

**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, APRIL 20, 2021 AT 7:00 PM VIA ZOOM.

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  
Councilmember Frank Davis, Ward I  
Mayor Ken Budge  
Councilmember Leslie Johns, Ward I  
Councilmember Joan Hansen, 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  
George Castillo, Fire Chief

**CITY ATTORNEY**

Joseph Estes

INVOCATION: Mayor Budget asked for a moment of silence to think about our Country and we pull together in unity with racial justice and that we all consider ourselves as one.

**PLEDGE OF ALLEGIANCE**

**MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:**

- Mayor Budge read the 52<sup>nd</sup> Annual Professional Municipal Clerks Week May 2-May 8, 2021 Proclamation
- Mayor Budge read the Fair Housing Proclamation
- Fire Personnel Announcements
  - Promotions of Lieutenant and Captain: As of April 18, 2021 Andy DeCastro was promoted to Captain and Nick Houser was promoted to Lieutenant.
  - Completion of probation for 2 firefighters: Cody Ayon FF/EMT & Emilio Martinez FF/EMT have completed their probation periods as of April 1, 2021. They were now full-time Fire Fighters.

George Castillo, Fire Chief thanked those who had served in the acting role, command staff positions over the last four (4) months; Firefighter Robert Cline, Lieutenant Clarence Hickman and Firefighter Nick Houser, whom got promoted.

Mayor Budge announced that the Fire Services new radio system was up and running.

CALL TO THE PUBLIC- None

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 \$252,055.49.

SECOND: Mayor Budge

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

- 2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Work Session of the Mayor and Council held on March 16, 2021.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Special Session of the Mayor and Council held on April 8, 2021.

Ashlee Coronado, City Clerk

- C. Approval of the Resignation of Stephen J. Pauken from the Civil Service Commission.

Ashlee Coronado, City Clerk

- D. Approval of a Liquor License Application for Le' Cornucopia Café located on 14 Main Street, Bisbee Arizona; Gretchen Renee Bonaduce, Applicant.

Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve the consent agenda items A-D.

SECOND: Mayor Johns

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

**OLD BUSINESS**

**NEW BUSINESS**

- 3. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to fund a Grant Application for Rita Verri in the amount of \$500.00 from the Bisbee Arts Commission Fund.

Leslie Johns, Council Liaison for the Bisbee Arts Commission

Councilmember Johns stated that this grant application was from Rita Verri who will be putting on a showcase of performers from Bisbee. Arts Commission grant funding was for artist from Bisbee interacting with the community through art.

MOTION: Councilmember Davis moved to approve the funding of the grant application for Rita Verri in the amount of \$500.00 from the Bisbee Arts Commission Fund.

SECOND: Councilmember Hansen

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

4. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to fund a Grant Application for Ramona Parrotta in the amount of \$500.00 from the Bisbee Arts Commission.  
Leslie Johns, Council Liaison for the Bisbee Arts Commission

Councilmember Johns said that this was from Ramona Parrotta asking for \$500.00 to do a photography project, where she will photograph women in Bisbee. Her goal was to photograph forty (40) to fifty (50) women in black and white photography and hopefully do a showcase at Central School of the photographs.

MOTION: Councilmember Johns moved to approve the funding of the grant application for Ramona Parrotta in the amount of \$500.00 from the Bisbee Arts Commission Fund.

SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

5. Discussion and Possible Approval of Resolution R-21-02, Appointing Stephen Pauken, City Manager as the designated applicant agent for the Arizona Division of Emergency Management.  
Stephen Pauken, City Manager

Mr. Pauken stated that this was a boiler plate designation for an applicant agent for applying for different types of funding that departments administer throughout the year. This was particularly important right now because this is the agency we have applied for funding for redoing the Fire Suppression.

MOTION: Councilmember Cline moved to approve Resolution R-21-02; Appointing Stephen Pauken, city Manager, as the Designated Applicant Agent for AZ DEMA programs.

SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

6. Discussion and Possible Approval of an Elevator Maintenance Contract with Iron Hawk Elevator LLC.  
Jesus Haro, Public Works Director

Mr. Haro stated that this was a maintenance elevator contract with IronHawk, which had been doing the maintenance previously. This was just a one (1) year contract and with this contract we get the bi-annual maintenance, preventative maintenance and in addition they are on call should we need any repairs or if there was a failure.

MOTION: Councilmember Pawlik moved to enter into an elevator maintenance contract with IronHawk Elevator LLC.

SECOND: Councilmember Cline

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

7. Discussion and Possible Approval to enter into a Professional Services Agreement with Souder, Miller & Associates for retaining wall design for Clawson Avenue, Temby Road and Opera Drive.  
Jesus Haro, Public Works Director

Mr. Haro stated that this was for some repairs that are needed in the Old Bisbee area at Clawson, Temby and Opera. He said that Souder Miller was one of our on-call engineers. The fiscal impact was \$46,800.00 and was suggesting that we put this in the contract services line item since this was contract services and was also, suggesting that the funding for that actually be transferred from the Streets & Infrastructure line item to cover the engineering.

MOTION: Councilmember Hansen moved to approve the Professional Services Agreement with Souder, Miller & Associates for retaining wall design of Clawson Avenue, Temby road, and Opera Drive.

SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

8. Discussion and Possible Approval to enter into a Professional Services Agreement with the WLB Group for a drainage study of Main Street.  
Jesus Haro, Public Works Director

Mr. Haro stated that this was a Professional Services Agreement for the drainage study of Main Street. The limits of that extend from 94 Main Street to 1 Main Street essentially from Castle Rock Inn to the Copper Queen Library. He was proposing that the fiscal impact be paid for through our contract services budget line item and the funds for this should be transferred from our Streets and Infrastructure sales tax line item. In addition, the Streets and Infrastructure sales tax when they originally paved that road contained a 20% contingency so that will further support that this should be paid from the Streets and Infrastructure sales tax.

Councilmember Hansen said that she didn't see anything in the contract but will they also take a look at how high the curb needs to be in that area.

Mr. Haro stated that was part of it. The scope was that they will determine the pre asphalt overlay drainage and compare that to the post asphalt overlay to see if there was any change that needed to be addressed. Mr. Haro said that he would have the drainage addressed in the study.

Mayor Budge asked what the time frame was for this.

Mr. Haro stated that he didn't have a time frame as soon as this was approved this evening he will be contacting them. They actually have a meeting on Monday and will get the time frame then.

Mr. Pauken reiterated that when Mr. Haro meets with them on Monday, they will reinforce the matter.

MOTION: Councilmember Davis moved to approve the Professional Services Agreement with the WLB Group for a drainage study of Main Street.  
SECOND: Councilmember Pawlik

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

- 9. Discussion and Possible Approval of the Notice of Intent to adopt Ordinance O-21-11; Authorizing the Sale and Transfer of certain property located at 121 Fort Huachuca Lane.  
Ashlee Coronado, City Clerk

Ms. Coronado said that before Council tonight was the Notice of Intent to adopt Ordinance authorizing the Sale and Transfer of certain property located at 121 Fort Huachuca Lane and it also sets the sale price of \$99,999.00. They did receive a broker price opinion in the amount of \$105,000.00. So we were within the eighty (80) percent and there was an approved buyer for this property.

Councilmember Hansen commented that this was the first of many of the houses for the work force project.

MOTION: Councilmember Hansen moved to approve the Notice of Intent to Adopt Ordinance O-21-11; Authorizing the Sale and Transfer of certain property located at 121 Fort Huachuca Lane.  
SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

- 10. Discussion and Possible Approval of an Agreement for Assignment of Deed of Trust and an Assignment of Deed of Trust between the City of Bisbee and Hillcrest Apartments (Bisbee), an Arizona general partnership.  
Joe Estes, City Attorney

Mr. Estes said that this was the agreement for the assignment and the assignment document with regard to the property known as the Hillcrest Apartments. This was the direction provided by Council to move forward with the City’s desire to acquire this property. The first process was to get the Council to approve the agreement and the assignment documents then they will come back with an ordinance the notice of intent, but wanted to get these documents in front of Council to get Council yay or nay so that they could things going and things opened up with Pioneer Title so that we can make sure everything was going smoothly

MOTION: Councilmember Davis moved to approve the Agreement for Assignment of Deed of Trust and an Assignment of Deed of Trust between the City of Bisbee and Hillcrest Apartments (Bisbee), an Arizona general partnership.

SECOND: Councilmember Giacomino

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7 NAYS -0

- 11. City Manager's Report:

- Mr. Haro gave an update on the Garbage Truck that caught fire. They will move forward replacing the vehicle.
- Mr. Pauken reminded that next Monday through Thursday budget Session with Mayor and Council at 5:30pm.
- Mr. Pauken informed the Council that this was actually is third (3<sup>rd</sup>) day back and it has been intense he complimented Ms. Bagley and the Department Heads. They have been moving money around and taking some money out. They will bring Council something that we would like them to help us.
- Mr. Pauken said that today we received the notice of award and the notice to proceed for the TinTown Street and Drainage Project, which comes from CDBG Fund.
- Other Current events (No Discussion)

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: 7:43 PM

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Ken Budge, Mayor