



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: **January 4, 2022**

Regular Special

DATE ACTION SUBMITTED: December 8, 2021

REGULAR **CONSENT**

TYPE OF ACTION:

RESOLUTION **ORDINANCE** **FORMAL ACTION** **OTHER**

SUBJECT: APPROVAL OF THE MINUTES OF THE REGULAR SESSION OF MAYOR AND COUNCIL HELD ON OCTOBER 19, 2021 AT 7:00 PM

FROM: Ashlee Coronado, City Clerk

RECOMMENDATION: Approve Minutes

PROPOSED MOTION: I move to approve the Minutes of the Regular Session of Mayor and Council held on October 19, 2021 at 7:00 PM

DISCUSSION:

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared by: *Nina Williams*
Nina Williams,
Deputy City Clerk

Reviewed by: *Ashlee Coronado*
Ashlee Coronado,
City Clerk

MINUTES

AGENDA OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, OCTOBER 19, 2021 AT 7:00 PM AT COUNCIL CHAMBERS LOCATED AT, 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR BUDGE AT 7:04PM.

ROLL CALL

COUNCIL

Councilmember Louis Pawlik, Ward III

Councilmember Joni Giacomino, Ward II

Excused / 7:27PM

Councilmember Frank Davis, Ward I

Excused

Mayor Ken Budge

Councilmember Leslie Johns, Ward I

Councilmember Mel Sowid, Ward II

Councilmember Anna Cline, Ward III, Mayor Pro Tempore

STAFF

Stephen J. Pauken, City Manager

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Joelle Landers, Personnel Director

Jesus Haro, Public Works Director

Albert Echave, Police Chief

Jim Richardson, Acting Fire Chief

Doug Taylor, City Planner

CITY ATTORNEY

John Gaylord

INVOCATION: Mayor Budge asked for a moment of silence to remember our loved ones and Colin Powell who have passed during Covid.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Joelle Landers, Personnel Director recognized Lorena Valdez, Administrative Assistant Public Works for her ten (10) years of service to the City and Angelica Coronado, Finance Department for her twenty (20) years of service to the City.
- Jesus Haro, Public Works Director spoke regarding Lorena Valdez and was proud and grateful to acknowledge that she has served the City of Bisbee for ten (10) years.
- Mayor Budge read the Proclamation for Cities and Towns Week 2021 October 17-23, 2021
- Mayor Budge read the Proclamation for Extra Mile Day Proclamation November 1, 2021

CALL TO THE PUBLIC

- Mike Ablin, The Legion Bar and Grill introduced himself and spoke regarding their liquor license application.

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

- 1. ACCOUNTS PAYABLE: Subject to availability of funds

MOTION: Councilmember Cline moved to approve accounts payable in the amount of \$472,551.73 subject to availability of funds.

SECOND: Councilmember Johns

Councilmember Cline asked about 56-40-46561 County Tipping Fee #20,816.32.

Ms. Bagley, Finance Director stated it was the whole city-wide cost for dumping the trash at the county landfill.

Councilmember Sowid made a statement regarding Dog, Cat, Mouse Media contract.

ROLL CALL VOTE

AYES: Councilmember Pawlik, Johns, Sowid, Cline and Mayor Budge.

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 2. Approval of the Consent Agenda

- A. Approval of the Appointment of Savannah Anderson to the Design Review Board.
Ashlee Coronado, City Clerk
- B. Approval of the Park, Facility and Right of Way Use Permit for the Use of Vista Park for Movies in the Park Trunk or Treat on Sunday, October 31st from 4:00pm to 11:00pm.
Ashlee Coronado, City Clerk
- C. Approval of a Liquor License Application for the Shady Dell Located at 1 Old Douglas Road, Bisbee, Arizona; Jeffrey Craig Miller, Applicant.
Ashlee Coronado, City Clerk
- D. Approval of a Liquor License Application (003 In State Microbrewery) for the Legion Bar and Grill located at 57A Subway Street, Bisbee, Arizona; Michael David Albin, Applicant.
Ashlee Coronado, City Clerk
- E. Approval of a Liquor License Application (006 Bar) for the Legion Bar and Grill located at 57A Subway Street, Bisbee, Arizona; Michael David Albin, Applicant.
Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve Consent Agenda Items A-E.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Johns, Sowid, Cline, and Mayor Budge.

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

OLD BUSINESS

NEW BUSINESS

- 3. Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-21-15 to Rezone APN 102-16-074, 102-16-126 and 102-16-079C; 1008 W Hwy 92, Owned by Mr. Todd Conklin, from C-1 to C-4.

Doug Taylor, City Planner

Mr. Taylor spoke regarding the rezoning of 1008 W Hwy 92, owned by Mr. Todd Conklin, from C-1 to C-4

Councilmember Sowid asked if by changing it to C-4 could he go and do something else with it in the future.

Mr. Taylor stated Mr. Conklin could use any use within C-4. There will be a building built on it for Mr. Conklin’s company.

Councilmember Cline asked for clarification regarding the neighboring properties.

Mr. Taylor stated not the direct adjoined property, but there were other C-4 properties in that area.

Mayor Budge opened the Public Hearing and asked if there was a member of the public that would like to speak in opposition or support of this item.

Councilmember Sowid asked if this would set a precedent.

Mr. Taylor stated it strengthens what seems to be the direction that, that neighborhood was going in.

Mayor Budge stated that this abuts to Hwy 92 which was the main thoroughfare and the most reasonable.

Mayor Budge asked the City Clerk if there had been any written communications filed with the Clerk’s Office. Ms. Coronado indicated there were none.

Mayor Budge closed the Public Hearing.

MOTION: Councilmember Cline moved to approve the Notice of Intent to Adopt Ordinance O-21-15: to rezone APN 102-16-074, 102-16-126 and 102-16-079C; 1008 W Hwy 92, owned by Mr. Todd Conklin, from C-1 to C-4.

SECOND: Councilmember Pawlik

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Johns, Sowid, Cline, and Mayor Budge.

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

- 4. Discussion and Possible Approval to make repairs to the 1984 Peterbilt Dump Truck.

Jesus Haro, Public Works Director

Mr. Haro spoke regarding the repairs that were needed for the 1984 Peterbilt Dump Truck. These repairs will keep it running for the next year and hopefully this can be budgeted for in the budget for next year.

Councilmember Pawlik asked if Mr. Haro had the cost of a new vehicle.

Mr. Haro stated, yes, they had been looking for a dump truck that would serve the City. It would be about \$150,000 and used ones would be between \$50,000 and \$80,000.

Councilmember Sowid asked with this amount of money was there a warranty.

Mr. Haro stated he didn't look at the actual warranty, but he was fairly confident that the repair will have a year warranty.

Councilmember Cline asked where they had been looking.

Mr. Haro said they did an online search through state contracts and government bidding.

Councilmember Sowid asked if this repair had been budgeted for.

Mr. Haro stated it was in their budget and the balance in the line item will be \$5,679.45.

MOTION: Councilmember Cline moved to approve the Rush Truck Center repair estimate for the 1984 Peterbilt dump truck.

SECOND: Councilmember Sowid

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Johns, Sowid, Cline, and Mayor Budge.

NAYS: 0

MOTION PASSED: AYES -6 NAYS -0

- 5. Discussion and Possible Approval of a Notice of Intent to adopt Ordinance O-21-16; Authorizing and Ratifying the acquisition of certain real property located at 1 Hillcrest Drive.

Joe Estes, City Attorney

Mr. Pauken said this was a transfer of ownership of the former Hillcrest Apartment building from Southeast Arizona Renovations to the City of Bisbee. This was the last item in a sequence of events that occurs when the City acquires property and renovates it through Southeast Arizona Renovations.

MOTION: Mayor Budge moved to approve the Notice of Intent to adopt Ordinance O-21-16: Authorizing and Ratifying the acquisition of certain real property located at 1 Hillcrest Drive.

SECOND: Councilmember Pawlik

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Johns, Sowid, Cline, and Mayor Budge.

NAYS: 0

MOTION PASSED: AYES -6 NAYS -0

- 6. Discussion and Possible Approval of Resolution R-21-11; Establishing a Citywide Workforce Affordable Housing Initiative.

Steve Pauken, City Manager

Mr. Pauken said that at the first of the year the Council had adopted two (2) resolutions that helped to establish the city-wide affordable housing initiative, those resolutions were specifically for the Saginaw area and the San Jose area. Since that time the City has looked to expand to a number of other properties. This resolution will cover the entire City.

Mr. Pauken explained in detail the City's Workforce Housing Initiative.

Mayor and Council had comments, concerns and questions. Mr. Pauken welcomed their comments, concerns and answered their questions.

MOTION: Councilmember Pawlik moved to approve Resolution R-21-11; Establishing a Citywide Workforce Affordable Housing Initiative.

SECOND: Mayor Budge

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Johns, Sowid, and Mayor Budge.

NAYS: Councilmember Giacomino and Cline

MOTION PASSED: AYES -4 NAYS -2

7. Request for Proposals for Architectural Services to Design the Reconstruction of the City Hall building located at 118 Arizona Street, Bisbee, AZ.

Steve Pauken, City Manager

Mr. Pauken went over the sequence of events on the fire that occurred on October 11, 2017, that destroyed City Hall located at 118 Arizona Street, which led up to issuing request for proposal for Architectural Services at this time.

Mr. Pauken spoke in great detail regarding the Request for Proposal for Architectural Services and the City Hall site.

Mayor and Council had comments, concerns and questions. Mr. Pauken welcomed their comments, concerns and answered their questions.

MOTION: Councilmember Cline moved to direct City Staff to seek proposals for the design of a replacement City Hall building at 118 Arizona Street in Bisbee.

SECOND: Councilmember Giacomino

ROLL CALL VOTE:

AYES: Councilmember Giacomino, Johns, Sowid, Cline, and Mayor Budge.

NAYS: Councilmember Pawlik

MOTION PASSED: AYES -5 NAYS -1

8. Discussion and Possible Recommendations on the performance evaluation of Stephen Pauken, City Manager.

Ken Budge, Mayor

Mr. Pauken supplied Mayor and Council with a memo of his six (6) month performance evaluation. (Attached Exhibit A). He expounded on the items in the memo.

Councilmember Johns appreciated many things such as going through the budget, dealing with the animal shelter, feral cat problem, repairing our relationship with the animal shelter, transparency, support of the employees, being up front, being responsive, keeping the Council informed, and interacting with the community. She stated Mr. Pauken was doing a great job overall.

Councilmember Sowid thanked Mr. Pauken for the job he was doing and made comments regarding items on the memo.

Councilmember Cline said she agreed with everything that Councilmember Johns had said. It was very nice to have a professional City Manager. She thanked him for his memo to the Council it was nice to see this.

Councilmember Giacomino thanked Mr. Pauken for getting spending under control, and appreciated stepping up regarding the PSPRS, working with the second Farmers Market coming to the Vista, working on the relationship with the animal shelter, the fuel system, Fire Department investigation, moving forward

with City Hall. She was glad that the City stepped up with the Seiling's Mobile Home Park. She thanked Mr. Pauken for everything that he has done.

Councilmember Pawlik talked to the qualities that he found in Mr. Pauken that he really appreciated.

Mayor Budge read his evaluation of Mr. Pauken. (Attached Exhibit B) He was glad the City has a leader in the City Manager and supported Mr. Pauken's continued employment.

Mr. Pauken spoke in detail regarding the increase in his compensation as specified in his current contract when his six (6) month evaluation was completed.

9. Discussion and Possible Approval of Governor's Office of Highway Safety Grant in the amount of \$55,000 for a Police Package Vehicle.

Albert Echave, Police Chief

Chief Echave spoke regarding the Governor's Office of Highway Safety Grant in the amount of \$55,000 for a Police package vehicle. He explained what the package was and how it will be used.

Councilmember Giacomino asked if this was all grant funded.

Chief Echave stated, yes.

MOTION: Councilmember Cline moved to approve a Governor's Office of Highway Safety Grant in the amount of \$55,000 for a Police Package Vehicle.

SECOND: Mayor Budge

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Johns, Sowid, Cline, and Mayor Budge.

NAYS: 0

MOTION PASSED: AYES -6 NAYS -0

10. Discussion and Possible Approval of the Governor's Office of Highway Safety Grant in the amount of \$19,262 for Personnel Services and Related Materials and Supplies to include, Radars, Tint Meters, Speed Signs with mounts to enhance DUI/Impaired Driving Enforcement.

Albert Echave, Police Chief

Chief Echave spoke regarding the Governor's Office of Highway Safety Grant in the amount of \$19,262 for Personnel Services and Related Materials and Supplies to include, Radars, Tint Meters, Speed Signs with mounts to enhance DUI/ Impaired Driving Enforcement. He explained how it will be used.

Councilmember Giacomino asked if this was all grant funded.

Chief Echave stated, yes.

MOTION: Councilmember Cline moved to approve a Governor's Office of Highway Safety Grant in the amount of \$19,62 for Personnel Services and Related Materials to include (Radars, Tint Meters, Speed signs w/ mount) to enhance DUI/Impaired Driving Enforcement.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Johns, Sowid, Cline, and Mayor Budge.
NAYS: 0
MOTION PASSED: AYES -6 NAYS -0

- 11. Discussion and Possible Approval of the Governor’s Office of Highway Safety Grant in the amount of \$12,000 for Personnel Services and Related Materials and Supplies to enhance DUI/Impaired Driving Enforcement.

Albert Echave, Police Chief

Chief Echave said that this was an additional grant that the Police Department had received. He explained the purpose.

MOTION: Councilmember Cline moved to approve a Governor’s Office of Highway Safety Grant in the amount of \$12,000 for Personnel Services and Related Materials and Supplies to enhance DUI/Impaired Driving Enforcement.

SECOND: Councilmember Sowid

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Johns, Sowid, Cline, and Mayor Budge.
NAYS: 0
MOTION PASSED: AYES -6 NAYS -0

- 12. Discussion and Possible Approval to enter into an Agreement pursuant to A.R.S.§ 48-572 between the Arizona Department of Transportation (ADOT) and the City of Bisbee Police Department requesting authorization to access/connectivity to the Az. Department of Transportation database.

Albert Echave, Police Chief

Chief Echave said this agreement was to allow the information sharing between the Bisbee Police Department and the Department of Transportation with the data that was collected. The benefit to this was that it gave the Police Department access to the data that was collected overall and it will go into the ADOT data base for reporting purposes. There was no cost to this agreement.

MOTION: Councilmember Sowid moved to allow Mayor and Council to go into an Agreement pursuant to A.R.S.§ 48-572 between the Arizona Department of Transportation (ADOT) and the City of Bisbee Police Department requesting authorization to access/connectivity to the Az. Department of Transportation database.

SECOND: Councilmember Cline

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Johns, Sowid, Cline, and Mayor Budge.
NAYS: 0
MOTION PASSED: AYES -6 NAYS -0

- 13. City Manager's Report:

- Other Current events (No Discussion)
- Mr. Pauken spoke regarding the revised shared revenue estimate that was sent out by the League.
- Mr. Haro spoke about his resignation and gave thanks for the time being able to serve the City of Bisbee.

COUNCIL COMMENTS OR FUTURE AGENDA ITEM SUGGESTIONS: (Council members may suggest topics for future meeting agendas, but Council will not here discuss, deliberate or take any action on these topics.):

ADJOURNMENT:

MOTION: Councilmember Giacomino moved to adjourn the meeting.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 9:51 PM

Ken Budge, Mayor