

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, JUNE 21, 2022, 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 7:05PM
Councilmember Joni Giacomino, Ward II Excused
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
Matthew Gurney, Public Works Director
Logan Dodd, Operations Manager
Albert Echave, Police Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Retirement awards- Mrs. Landers presented Martha Elkins with a Retirement Award and thanked her for all her years of service to the City of Bisbee.
- Lifesaving awards- Chief Echave presented a Life Saving Award to Officer Carlos Moreno and Esmeralda Mendoza for their heroic efforts saving during the Fires in the Saginaw Area.

CALL TO THE PUBLIC

- Nolan Gouget, Bisbee resident spoke about being allowed to express his opinion at call to the public.

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 \$383,369.69.

SECOND: Councilmember Johns

Council asked questions about accounts payable, and staff responded to each question.

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on June 7, 2022.

Ashlee Coronado, City Clerk

- B. Approval of a Park, Facility, and Right-of-Way Use Permit for the use of Brewery Gulch for the 4th of July Mucking and Drilling Contests on Monday, July 4th 2022 from 12:00am to 3:00pm.

Ashlee Coronado, City Clerk

- C. Approval of a Park, Facility, and Right-of-Way Use Permit for the use of Vista Park for three water slides, one obstacle course and vendors for the July 4th festivities from 10:00am to 8:00pm.

Ashlee Coronado, City Clerk

- D. Approval of an Application for an Extension of Premises/ Patio Permit submitted by Electric Brewing for an Event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, July 10, 2022; Natalie Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- E. Approval of an Application for an Extension of Premises/ Patio Permit submitted by Electric Brewing for an Event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, July 17, 2022; Natalie Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- F. Approval of an Application for an Extension of Premises/ Patio Permit submitted by Electric Brewing for an Event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, July 24, 2022; Natalie Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- G. Approval of an Application for an Extension of Premises/ Patio Permit submitted by Electric Brewing for an Event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, July 31, 2022; Natalie Fredrickson, Applicant.

Ashlee Coronado, City Clerk

Mayor Budge pulled items 2D-G.

MOTION: Mayor Budge moved to approve the Consent Agenda items A-C.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

Items 2D-G:

Mayor Budge explained a letter was sent to Electric Brewing about the noise control requests. Council has received pictures and video of them not doing what they were requested to do. Mayor Budge recommended that these not be approved until the applicants come before Council to discuss what needs to be done.

Mayor Budge requested that these permits be pulled and that the City Clerk notify the applicant that they would need to come to the Council Meeting in person to discuss these requests. This would allow for discussion between the Council and Applicant.

OLD BUSINESS

NEW BUSINESS

- 3. Discussion and Possible Approval of an updated Library Collection Development Policy to include a section on Controversial Materials and Reconsideration procedures.
Jason Macoviak, Library Manager

Mr. Macoviak explained the Library Advisory Board and the Copper Queen Library were requesting to update the library’s collection development policy to include a section describing controversial materials and another section outlining a reconsideration process that would be used in case of a patron’s complaint relating to materials held at the CQL and CQ Library Annex. The updated policy also includes the American Library Association’s Library Bill of Rights, which expresses the rights of library users to intellectual freedom.

MOTION: Councilmember Hill moved to approve the updated Library Collection Development Policy to include a section on controversial materials and reconsideration materials.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

- 4. Discussion and Possible Approval of Resolution R-22-12; a Resolution of the Mayor and Council, City of Bisbee, County of Cochise, State of Arizona, fixing, levying, and assessing the amount to be raised by the City of Bisbee from property taxation and fixing and determining the property tax rate for the 2022-2023 fiscal year and providing for severability.
Keri Bagley, Finance Director

Ms. Bagley said approval of this Resolution would adjust the property tax rate for 2022-2023. We were raising it by the maximum allowed of two percent (2%).

Councilmember Sowid asked about the previous rate. He was concerned about a large increase with the increase of property values.

Ms. Bagley explained the amount was based on the assessed values that are supplied to us from the Cochise County Assessor.

Mr. Pauken said if we do not increase the tax rate every year, there would be no catching up. The Maximum allowed is only two percent (2%) no matter what.

MOTION: Councilmember Cline moved to approve Resolution R-22-12; fixing, levying, and assessing the amount to be raised by the City of Bisbee from property taxation and fixing and determining the property tax rate for the 2022-2023 fiscal year and providing for severability.

SECOND: Mayor Budge

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

5. Discussion and Possible Approval of a PSPRS Pension Funding Policy.

Keri Bagley, Finance Director

Ms. Bagley explained we were required as a governing body to adopt a pension funding policy every year. The House Bill in part requires every governing body to formally accept the amount of assets, liabilities, and current funding ration in the latest PSPRS actuarial valuation reports.

Mr. Pauken discussed the plan to pay the remaining unfunded liability with in one to two years.

MOTION: Mayor Budge moved to approve the PSPRS Pension Funding Policy.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

6. Discussion and Possible Approval of a Contract for Publishing Services/Official Newspaper of Record with the Bisbee Observer.

Ashlee Coronado, City Clerk

Mrs. Coronado explained every year the city has to designate a Newspaper of Record. This year we received one bid from the Bisbee Observer.

MOTION: Councilmember Cline moved to approve the contract for Publishing Services Official Newspaper of Record with the Bisbee Observer.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

7. Discussion and Possible Approval of a Request for Proposal for the purchase of 10' Dump Trailer for the Parks Department.

Matthew Gurney, Public Works Director

Mr. Gurney said they were requesting approval to go out to bid for a Ten-foot dump trailer for the Parks Department. They were currently using their regular pickup trucks, and this would allow them to work more efficiently.

MOTION: Councilmember Johns moved to approve the request for proposal for the purchase of 10' dump trailer for the Parks Department.

SECOND: Councilmember Cline

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

8. Discussion and Possible Approval to have Means Building LLC complete specialty restoration of historic adobe structure work on the Camp Naco Hospital building. Work to be sole sources under City Code 3.5.8 (C).

Matthew Gurney, Public Works Director

Mr. Gurney said the hospital building at Camp Naco has two failed historic hand-built trusses, associated rafter, and ceiling joist. This contractor specializes in historic adobe structures. This would be paid for using ARPA funds.

MOTION: Councilmember Cline moved to have Means Building LLC complete specialty restoration of historic adobe structure work on the Camp Naco Hospital building. Work to be dole sources under City Code 3.5.8 (C).

SECOND: Mayor Budge

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 9. Discussion and Possible Approval of a Service Agreement and Implementation with HR Performance Solutions.

Joelle Landers, Personnel Director

Ms. Landers explained at the request of Mayor and Council during the budget meetings she had gone back to NeoGov to answer additional questions. She said she had concern with the variation in costs and decided to look elsewhere for similar services. HR Performance Solutions was offering a one-year agreement for 75 employees including implementation, optimization, and training. This would give us an opportunity to use the software and see what we were receiving. The learning course has a list over 500 courses that would meet the needs of staff.

MOTION: Councilmember Sowid moved to approve a Service Agreement and Implementation with HR Performance Solutions.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

- 10. Discussion and Possible Approval to hire Arizona Pump Resources LLC to clean and document findings in the WAS vault #1.

Matthew Gurney, Public Works Director

Mr. Gurney explained the WAS vaults were located under the belt press and houses the sludge that moves up to the press. The vaults have never been inspected since construction in 2006. It was imperative that this be done to avoid a potential catastrophic failure. This would give us the condition they were in. This cost did not include repairs if needed.

MOTION: Councilmember Hill moved to hire Arizona Pump Resources LLC to clean and document findings in the WAS vault #1.

SECOND: Councilmember Johns

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 11. Rejecting all bids received on June 1, 2022, for construction of a City Hall.

Stephen J. Pauken, City Manager

Mr. Pauken said this was a very disappointing agenda item. As a result of the analysis of the lowest responsive bidder along with some discussions with them about reducing costs, we were not able to reach our target figure. Mr. Pauken said that there was still an opportunity to do this project right. This would allow us to start over. He also discussed the high inflation in costs.

MOTION: Mayor Budge moved to reject all bids and directed staff to look into other options/procedures.
SECOND: Councilmember Sowid MOTION PASSED: UNANIMOUSLY

12. City Manager's Report:

- Other Current events (No Discussion)
 - Mr. Pauken reminded everyone to celebrate the 4th of July responsibly.

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 Johns moved to adjourn the meeting.
SECOND: Councilmember Cline
MOTION PASSED: UNANIMOUSLY
ADJOURNMENT: 8:25 PM

Ken Budge, Mayor