's grown over with grass.

The newsletter is mentioned to notify the public.

Director Fulton asks if there will be a timeline.

Mayor Wallace clarifies that this will be up to Town staff to see through.

Motion: To put out a poll using Facebook, the newsletter, and physical ballots to gauge whether the public want to keep or get rid of the horseshoe pit and staff will move based on public input, **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

E.8 Discussion and/or Action [Mayor Wallace]: Proclamation 2023-14 - Proclaiming the Month of September as “Childhood Cancer Awareness Month” in the Town.

Motion: Proclamation 2023- 14 – Proclaiming the Month of September as “Childhood Cancer Awareness Month” in the Town, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

F. Reports of Current Events by Council

Councilmember Butterworth mentions the food distribution that will be taking place the next day. She tells everyone that their volunteer level has dropped. She puts it out there for anyone wanting to volunteer to be there at 7am, with closed toed shoes, and be ready to pack things for distribution. The chess club is the first and third Fridays of the month at the Activity Center and she invites anyone who wants to learn or play. They may be changing the hours to be more open to people who work. She comments about how they know some residents are upset with the recent code enforcement but says that she was out walking her dog and happened upon a foot long rattlesnake. The weeds house the mice, the mice feed the snakes and keep them in the area making it a health hazard.

Mayor Pro Tem Hirshberg tells the Council that she's had a member of the public contact her and they were very upset about weeds in the alley ways, and she had directed them to Manager Harvey. She knows that isn't a job the Council itself is over, but she wanted to make everyone aware.

Mayor Wallace comments on the push for clean up efforts and gives praise for Dr. Johnson and Chief Thies work thus far. He mentions how he watches code enforcement and abatements that happen in the communities around us as well as what the Council works on in the Town Code. He said it is what it is and everyone has to comply, mentioning how even he had to fix something that wasn't following code. He cautions that they are really going to be enforcing the code and it's for safety reasons. It's getting to be the time of year where critters come in and gets getting to be breeding time for the snakes, so we need to be careful. The code will be applied equally and judiciously to everybody. Last week he sat down with Mr. Beaman, the Principal of Huachuca City School. We had a good conversation and plan to do this about once a month just to share information about what's going on. We talked about the SROs and he gave me an update about their ongoing construction. They'll be having more construction done up at the front to hopefully make it safer for the pickup and drop off of the students. He wants to reach out to Robert Devere. Lastly, he mentions that he went to the new Border Operations Center today for a press conference that Sheriff Daniels called. There was a immigrant release yesterday that happened. Some were released in Douglas and some in Bisbee. These individuals were not captured in Cochise County, but they were brought in from outside of the county and dropped off here. These individuals went through a rapid screening/approval process by the Feds that says your legally allowed to be here and were

given a paper that says so. Long story short is we have people how came across the border, either seeking asylum or maybe not we aren't aware of the full process of this vetting, but they are coming in and they are bussing them to Cochise County. The point of this press conference was every mayor and police chief (Kyle represented us while Chief Thies is away for training) was made aware. It's happening, it's a problem, it's going to be a problem, and it's not going to get any better. Right now, we're not seeing them dropped off here but that doesn't mean we are immune to it. We, the Mayors and Chiefs, are developing a letter that is basically going to have a common message that states the Feds, the Federal Government, D.C. has failed us all. Massively. Fortunately, Sheriff Daniels is getting support from Governor Hass in this situation but what we're dealing with is a symptom of a problem that can only be solved be the Feds and it's a problem they're ignoring. So ultimately the Federal Government, the people in D.C. are sitting around and not doing anything and it's hurting Cochise County. All the Mayors are seeing it this way and feeling the brunt. He mentions the high-speed chase that happened last Saturday that ended with them bailing out next to the school. They don't just leave an empty vehicle behind. They're leaving drugs, weapons, or even people. This is a problem that we're directly feeling that our Officers must deal with, that our staff must deal with, and that our residents have to deal with. He encourages people to watch the press conference online on Sheriff Daniels Facebook page or to contact the local mayors. The last thing he comments on is how the Feds are calling this a "Safe transfer Release" but what is safe about dropping off a bunch of immigrants in a Safeway parking lot when 10 minutes later a bus full of school children will be pulling in to drop of for the day. This is upsetting and aggravating.

G. Adjournment

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

Motion passed unanimously.

Approved by Mayor Johann R. Wallace on September 28, 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 September 14, 2023. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk