

## MINUTES

MINUTES OF THE SPECIAL SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, JANUARY 8, 2019 AT 7:00 PM IN THE COCHISE COUNTY BOARD OF SUPERVISORS HEARING ROOM, 1415 MELODY LANE, BUILDING G, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR SMITH AT 7:00PM.

### ROLL CALL

#### **COUNCIL**

Councilmember Gabe Lindstrom, Ward III  
Councilmember Joni Giacomino, Ward II  
Councilmember Bill Higgins, Ward I  
Mayor David M. Smith  
Councilmember Leslie Johns, Ward I  
Councilmember Joan Hansen, Ward II  
Councilmember Anna Cline, Ward III, Mayor Pro Tempore

#### **STAFF**

Robert Smith, City Manager  
Ashlee Coronado, City Clerk  
Keri Bagley, Finance Director  
Daniel Duchon, Personnel Director  
Dwayne Wallace, Operations Manager  
Albert Echave, Police Chief  
George Castillo, Fire Chief

#### **CITY ATTORNEY**

Britt Hanson

INVOCATION: Mayor Smith said for our moment of silence he would like to acknowledge the fact that yesterday was Serbian Christmas; Bisbee still has a significant Serbian population and would like to reflect on the incredible diversity that we have in Bisbee and the fact that we can all work together as one.

### PLEDGE OF ALLEGIANCE

#### MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Smith stated that tomorrow was Bisbee's birthday – Happy Birthday Bisbee.

#### CALL TO THE PUBLIC

- Cado Daily gave a little bit of background on the consent item for the approval of a liquor license on Subway Street. This was part of the third annual Return of the Turkey Vultures that would take place on the second weekend in March.

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 the accounts payable in the amount of \$93,590.84.

SECOND: Councilmember Hansen

Mayor Smith asked if there were any discussion.

Councilmember Cline asked about 54-40-46542 Lab Supplies & Testing: WW-Testing of Effluent \$1680.00 was this, what one test cost or was it multiple. Mr. Wallace, Operations Manager said Yes, the wet test were expensive this happens throughout a series of days plus the overnight shipping and everything else. It was multiple tests in one.

Councilmember Giacomino asked about 10-70-22000 Cemetery Water: Cemetery\$199.98 and 10-70-46000 Cemetery Operational Expenses: Paint \$182.35. Mr. Wallace said that he wasn't sure about the operational expense it could have been for an event that was there and the water was because about two (2) years ago the Public Works Director had the water reinstated at the cemetery.

Councilmember Giacomino asked about 10-80-21000 Parks Electricity: Main Street Park \$131.44, Brewery Gulch Park \$105.50, Garfield Park \$109.49 and Grassy Park \$848.65. Mr. Wallace stated that there had been some damage to Grassy Park and they have started locking them at night and he believed that was where this came from. He will need to find out and look at the bills.

Councilmember Giacomino asked about 10-81-21000 Pool Electric \$374.75 and if we were keeping the pumps running all year round. Mr. Wallace stated that they are run all year round.

Councilmember Giacomino asked about 10-81-22000 Pool Water \$462.00 was the pool not covered. Mr. Wallace stated that the pool was not covered.

Councilmember Giacomino asked about 10-83-21000 Library Electric \$565.12 was it always this. Mr. Wallace said that they work on the weekends.

Councilmember Giacomino asked about 21-40-21000 Streets: Street Light Billing \$1,759.13 twice was that for APS. Mr. Wallace stated, Yes.

Councilmember Giacomino asked about 54-40-21000 Sewer Fund: Electric \$780.52 Warren Cut off what would they use up there to use so much electricity. Mr. Wallace said two (2) 220 horse power pumps.

Councilmember Giacomino asked why there were redactions on the accounts payable report. Mayor Smith said that the redactions are names and that was done at the request of the City Manager. It was being spent, but it wasn't necessary for the public to know exactly whose purchase it was. He stated that he discussed this with the City Manager and the will of the Council's direction it will not be redacted in the future.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Resignation of Renee Harper from the Evergreen Cemetery Committee.  
Ashlee Coronado, City Clerk

- B. Approval of the Special Event Liquor License Application submitted by Community Synergy Solutions Corp. for an event to be held on Subway Street and at Club Kilimanjaro on Saturday, March 9, 2019 from 4:00PM to 2:00AM; Serena Casey, Applicant.  
Ashlee Coronado, City Clerk

Mayor Smith asked if Council wished to pull one of these for discussion.

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

SECOND: Mayor Smith

ROLL CALL VOTE:

AYES: Councilmember Lindstrom, Giacomino, Higgins, Johns, Hansen, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

**OLD BUSINESS**

**NEW BUSINESS**

- 3. Discussion and Possible Approval of Resolution R-19-01; Approving Application for and possible Administration of the Federal Emergency Management Agency(FEMA) Fire Prevention and Safety (FP&S) Grant, which is part of the Assistance to Firefighters Grants (AFG), to support cutting a Fire Break in areas around Old Bisbee that have the highest wildland-Urban Interface (WUI) Fire Risk.

Britt Hanson, City Attorney

- Danielle Bouchever spoke regarding Fire Wise and what was being worked on. Mayor Smith said that the grant was written by Ms. Bouchever and Ms. Peavey at no cost.
- Al Anderson, Chair of Fire Wise spoke regarding Fire Wise. He said that they were a volunteer group requesting support from the City.
- Anne Carl spoke regarding the purpose of this grant. She invited the Council to come on Saturday, January 12<sup>th</sup> at 5pm at Central School Project for the Fire Wise meeting.

Councilmember Hansen thanked this entire group they had done a fabulous job. She asked about the land for the fire reduction who owns the land was it County, Land Management. Mayor Smith said all of the above; Freeport, BLM, private and City.

MOTION: Councilmember Hansen moved to approve Resolution R-19-01; Approving Application for and possible Administration of the Federal Emergency Management Agency(FEMA) Fire Prevention and Safety (FP&S) Grant, which is part of the Assistance to Firefighters Grants (AFG), to support cutting a Fire Break in areas around Old Bisbee that have the highest wildland-Urban Interface (WUI) Fire Risk..

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Lindstrom, Giacomino, Higgins, Johns, Hansen, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

- 4. Discussion and Possible Direction regarding a Petition filed by Donna Pulling regarding residents of Bisbee Objecting to the outsourcing of the Operation and Maintenance of the Wastewater Treatment Plant.

*Per ARS § 38-431.03(a)(3) and (a)(4), the City Council may vote to go into executive session for discussion or consultation for legal advice with the City Attorney or Attorneys of the Public Body and to consult with the attorneys of the public body in order consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.*

David M. Smith, Mayor

- Donna Pulling spoke regarding her petition. We the undersigned residents of Bisbee object to the outsourcing of the operation and maintenance of the Wastewater Treatment Plant. She asked that a motion be made not to go into executive session. She asked that a motion be made tonight to place the appeal of the City Managers decision denying the bid protest on the next agenda.

Mayor Smith stated that there would be no motions made under this agenda item. He stated that Ms. Pulling’s petition had been received and the action that she mentioned in the petition has already taken place. So, therefore it was at rest.

5. Discussion and Possible Approval of a Motion to go into Executive Session to discuss the Employment Evaluation of City Manager, Robert E. Smith, per ARS § 38-431.03(a)(1), discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

*Per ARS § 38-431.03(a)(1), the City Council may vote to go into executive session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.*

Anna Cline, Councilmember Ward III

Gabe Lindstrom, Councilmember Ward III

MOTION: Councilmember Higgins moved to enter into Executive Session to discuss the Employment Evaluation of City Manager, Robert E. Smith, per ARS § 38-431.03(a)(1), discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

SECOND: Councilmember Hansen

MOTION PASSED: UNANIMOUSLY

MOTION: Councilmember Higgins moved to come out of Executive Session.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

Mayor Smith said that the Council would be meeting on a Saturday to develop a strategic plan for the City. He will provide dates to Council to hopefully get this done in February if at all possible and approximately three (3) months after that there will be another evaluation of the City Manager based on the strategic plan.

6. City Manager's Report:

- Other current events (No Discussion)
- Mr. Smith spoke regarding housing; affordable and rehabilitation.

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.):

MOTION: Councilmember Higgins moved to adjourn the meeting.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 9:30PM

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David M. Smith, Mayor