

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, AUGUST 15, 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 7:05PM.

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
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
Matthew Gurney, Public Works Director
Jim Richardson, Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of reflection.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor announced that without objection Item 9 would be heard before Item 8.

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 \$325,938.40.

SECOND: Councilmember Johns

Council asked questions about accounts payable, and staff responded.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the minutes of the Regular Session of Mayor and Council held on Tuesday, July 18, 2023.
Ashlee Coronado, City Clerk
- B. Approval of the minutes of the Regular Session of Mayor and Council held on Tuesday, August 1, 2023.
Ashlee Coronado, City Clerk
- C. Acceptance of the Resignation of Molly Carroll from the Parks and Recreation Committee.
Ashlee Coronado, City Clerk
- D. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee High School for the use of Main Street for a Pick Parade on Thursday, August 31, 2023 from 5:00pm to 5:30pm with possible waiver of fees.
Ashlee Coronado, City Clerk
- E. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee High School for the use of Cole Avenue, Bisbee Road, Ruppe Avenue and Arizona Street for a Homecoming Parade on Friday, September 15, 2023 from 5:00pm to 6:00pm with possible waiver of fees.
Ashlee Coronado, City Clerk
- F. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Pride Inc. for the use of the Evergreen Cemetery for an event to be held on Friday, September 29, 2023 from 5:30pm to 9:00pm.
Ashlee Coronado, City Clerk
- G. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Vogue Inc. for the use of Higgins Hill Park for the Bisbee 1000 Stair Climb from Thursday, October 19, 2023 through Saturday, October 21, 2023 from 5:00am to 4:00pm.
Ashlee Coronado, City Clerk
- H. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Vogue Inc. for the use of various City Streets and Stairs in Old Bisbee for the Bisbee 1000 Stair Climb on Saturday, October 21, 2023 from 5:00am to 2:00pm.
Ashlee Coronado, City Clerk
- I. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Vogue Inc. for the use of various Parking Spaces in Old Bisbee for the Bisbee 1000 Stair Climb on Saturday, October 21, 2023 from 5:00am to 2:00pm.
Ashlee Coronado, City Clerk
- J. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Vogue Inc. for the use of Grassy Park and City Park for the Bisbee 1000 Stair Climb Music in Parks Event on Saturday, October 21, 2023 from 5:00am to 2:00pm.
Ashlee Coronado, City Clerk

K. Approval of a Park, Facility, and Right-of-Way Use Permit submitted by the Bisbee Coalition for the Homeless for the 8th Annual Bisbee Mariachi Festival for Signs, Trash Barrels, Dumpsters, Additional Dumpster Pick Up, and Parking Spaces on Saturday, November 4, 2023 from 10:00am to 8:00pm.

Ashlee Coronado, City Clerk

L. Approval of a Special Event Liquor License Application submitted by Bisbee Pride, Inc. for an Event to be held at 401 Cole Avenue, Bisbee AZ on Friday, September 29, 2023, from 5:00pm to 11:00pm.

Ashlee Coronado, City Clerk

M. Approval of a Special Event Liquor License Application submitted by Friends of the Copper Queen Library for an event to be held at Central School Project located at 43 Howell St., Bisbee, on Saturday, August 26, 2023, from 12:00pm to 10:00pm; Cathy Clifton, Applicant.

Ashlee Coronado, City Clerk

Items F, G and H were pulled for further discussion.

MOTION: Councilmember Cline moved to approve the Consent Agenda items 2A, 2B, 2C, 2D, 2E and 2I, 2J, 2K, 2L, 2M.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

G. Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Vogue Inc. for the use of Higgins Hill Park for the Bisbee 1000 Stair Climb from Thursday, October 19, 2023 through Saturday, October 21, 2023 from 5:00am to 4:00pm.

H. Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Vogue Inc. for the use of various City Streets and Stairs in Old Bisbee for the Bisbee 1000 Stair Climb on Saturday, October 21, 2023 from 5:00am to 2:00pm.

Mayor Budge clarified for the record the permit fee of \$2,908.49 was the total for all permits associated with the Bisbee 1000.

MOTION: Mayor Budge moved to approve the Consent Agenda items 2G and 2H.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

F. Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Pride Inc. for the use of the Evergreen Cemetery for an event to be held on Friday, September 29, 2023 from 5:30pm to 9:00pm

Council voiced their concerns and asked question regarding the Right-of-Way Use Permit for Bisbee Pride Inc. to hold an Evening Haunted Pioneer Walk at the Evergreen Cemetery.

Mr. Garcia, Bisbee Pride Inc. explained and answered their questions regarding their request for the use of the Evergreen Cemetery.

MOTION: Councilmember Cline moved to not approve the Park, Facility, and Right-of-Way Use Permit submitted by Bisbee Pride Inc. for the use of the Evergreen Cemetery for an event to be held on Friday, September 29, 2023 from 5:30pm to 9:00pm.

SECOND: Councilmember Johns

ROLL CALL VOTE

AYES: Councilmember Giacomino, Johns, Sowid, Cline, and Mayor Budge

NAYS: Councilmember Hill

MOTION PASSED: AYES-5 NAYS-1

OLD BUSINESS

NEW BUSINESS

- 3. Discussion and Possible Approval of the Notice of Intent to adopt Ordinance O-23-13; Amending the Code of the City of Bisbee, Article 9.4 – Removal of Litter, Section 9.4.1 – Definition, by Repealing and Replacing Subsection (D) the definition for “Dilapidated Building” and adding a New Subsection (E) the definition for “Vacant and Unsecured Structure”.

Joe Ward, Building Inspector / Code Enforcement

Mr. Estes, City Attorney explained the amendment of the City Code and stated this would allow code enforcement to be able to do additional enforcement cleanup of structures that currently don’t fall within the current definitions.

MOTION: Councilmember Hill moved to approve the Notice of Intent to adopt Ordinance O-23-13; Amending the Code of the City of Bisbee, Article 9.4 – Removal of Litter, Section 9.4.1 – Definition, by Repealing and Replacing Subsection (D) the definition for “Dilapidated Building” and adding a New Subsection (E) the definition for “Vacant and Unsecured Structure”.

SECOND: Councilmember Sowid

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES-6 NAYS-0

- 4. Discussion and Possible Approval of the ALS Base Hospital Agreement with St. Joseph’s Hospital and Bisbee Fire Department.

Jim Richardson, Fire Chief

Chief Richardson presented the Base Hospital Agreement with St. Joseph’s to Council.

Council commented and asked questions regarding the Base Hospital Agreement and Chief Richardson responded.

MOTION: Councilmember Cline moved to approve the Base Hospital Affiliation Agreement between St. Joseph’s Hospital and the City of Bisbee.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

- 5. Discussion and Possible Approval to complete repairs to Public Works Case 580M III at Sonsray Machinery.

Matthew Gurney, Public Works Director

Mr. Gurney stated this backhoe had been with public works since 2008 and was used almost daily. It was a vital piece of equipment to public works and had not had any major repairs since it was purchased. The total cost of the repair was \$14,891.12.

Council asked questions regarding the repairs to be done and Mr. Gurney responded.

MOTION: Mayor Budge moved to approve complete repairs to Public Works Case 580M III at Sonsray Machinery.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

- 6. Discussion and Possible Approval of a change order to the Copper Queen Library HVAC System and installation to allow for proper structural support with an increase in price of \$39,423.00

Matthew Gurney, Public Works Director

Mr. Gurney explained the change order for the structural support for the HVAC system for the Copper Queen Library.

Mr. Pauken spoke regarding the Assessment Report done in 2021 for the Copper Queen Library and expanded on the change order for the structural support for the HVAC system.

MOTION: Councilmember Cline moved to approve the change order to the Copper Queen Library for structural engineering and installation, with a price of \$39,432.00.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 7. Discussion and Possible Approval to award a contract to Jims Electric for the Electrical Upgrades at the Bisbee City Pool.

Matthew Gurney, Public Works Director

Mr. Gurney said we had gone out to bid for the electrical upgrades for the City pool. We received two (2) bids Madyson Electric Corp and Jim’s Electrical Services, LLC. This upgrade will include everything that was suggested to us from Kimely-Horn except the pump or the motor, which will be brought before Council soon.

MOTION: Councilmember Hill moved to approve to award the Contract for Electrical upgrades at the Bisbee City Pool to Jim’s Electric Services, LLC.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

- 8. 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)(3) for discussion or consultation for legal advice with the City Attorney regarding Homelessness.

Joe Estes, City Attorney

MOTION: Councilmember Johns moved to enter into Executive Session

SECOND: Councilmember Cline MOTION PASSED: UNANIMOUSLY

MOTION: Mayor Budge moved to come out of Executive Session

SECOND: Councilmember Cline 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.):

MOTION: Councilmember Cline moved to adjourn the meeting.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 9:14PM

Ken Budge, Mayor