

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, JULY 19, 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

Councilmember Joni Giacomino, Ward II

Councilmember Frank Davis, Ward I Excused

Mayor Ken Budge

Councilmember Leslie Johns, Ward I Excused

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

Logan Dodd, Operations Manager

Jim Richardson, Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for everybody to reflect on their friends and relatives that are going through a bit of a hard time. There was a lot of animosity going around and he would like everyone to think about how they can support each other, their relatives, their friends, and neighbors.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge stated that when he was elected, he took an oath to uphold state laws. This will be his charge going forward that he will follow state law, constitution, ordinances, and charter. He wanted to emphasize that.

CALL TO THE PUBLIC: There was no one signed up to speak 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 \$361,233.06.

SECOND: Councilmember Giacomino

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

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES- 4 NAYS-0

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on July 5, 2022.

Ashlee Coronado, City Clerk

- B. Approval of the Resignation of Savannah Anderson from the Design Review Board.

Ashlee Coronado, City Clerk

- C. Approval of the of the Appointment of Theodore Schriever to the Design Review Board.

Ashlee Coronado, City Clerk

- D. Approval of the Appointment of Kathryn “Cado” Daily to the Board of Adjustment.

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, August 14, 2022; Natalie Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- F. Approval of a Special Event Liquor License Application submitted by Friends of the Bisbee Animal Shelter for an Event to be held at 81 Main Street, Bisbee on Friday, September 23, 2022, from 10:00AM to 2:00AM, Saturday, September 24, 2022, from 10:00AM to 2:00AM and Sunday, September 25, 2022, from 10:00AM to 12:00AM; Kelly Galligan, Applicant.

Ashlee Coronado, City Clerk

Mayor Budge pulled item 2E.

MOTION: Councilmember Cline moved to approve the Consent Agenda items A – D & F.

SECOND: Mayor Budge

MOTION PASSED: UNANIMOUSLY

Item 2E:

Mayor Budge commented that he had been in contact with several people and understood that Electric Brewing’s 2-year anniversary would be held that day. He would like Electric Brewing to work with us on how to make this happen.

MOTION: Mayor budge moved to approve this extension of premises with the music facing back toward their business. He also requested that they continue to monitor the sound and that the DBI level stay at 65 at a distance of 100 feet from Electric Brewing.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

OLD BUSINESS

NEW BUSINESS

- 3. Discussion and Possible Approval for the Bisbee Arts Commission to Pay the Arizona Rangers for Security Services for their Festival of the Arts Event.

Leslie Johns, council Liaison Bisbee Arts Commission

Ms. Coronado, City Clerk stated that the Arts Commission was holding their Arts Festival event and they would be setting up in the evening. They were requesting to use the Arizona Rangers for security for the evening.

MOTION: Mayor Budge moved to approve the Bisbee Arts Commission to pay the Arizona Rangers for Security Services for their Festival of the Arts Event.

SECOND: Councilmember Giacomino MOTION PASSED: UNANIMOUSLY

- 4. Discussion and Possible Approval to reserve and pay Arizona Party Rental for the use of Tents, Tables, and chairs for the Bisbee Arts Commission Festival of the Arts Event.
Ashlee Coronado, City Clerk

MOTION: Councilmember Giacomino moved to approve the rental and payment of Arizona Party Rental for the use of Tents, Tables, and Chairs for the Bisbee Arts Commission Festival of the Arts Event.

SECOND: Councilmember Cline MOTION PASSED: UNANIMOUSLY

- 5. Discussion and Possible Approval to purchase 30 dumpsters from Wastequip. Sourcewell Co-Operative contract # 040621-WQI.
Matthew Gurney, Public Works Director

Logan Dodd, Operations Manager Public Works stated that Public Works would like to purchase 30 dumpsters. This will allow them to give the correct size to the right commercial customers.

MOTION: Councilmember Cline moved to approve the purchase of 30 dumpsters from Wastequip. Sourcewell Co-operative contract # 040621-WQI.

SECOND: Mayor Budge

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES- 4 NAYS-0

- 6. Discussion and Possible Approval to purchase a Ravo 5i Compact Sweeper with Hygion feature. Sourcewell Co-Operative contract # 093021-FAY.
Matthew Gurney, Public Works Director

MOTION: Mayor Budge Moved to table this item.

SECOND: Councilmember Cline MOTION PASSED: UNANIMOUSLY

- 8. Discussion and Possible Approval to accept the bid and direct staff to move forward with the process to open escrow for the property located at 75 C Ok Street.
Ashlee Coronado, City Clerk

MOTION: Mayor Budge Moved to table this item.

SECOND: Councilmember Cline MOTION PASSED: UNANIMOUSLY

- 7. Discussion and Possible approval of a motion to go into executive session for the following matter:
 - 1. An executive session pursuant to A.R.S. § 38-431.03(A)(1) and (3) for discussion or consultation for legal advice with the City Attorney regarding a complaint filed by Nolan Gouguet and 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 to discuss the City Attorney’s position.

2. An executive session pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion or consultation for legal advice with the City Attorney regarding threatened litigation by Attorney Ms. Russell on behalf of her client Nolan Gouguet.
3. An executive session pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion or consultation for legal advice with the City Attorney regarding a notice of claim from Lumen Technologies.
 - *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, except that, with the exception of salary discussions, an officer, appointee, or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee, or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee, or employee to determine whether the discussion or consideration should occur at a public meeting.*
 - *Per ARS § 38-431.03(A)(3) Discussion or consultation for legal advice with the attorney or attorneys of the public body.*
 - *Per ARS § 38-431.03(A)(4) Discussion or consultation with the attorneys of the public body in order to 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.*

MOTION: Councilmember Giacomino moved to enter into Executive Session

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

MOTION: Mayor Budge moved to come out of Executive Session

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

9. City Manager's Report:

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: Mayor Budge moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 7:58 PM

Ken Budge, Mayor