

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 WEDNESDAY, JULY 5, 2023, 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 7:02PM.

ROLL CALL

COUNCIL

Councilmember Juanetta Hill, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Frank Davis, Ward I

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

Tim Cox, Police Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of reflection.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge announced two of our Employees would be receiving awards next week. The first one was for an ex-Councilmember Bennie Scott from our Queen Mine Tour. He was going to be awarded the Spirit of Service Award from Arizona Office of Tourism. He also announced that our City Manager, Steve Pauken would be awarded the Gabe Zimmerman Community Builder Award during the Arizona City Managers Conference in Tucson. He congratulated both employees.

CALL TO THE PUBLIC

- Fred Miller, Bisbee resident spoke in support of the 5-year agreement between Wick Communication and the City of Bisbee for the Bisbee 1000. Wick runs a very good business, and they are very community minded. He thought it would be a really good thing for the City.
- Steve Ball, Bisbee resident also spoke in support of the 5-year agreement with Wick Communication. He said this event was good for the community and had a good economic impact.

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.
- 2.

MOTION: Councilmember Cline moved to approve the accounts payable in the amount of \$202,968.74 subject to availability of funds.

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

3. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on June 20, 2023.

Ashlee Coronado, City Clerk

- B. Approval of AN Extension of Premises/Patio Permit submitted by the American Legion Post 16 for an event to be held at 1422 Hwy 92, Bisbee, AZ on Saturday, August 26, 2023 from 12:00pm (Noon) to 12:00pm (Midnight); Paul Stephen Harrington, Applicant.

Ashlee Coronado, City Clerk

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

SECOND: Mayor Budge

MOTION PASSED: UNANIMOUSLY

OLD BUSINESS

NEW BUSINESS

- 4. Discussion and Possible Direction on the Petition received from Jane Borger related to West Boulevard.

Ken Budge, Mayor

Mayor Budge explained he was going to call those who had signed up to speak first then open it up for discussion with Council.

Al Anderson, Bisbee resident spoke about West Blvd and how special and unique it was. He talked about the elevation and the length of the road. He said many people had stories about close contact with other vehicles or almost getting hit by a car. He spoke on the speeding issue and requested that the City do anything they could to help with the speeding.

Jane Borger, Bisbee resident spoke on the speeding issue. She said this was not a new problem. As time goes on it gets worse. She spoke about an accident that happened on West Blvd and the issues with dispatch knowing where the location was. They were told that West Blvd did not exist. She wanted speed humps installed.

Peter Levine, Bisbee resident addressed the issue with the confusion of the street name. He said that all of his bills referenced West Blvd along with his driver’s license. West Blvd was a real street name. He didn’t know what needed to happen, but it needed to be addressed and taken care of.

Mayor Budge spoke on what had already been done on the Street name issue. He explained that the City was switching over to SEACOM Dispatching full time. They run off of a County overlay map. They were having an issue because the parcel map shows it as Tombstone Canyon. Mayor Budge explained he met with Sheriff Daniels regarding the street name issue. Sheriff Dannels let Mayor Budge know it was an easy fix. The City needed to get the information over to them to update the map. He ensured that it would be fixed.

Joan Reichel, Bisbee resident also spoke on the accident and the amount of time they waited for Police and Fire to show up.

Mayor and Council discussed the addition of speed bumps/humps on West Blvd. They also discussed the drainage issues that it could cause.

Mr. Pauken said this was a situation that Public Works would be willing to experiment to find the right solution. We had many issues we needed to deal with. He said he would like to get a temporary speed bump over there to see if it helps along with the speed trailer. He requested that the citizens have patience with the city while we figure things out. He requested 6 months. Mr. Pauken requested that an ad-hoc group of residents be formed to work on this with the city.

5. Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-23-12 to Rezone APN 102-16-079, 102-16-080, 102-16-081, 102-16-082 and 102-16-083D unaddressed parcels owned by Todd Conklin, from RM to C-4.

Joe Ward, Building Inspector / Code Enforcement

Mayor Budge opened the Public Hearing for the rezoning.

Joe Ward, Building Inspector said this property had been sitting there unused. He felt that changing the zoning would help Mr. Conklin out. It was consistent with the general plan and San Jose Charrette.

Mayor Budge asked how this would work with all the city land in between the parcels. He didn't know if Mr. Conklin would have to fence off each parcel.

Mayor Budge asked for anyone interested in speaking in favor of this item to come forward.

Todd Conklin, applicant requested that these parcels be rezoned because it suits the area better. He needed to be able to use his parcels properly. He would be using the land for material laydown.

Mayor Budge asked if he really needed the full 8 acres for his business. He was concerned that if these were sold after they were rezoned, what would happen to them.

Mr. Conklin said he would have problems with Mr. Ward and the City if he was using the property improperly. He was trying to do the right thing,

Mayor Budge asked if there was anyone wanting to speak against the rezoning. There were none. He asked the City Clerk if any communication in writing had been received.

Ms. Coronado responded, no we had not.

Mayor Budge closed the public hearing and opened the discussion to Mayor and Council.

Councilmember Cline asked why this didn't come before Council when the first parcel came up.

Mr. Conklin explained he had purchased the first parcel and was able to get it rezoned. He purchased the remaining parcels after and was now looking to rezone them as well.

Councilmember Cline said to her that area was commercial.

Mr. Conklin said he had talked to the neighbors in the area, and they supported him. They were happy that someone was there trying to clean it up.

Councilmember Giacomino said like Councilmember Cline she thought the whole area was commercial. She did not have an issue with this. There was a lot he could do with the 8 acres. The fact that he was doing something with it was positive.

Mayor Budge discussed the 60-foot easements between each parcel. He was unsure how it would work.

Mr. Conklin said he had started the discussion to attempt to acquire the easements with Mr. Ward.

Mr. Pauken addressed the easements between the lots. He explained none of the easements could be vacated because it would landlock other parcels.

Mayor, Council, and staff further discussed the rezoning.

MOTION: Mayor Budge moved to approve the Notice of Intent to adopt Ordinance O-23-12; approving a change of Zoning and amendment to the Official Zoning Map to rezone APNs 102-16-079, 102-16-080 and 102-16-081, unaddressed parcels, located adjacent to 1008 W. Highway 92, Bisbee Arizona more legally described as Exhibit A, owned by Todd Conklin for Conklin Electrical, ETC., LLC from Manufactured Home Residential (RM) to Commercial (C-4).

SECOND: Councilmember Davis

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

6. Discussion and Possible Approval to enter into an Intergovernmental Agreement between Cochise County and Bisbee Police Department for the purpose of providing Regional Special Weapons and Tactics support team (S.W.A.T.).

Timothy Cox, Chief of Police

Chief Cox explained the Cochise County Sheriff office was opening their SWAT Team County wide and creating a regional County SWAT Team. If this agreement was approved, it would give the officers the specialized training and knowledge necessary to respond to certain situations along with the team being available if Bisbee ever needed it. He explained this would also open grant opportunities for the city.

Mayor and Council discussed the requirements necessary to be on the SWAT team.

MOTION: Councilmember Cline moved to approve the Intergovernmental Agreement between Cochise County and Bisbee Police Department for the purpose of providing Regional Special Weapons and Tactics support team (S.W.A.T.).

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

7. Discussion and Possible Approval of a Special Event Agreement for 5 years between Wick Communications Company and City of Bisbee for Bisbee 1000 Stair Climb.

Stephen Pauken, City Manager

Mr. Pauken explained this agreement would spell out what we do for the stair climb on an annual basis. This was a 5-year contract. He said that the future operator of the Stair Climb, who was Wick Communications, was present tonight if there was any questions.

Mayor Budge explained this was an agreement reserving the third Saturday in October for the next five years. They would still have to complete their normal permits. The Wick family was a part of Bisbee and he rather someone who had a good reputation and business take over such a large event.

Councilmember Davis said he agreed with Mayor Budge.

Francis Wick, Wick Communications said Wick Communications had been a long-time sponsor of the Bisbee 1000. Wick Communications focuses on a number of events throughout the County. They wanted to continue this event and promote the community. The multiyear permit was necessary to ensure that everyone was on the same page. The participants look forward to this event every year.

Mr. Estes explained Wick Communications would still have to pull the right of way permits every year along with providing insurance.

MOTION: Mayor Budge moved to approve the 5-year Special Event Agreement between Wick Communications Company and the City of Bisbee for the Bisbee 1000 event.

SECOND: Councilmember Cline

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

8. Discussion on going out to bid for a Contractor for City Hall Construction.
Stephen Pauken, City Manager

Mr. Pauken explained on June 1st of 2022 we received 5 bids for the Construction of the City Hall Building. We ended up rejecting all bids. In the meantime, we had contacted engineers and contractors to see if there were alternatives to see if we could bring the project in line with the budget we had set of 3.2 million dollars. Conditions have not changed completely. We feel like we can go back out to bid now and allow the right latitude for alternatives of equal value. This should help bring down the costs to our budget.

9. Discussion and Possible Approval of the First Amended Subscriber Agreement between the City of Bisbee and SEACOM for Regional 911 Communications.
Stephen Pauken, City Manager

Mr. Pauken said this contract took us from operating our dispatch 4 days a week to totally using SEACOM full-time. There would be growing pains and issues, but we can work through them once we are made aware of them.

Mayor and Council discussed the issues they have been made aware of with SEACOM

MOTION: Councilmember Davis moved to approve the First Amended Subscriber Agreement between the City of Bisbee and SEACOM for Regional 911 Communications.

SECOND: Mayor Budge

ROLL CALL VOTE

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

NAYS: Councilmember Cline

MOTION PASSED: AYES-4 NAYS-1

10. 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.):

MOTION: Councilmember Davis moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 9:27 PM

Ken Budge, Mayor