

## MINUTES

MINUTES OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, MARCH 21, 2023, 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 7:00PM.

### ROLL CALL

#### COUNCIL

Councilmember Juanetta Hill, Ward III	
Councilmember Joni Giacomino, Ward II	Excused
Councilmember Frank Davis, Ward I	
Mayor Ken Budge	
Councilmember Leslie Johns, Ward I	
Councilmember Mel Sowid, Ward II	Excused
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  
Matthew Gurney, Public Works Director  
Jim Richardson, Fire Chief

#### CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of silence to reflect.

### PLEDGE OF ALLEGIANCE

#### MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge read an email from the Senior Center Association thanking the public works department staff for the amazing job that they have done working on the center.
- Mayor Budge read the Fair Housing Proclamation
- Mayor Budge and staff recognized the Longevity of Ashlee Coronado, City Clerk and Keri Bagley, Finance Director. Mayor and Council along with staff stated their appreciation and thanked Ashlee and Keri for everything that they do. Ms. Landers, Personnel Director read comments from staff regarding their appreciation for Ashlee and Keri.

#### CALL TO THE PUBLIC

- Monika Patience spoke regarding the parking issue on Ok Street.
- Steve Willhite commented on the financial situation of the City.

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 \$301,271.78.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on March 7, 2023.

Ashlee Coronado, City Clerk

MOTION: Mayor Budge moved to approve the Consent Agenda item A.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

**OLD BUSINESS**

- 3. Discussion and Possible Approval of Ordinance O-23-04; an Ordinance of the Mayor and Council of the City of Bisbee, Approving the amendments to the City of Bisbee Sanitation Code, for the Low-Income Program.

Keri Bagley, Finance Director

Mayor Budge stated that this was the second reading.

MOTION: Councilmember Davis moved to approve Ordinance O-23-04 approving the amendments to the City of Bisbee Sanitation Code Chapter 9, Article 9.1 Section 9.1.5, Subsection 9.1.5(C)(3).

SECOND: Councilmember Cline

ROLL CALL VOTE

AYES: Councilmember Hill, Davis, Johns, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

- 4. Discussion and Possible Approval of Ordinance O-23-05; an Ordinance of the Mayor and Council of the City of Bisbee, Approving the amendments to the City of Bisbee Sewer Code, for the Low-Income Program.

Keri Bagley, Finance Director

Mayor Budge stated that this was the second reading of this Ordinance.

MOTION: Councilmember Cline moved to approve Ordinance O-23-05 approving the amendments to the City of Bisbee Sewer Code Chapter 13, Article 13.2 Section 13.2.2 Subsection 13.2.2(A)(3)(c).

SECOND: Councilmember Davis

ROLL CALL VOTE

AYES: Councilmember Hill, Davis, Johns, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

**NEW BUSINESS**

- 5. Public Hearing on Potential Declaration of Emergency by the City Council in relation to the Fiscal Year (FY) 2022 Expenditure Limitation.

Keri Bagley, Finance Director

Mayor Budge opened the Public Hearing. He asked if anyone would like to speak in support or in opposition of this item. There were none.

Mayor Budge asked the City Clerk if any correspondence had been received on this item. Ms. Coronado responded that we had received none.

Mayor Budge closed the Public Hearing.

- 6. Discussion and Possible Approval of Resolution R-23-05; Declaration of Emergency by the City Council in Relation to the Fiscal Year (FY) 2022 Expenditure Limitation.  
Keri Bagley, Finance Director

Mayor Budge asked that a quick overview be given in case someone didn't watch the last meeting.

Mr. Estes, City Attorney gave an overview of why the City was doing this.

MOTION: Councilmember Davis moved to approve Resolution R-23-05; Declaration of Emergency by the City Council in Relation to the Fiscal Year (FY) 2022 Expenditure Limitation.

SECOND: Councilmember Cline

ROLL CALL VOTE

AYES: Councilmember Hill, Davis, Johns, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

- 7. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to fund a Grant Application for "The Best Kept Secrets of Bisbee" submitted by Ms. Rita Verri in the amount of \$500.00 from the Bisbee Arts Commission Fund.  
Leslie Johns, Bisbee Arts Commission Council

Councilmember Johns spoke regarding the show and what the \$500.00 would be going towards. Ms. Johns also stated that the shows name had changed to "Rhythms of Bisbee".

MOTION: Councilmember Johns moved to approve the funding of the grant application for "Rhythms of Bisbee" submitted by Ms. Rita Verri in the amount of \$500.00 from the Bisbee Arts Commission.

SECOND: Councilmember Hill

MOTION PASSED: UNANIMOUSLY

- 8. Discussion and Possible Approval of a contract with RICOH for a 60-month finance purchase of a new printer/copier for the Copper Queen Library.  
Jason Macoviak, Library Manager

Mr. Macoviak said the library's current contract with RICOH was up and they would like to move forward with a new contract. He noted the only change to the contract was they had added the smart integration technology to the printer, which enables patrons to come in with their phones, tablets and laptops and print directly to the printer from their own device.

MOTION: Councilmember Cline moved to approve the contract with RICOH for a 60-month finance purchase of a new printer/copier for the Copper Queen Library.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 9. Discussion and Possible Approval of the Notice of Intent to adopt Ordinance O-23-06, Amending City of Bisbee Code Chapter 6 Animals, Article 6.1 Animals in General, adopting a new subsection 6.1.18 Unlawful Public Sale of Animals, for the purpose for Regulating the Sale of Animals.  
Ken Budge, Mayor

Mayor Budge stated he had asked that this be brought before Council. He was made aware that sometimes at the Saturday Market and in Old Bisbee people come to sell puppies or other types of animals that have

not necessarily been taken care of. Mayor Budge stated that this addition to the code was not something out of the ordinary and the City of Sierra Vista has had this in place for over 15 years.

MOTION: Mayor Budge moved to approve the Notice of Intent to adopt Ordinance O-23-06; Amending the City of Bisbee City Code Chapter 6 Animals, Article 6.1 Animals in General, Adopting a new subsection 6.1.18 Unlawful Public Sale of Animals.

SECOND: Councilmember Cline

ROLL CALL VOTE

AYES: Councilmember Hill, Davis, Johns, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

10. Discussion and Possible Approval to participate in the five newly proposed National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart.

Joe Estes, City Attorney

Mr. Estes stated that these agreements are subject to the One Arizona agreement that the City executed a little over a year ago with the first round of settlements. There were a number of national opioid litigation cases these mostly deal with the pharmaceutical distribution of the opioids. He explained in detail the opioid litigations.

MOTION: Councilmember Davis moved to participate in the five new proposed National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

11. City Manager's Report:

- Mr. Pauken gave a brief report regarding a meeting with the postmaster of the Old Bisbee Post Office.
- Mr. Pauken said the annual strategy meeting will be held on Monday, March 27, 2023.

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 Davis moved to adjourn the meeting.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 7:52PM

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Ken Budge, Mayor