

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 20, 2021 AT 7:00 PM VIA ZOOM.

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

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 Excused
VACANT, 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
Albert Echave, Police Chief
George Castillo, Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of silence to think about the first responders that were shot in Tucson.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

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 \$312,078.66 subject to availability of funds.

SECOND: Mayor Budge

Councilmember Giacomino asked about the water bills and why they were so high.

Mr. Haro explained that this was construction, paving and watering for the 4th of July.

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

2. Approval of the Consent Agenda

A. Approval of the Appointment of Nicholas Fuqua to the Airport Advisory Commission.
Ashlee Coronado, City Clerk

B. Approval of a Liquor License Application for the Speedway #2975, located at 504
Highway 92, Bisbee, AZ; Andrea Lewkowitz, Applicant.
Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve Consent Agenda items A and B.

SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

OLD BUSINESS

NEW BUSINESS

3. Public Presentation by Corky Poster of Poster, Mirto, McDonald on the completed Library Building Condition Assessment.

Jason Macoviak, Library Manager

Mr. Macoviak introduced Corky Poster of Poster, Mirto, McDonald. They had completed the assessment on the Library building.

Mr. Poster gave an overview of the building assessment.

Mr. Pauken said that he had gone through the report and wanted to confirm a few things first. Mr. Pauken said he was concerned that placing HVAC on the roof would impose a considerably larger load than the swamp coolers and he was aware that the electrical needed to be upgraded first. He said that there needed to be more invasive testing to determine to a greater degree what the actual structural integrity of the building. He was disappointed that we did not have more information on the structure of the 111-year-old building.

Mr. Poster said that it was a good point but from their perspective all of the structure issues that were identified on the report were surface issues that don't affect the general structure of the building. Even though we can't see the bones of the building any problems with those bones would telegraph into the building itself. There were no signs that they could see that would indicate a problem.

4. Discussion and Possible Approval of Renewal of eCivis Master Subscription and Service Agreement.
Keri Bagley, Finance Director

Ms. Bagley said that this was the annual renewal of the eCivis Agreement. This allowed us to research and apply for grants.

MOTION: Councilmember Cline moved to approve the eCivis Master Subscription and Service Agreement for service through August 31, 2022
SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

5. Discussion and Possible Approval to sign a Memorandum of Understanding (MOU) with the City of Sierra Vista to purchase dumpsters and roll-out totes.

Jesus Haro, Public Works Director

Mr. Haro explained that this was previously approved at the June 1, 2021 regular session of Mayor and Council. The City of Sierra Vista preferred using a MOU to meet their requirements.

MOTION: Mayor Budge moved to approve the MOU with the City of Sierra Vista to purchase dumpsters and roll-out totes.

SECOND: Councilmember Pawlik

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

6. Discussion and Possible Approval to enter into the Airports Coronavirus Response Grant Program.

Jesus Haro, Public Works Director

Mr. Haro explained that the Airport had been awarded up to \$13,000 through this program. This can be used for airport maintenance or debt service. There was no match for this grant.

MOTION: Councilmembers Pawlik moved to enter into the Airports Coronavirus Response Grant Program.

SECOND: Councilmember Davis

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

7. Discussion and Possible Approval of Amendment #2 to the Professional Services Agreement between the City of Bisbee and Dog Cat Mouse Media LLC, for Marketing and Design Services.

Stephen Pauken, City Manager

Mr. Pauken explained that this was the second amendment of the contract with Dog Cat Mouse for tourism and marketing services. There was now an ad out to restore the position of tourism manager. We hope to have that filled by September. He discussed with the CEO of Dog Cat Mouse that this would be a transition year. If we cancel there would be a 30-day notice required.

MOTION: Councilmember Davis moved to approve Amendment #2 to the Professional Services

Agreement between the City of Bisbee and Dog Cat Mouse Media LLC, for Marketing and Design Services

SECOND: Mayor Budge

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

8. Discussion and Possible Approval of an Agreement with Centurylink to provide analog phone service for City buildings.

Ashlee Coronado, City Clerk

Ms. Coronado explained that this was an agreement for phone services for City Buildings on State Contract. This was a three-year contract.

MOTION: Mayor Budge moved to approve the agreement with Centurylink to provide analog phone service for City buildings.

SECOND: Councilmember Cline

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

9. Discussion and Possible Approval of the Notice of Intent to adopt Ordinance O-21-13; Authorizing the Re-Recording of a certain Quit Claim Deed to Aileen Weaver to correct the legal description on the property adjacent to 48 Wood Canyon.

Ashlee Coronado, City Clerk

Ms. Coronado explained that it was brought to our attention that there was an issue with a legal description on a property that was auctioned back in 2016. Approval of this Ordinance would clear that problem up for the property owner.

MOTION: Councilmember Pawlik moved to approve the Notice of Intent to adopt Ordinance O-21-13; Authorizing the Re-Recording of a certain Quit Claim Deed to Aileen Weaver to correct the legal description on the property adjacent to 48 Wood Canyon.

SECOND: Mayor Budge

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

10. City Manager's Report:

- Mr. Pauken had Mr. Haro gave an update on Main Street Drainage
- Other Current events (No Discussion)

11. Possible Approval of a motion to go into Executive Session for the following matters:

1. An executive session pursuant to A.R.S. § 38-431.03(a)(3)(4) for discussion or consultation on the Gouguet matter.
2. An executive session pursuant to A.R.S. § 38-431.03(a)(3)(4) Discussion or consultation with the Attorney of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding the contracts that are the subject of

negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation on a Notice of Claim from Kenneth and Mary Alice Budge.

Per ARS § 38-431.03(A3)(A4) , the City Council may vote to go into executive session for discussion or consultation for legal advice with the attorney or attorneys of the public body and for 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.

Joseph Estes, City Attorney

MOTION: Mayor Budge moved to enter into Executive Session

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

MOTION: Mayor Budge moved to come out of Executive Session

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

12. Discussion and Possible Approval of the Project Agreement and Engagement with Revolutionary HR Consulting.

Joelle Landers, Personnel Director

MOTION: Mayor Budge moved to approve the Project Agreement and Engagement with Revolutionary HR Consulting.

SECOND: Councilmember Cline

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -5 NAYS -0

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 Giacomino

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:44 PM

Ken Budge, Mayor