

This meeting was closed to the public due to Covid 19

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 16, 2020 AT 7:00 PM AT THE CITY HALL BUILDING, 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

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

ROLL CALL

COUNCIL

Councilmember Louis Pawlik, Ward III, Mayor Pro Tempore
Councilmember Joni Giacomino, Ward II
Councilmember Bill Higgins, Ward I
Mayor David M. Smith
Councilmember Leslie Johns, Ward I
Councilmember Joan Hansen, Ward II Excused
Councilmember Anna Cline, Ward III

STAFF

Theresa Coleman, 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

James Ledbetter

INVOCATION: Mayor Smith asked for a moment of silence for the Covid 19 patients and to those who are no longer with us.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Smith read the proclamation for Unites States Army's 245th Birthday.
- Mayor Smith gave an update on the Covid pandemic and his communications with the Governor's Office.

CALL TO THE PUBLIC

- Al Anderson, commented on Councilmember Giacomino's suggestion that Lithik Construction rebuild City Hall. He commented that the decision had to be determined by cost. He spoke on the concepts provided by Albert Hoper. H suggested that Council explore the continued use of the Cochise County facility on Tovreaville road.
- Donna Pulling, commented on the confusion created by the new practice of reading all public comments during the call to the public. Ms. Pulling requested clarification.

- Ben Lepley, commented on his previous letter regarding saving the City Hall shell. He explained that he along with Lithik Construction and Karchner Engineering were working on two informal proposals intended for public discussion in regard to saving the shell. He explained that the intent was to allow the public an opportunity to know and discuss the possibilities. See Exhibit “A” attached.
- Mark and Debby Gardner, expressed in opposition to the PRIDE party at the Copper Queen Hotel.
- Claire Chafee, commented about Covid 19 and the increase in cases.

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 \$191,407.87.

SECOND: Councilmember Johns

Councilmember Giacomino asked about the charges to Caselle and water charges.

Ms. Coleman responded that Caselle was our finance software.

Mr. Haro explained that the charges Ms. Giacomino was referring to were for sewer and garbage.

Ms. Giacomino said that we were always seeing equipment being purchase. She said things that were not disposable were being purchase. She asked if there was any way to inventory the purchases to keep track.

Mr. Haro responded that that was something that was in the works.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on June 2, 2020 at 7:00 pm.

Ashlee Coronado, City Clerk

MOTION: Councilmember Johns moved to approve the consent agenda items 2A

SECOND: Mayor Smith

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

OLD BUSINESS

3. Discussion and Possible Approval of Ordinance O-20-10; Amending Article 4.5.1 Rates, and Establishing Article 4.5.2, Ambulance Subscriptions and providing for repeal and severability.

Theresa Coleman, City Manager

MOTION: Councilmember Pawlik moved to approve Ordinance O-20-10; Amending Article 4.5.1 Rates, and Establishing Article 4.5.2, Ambulance Subscriptions and providing for repeal and severability.
SECOND: Mayor Smith

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns and Mayor Smith.

NAYS: Councilmember Cline

MOTION PASSED: AYES -5; NAYS -1

- 4. Discussion and Possible Approval of Ordinance O-20-11, Accepting the transfer of Real Property held by Mining Claim in the Saginaw Neighborhood.
Theresa Coleman, City Manager

MOTION: Councilmember Johns moved to approve Ordinance O-20-11, Accepting the transfer of Real Property held by Mining Claim in the Saginaw Neighborhood.
SECOND: Councilmember Cline

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

NEW BUSINESS

- 5. Discussion and Possible Approval of Resolution R-20-19; a Resolution of the Mayor and City 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 2020-2021 fiscal year and providing for severability.
Keri Bagley, Finance Director

Ms. Bagley explained that staff was recommending adoption of a tax rate in the amount of \$2.9954 per \$100 of assessed value or 2%. This would add an additional \$48,215 in revenue to the general fund. The increase represented an additional \$5.88 in property taxes per \$100,000.

MOTION: Councilmember Higgins moved to approve Resolution R-20-19; 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 2020-21 fiscal year in the amount of \$2. 9954 per \$100 of assessed valuation and providing for severability.
SECOND: Mayor Smith

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Higgins, Johns, Cline and Mayor Smith.

NAYS: Councilmember Giacomino

MOTION PASSED: AYES -5; NAYS -1

6. Discussion and Possible Approval of a Contract with Fireworks Productions of Arizona for the 4th of July Fireworks.

George Castillo, Fire Chief

Chief Castillo explained that this contract was for the Fourth of July fireworks. We have used Fireworks Productions for many years. Last year they were able to put on a \$6500 show. This year with the city's contribution, the union and donations they would be able to put on an \$8,500 show.

MOTION: Councilmember Higgins moved to approve the contract with Fireworks Productions of Arizona for the Fourth of July fireworks.

SECOND: Councilmember Pawlik

Councilmember Cline said the way they shoot off fireworks today was very old fashion and people did not realize how much work went into this show. It was quite the production. She thanked the Fire Department.

Councilmember Pawlik asked what account these funds came out of. He also asked if the community was able to make additional donations.

Ms. Coleman responded that it was parks and yes, donations could be made.

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

7. Discussion and Possible Approval of an Intergovernmental Agreement between Southeastern Arizona Communications (SEACOM) and the Bisbee Police Department Authorizing Chief of Police, Albert Echave to sign this agreement as the authorized representative of the Bisbee Police Department in providing dispatching services during a catastrophic event(s) for either agency.

Albert Echave, Police Chief

Chief Echave explained that there were two contracts. The first was if Bisbee needed assistance for dispatching and the other would cover SEACOM if they needed assistance. He explained that the similar consoles would be installed in the Bisbee Dispatch.

Councilmember Cline asked if this was only for emergency services.

Chief Echave said that was correct.

MOTION: Councilmember Pawlik moved to approve the Intergovernmental Agreement between Southeastern Arizona Communications (SEACOM) and the Bisbee Police Department Authorizing Chief of Police Albert Echave to sign this agreement as authorized representative of the Bisbee Police Department and providing dispatching services during a catastrophic event for either agency.

SECOND: Mayor Smith

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

- 8. Discussion and Possible Approval to enter into a lease Purchase Agreement with NCL Government Capital for a New Way Diamondback Garbage Truck.
Jesus Haro, Public Works Director

Mr. Haro explained that they were requesting to enter into a lease purchase agreement for a new garbage truck for the old Bisbee area. He explained the current one we had was constantly in the shop. During those times that the truck was unusable the sanitation division had to use a dump truck to collect the garbage.

Councilmember Cline asked if this garbage truck was purchased would regular pickup return to Old Bisbee.

Mr. Haro said that it would afford us the opportunity to.

MOTION: Councilmember Higgins moved to enter into a lease purchase agreement with NCL Government capital for a new New Way Diamondback garbage truck.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

- 9. Discussion and Possible Approval of Resolution R-20-20; Supporting the City of Bisbee’s Formal Adoption of the City of Bisbee’s Transportation’s Amended Title VI Plan.
Jesus Haro, Public Works Director

Mr. Haro explained that this was the resolution that supports our nondiscriminatory plan that’s required for us to accept the federal money we receive for our bus program.

MOTION: Councilmember Pawlik moved to approve Resolution R-20-20; Supporting the City of Bisbee’s Formal Adoption of the City of Bisbee’s Transportation’s Amended Title VI Plan.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

- 10. Discussion and Possible Approval of a Contract for Publishing Services/Official Newspaper of record with the Bisbee Observer.
Ashlee Coronado, City Clerk

Ms. Coronado explained that this was the annual contract for publishing services. This year we received one bid from the Bisbee Observer with a small increase from \$3.75 per column inch to \$4.00 per column inch.

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

SECOND: Mayor Smith

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

11. Discussion and Possible Approval of an Intergovernmental Agreement with Cochise County for Election Services.

Ashlee Coronado, City Clerk

Ms. Coronado explained that this agreement with Cochise County was done every two years to provide election services. They would provide the vote centers, poll books, poll workers and also program and send out ballots. She explained that we prepare the language for the ballot along with the publicity pamphlets.

MOTION: Councilmember Johns moved to approve the intergovernmental agreement with Cochise County for Election Services.

SECOND: Councilmember Cline

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

12. Discussion and Possible Approval of Resolution R-20-14; Submitting to the Electors at the General Election of November 2, 2020, a Proposition to Increase the Transaction Privilege Tax by an additional One Percent (1%) dedicated to Essential Services with a six-year sunset.

Theresa Coleman, City Manager

Mayor Smith asked that comments be read from the public.

- Kara Peters, commented that she would like to voice her objection to the sales tax increase. If COVID did not kill small business, then this tax hike would. She added that it was completely unjustified.
- Claire Chafee, commented why do we need a 1% sales tax. She requested what justified essential services requested an explanation.
- Donna Pulling, asked what essential services were and why this term was not defined within the resolution. She listed departments that may be considered essential services. She also asked if this increase would be used for salary increases. She encouraged the Council to approve this resolution with the amendment clearly defining the term essential services. The voters can then decide in November.

Councilmember Giacomino said that the question had come up quite a bit, what were considered essential services here.

Ms. Coleman responded that what she believed essential services to be was not necessarily what Council or the voters thought it was.

Mayor Smith said that in the past both the library and the pool were considered to be essential services. Typically, when we speak of essential services it could be many things. The Council could decide what was essential.

MOTION: Councilmember Higgins moved to approve Resolution R-20-14; Submitting to the Electors at the General Election of November 2, 2020, a Proposition to Increase the Transaction Privilege Tax by an additional One Percent (1%) dedicated to Essential Services with a six-year sunset.

SECOND: Mayor Smith

Councilmember Giacomino wanted clarification that what was being approved tonight was that the public would be making the choice when they vote. By passing this it would be placed on the ballot. The people would choose.

Ms. Coleman responded yes it would be included on the ballot.

Councilmember Pawlik asked how much money would we receive from the AZCares Act.

Mayor Smith responded that it was \$599,825.00

Councilmember Pawlik said that this tax would either sink or swim. This was based on how well the city could sell this proposed increase to the public. He said we were in a serious situation. He said that if we were going to come out of this we needed to do an effective job of selling this to the community.

ROLL CALL VOTE:

AYES: Councilmember Pawlik, Giacomino, Higgins, Johns and Mayor Smith.

NAYS: Councilmember Cline

MOTION PASSED: AYES -5; NAYS -1

13. City Manager's Report:

- Update on Ambulance Purchase for Fire Department - Ms. Coleman said that we had hoped to bring an item for an ambulance purchase, we had additional opportunities to go out to bid. This will allow us to get the best value for money.
- 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.):

- Councilmember Pawlik commented on the article written in the Bisbee Observer on an interview with Chief Castillo. He said it was the best article he had read. He also commented on the PSPRS debt. He pointed out if we only paid the minimum we would be paying \$40 million for \$21 million debt. He said that was mind-boggling.
- Councilmember Giacomino wanted Council to be aware that there was a group of people getting together a presentation to share ideas on the rebuilding or refurbishing of City Hall. She also addressed Mr. Anderson’s call to the public comments. Councilmember Giacomino also extended her sympathies to the Oldfield Family for their loss of Dan.

ADJOURNMENT:

MOTION: Councilmember Higgins moved to adjourn the meeting.

SECOND: Councilmember Pawlik

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:03 PM

David M. Smith, Mayor

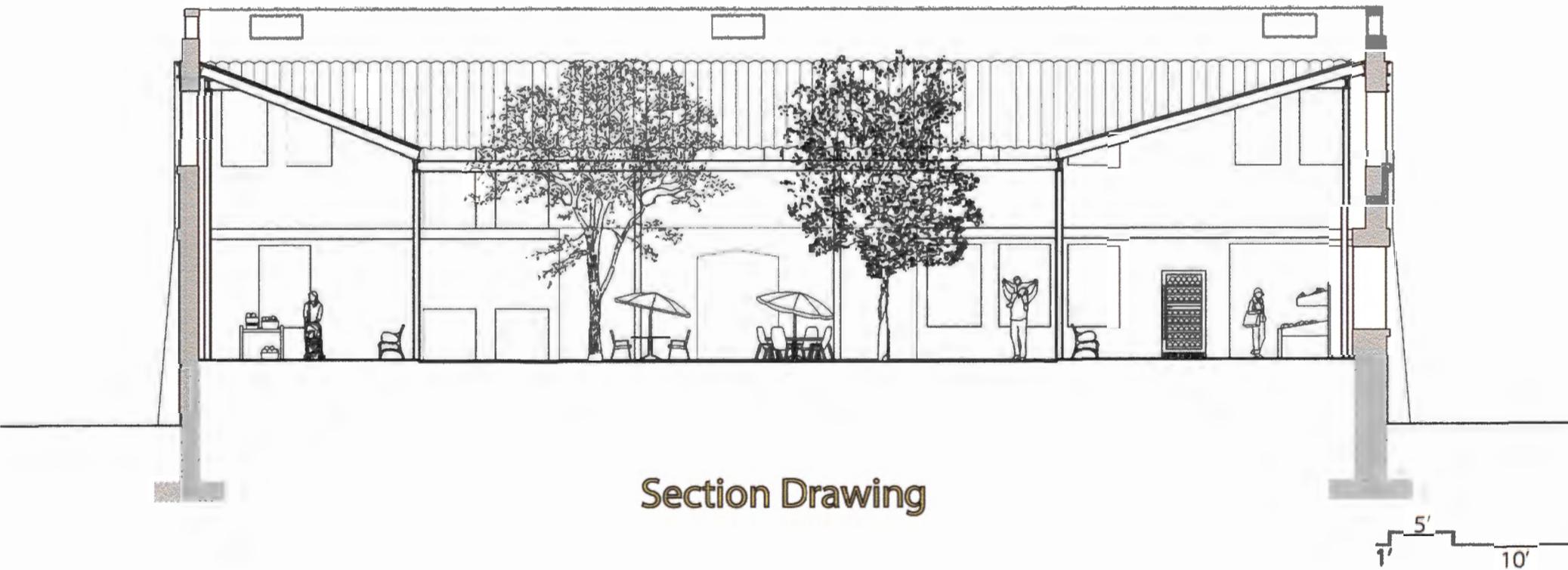
Tectonicus -Architecture
Lythic Construction
Kartchner -Engineering

Bisbee City Hall Conversion 'Calumet Market'

A draft *local* proposal to save the shell for \$450,000 as an outdoor market. Other uses could be, new Animal Shelter, Clinic Offices, Retail, Elderly Care Facility would all work with this same court-yard scheme. The remainder \$1.35M could be used for **any** city use.

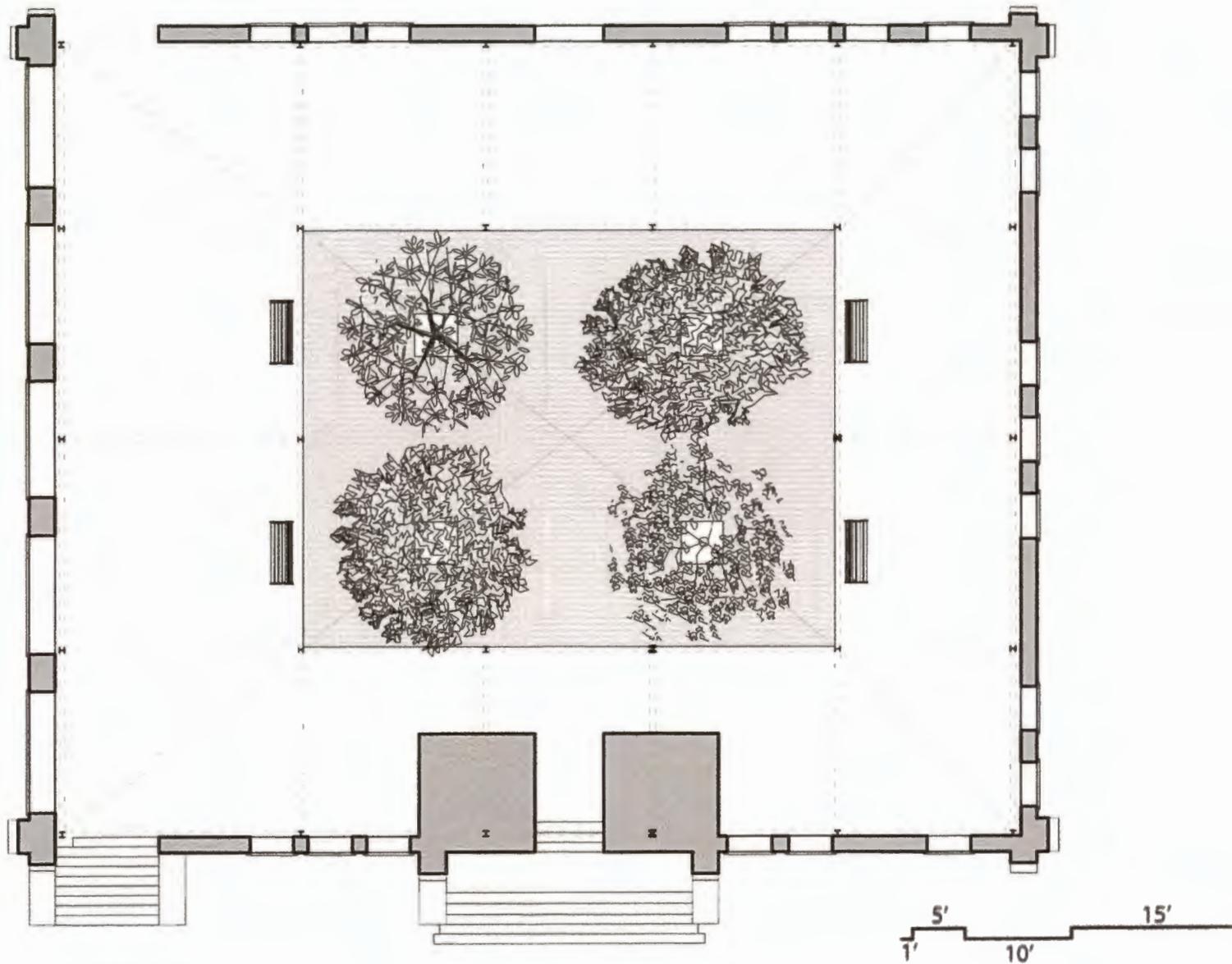
EXHIBIT A
To Document





Section Drawing

The new spaces made around the courtyard could remain open as shown here, or enclosed and used for any function. The area of this proposal is around 3,000 square feet.



Plan Drawing

The new spaces made around the courtyard could remain open as shown here, or enclosed and used for any function. The area of this proposal is around 3,000 square feet.