

## ACTION AGENDA

ACTION AGENDA OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, FEBRUARY 5, 2019 AT 7:00 PM IN COCHISE COUNTY BOARD OF SUPERVISORS HEARING ROOM, 1415 MELODY LANE, BUILDING G, BISBEE, ARIZONA.

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

### ROLL CALL

#### **COUNCIL**

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

#### **STAFF**

Robert Smith, City Manager  
Ashlee Coronado, City Clerk  
Keri Bagley, Finance Director  
Daniel Duchon, Personnel Director  
Dwayne Wallace, Operations Manager  
Albert Echave, Police Chief  
George Castillo, Fire Chief

#### **CITY ATTORNEY**

Britt Hanson

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- New Employee Introductions and Employee Longevity Recognition
- Proclamation for General Aviation Appreciation Month

CALL TO THE PUBLIC

**NO ACTION REQUIRED**

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

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds

**ACTION APPROVED**

## 2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of the Mayor and Council held on October 16, 2018 at 7:00PM.  
Ashlee Coronado, City Clerk
- B. Approval of the Minutes of the Special Session of the Mayor and Council held on January 8, 2019 at 7:00PM.  
Ashlee Coronado, City Clerk
- C. Approval of the Minutes of the Regular Session of the Mayor and Council held on January 15, 2019 at 7:00PM.  
Ashlee Coronado, City Clerk
- D. Approval of the Resignation of Will Nathan from the iBisbee Committee.  
Ashlee Coronado, City Clerk
- E. Approval of the Resignation of Cado Daily from the Parks and Recreation Committee.  
Ashlee Coronado, City Clerk
- F. Approval of the Reappointment of William Bagby to the Public Safety Personnel Retirement Board with a Waiver for Length of Service.  
Ashlee Coronado, City Clerk
- G. Approval of the Reappointment of Audrey “Luche” Giacomino to the Evergreen Cemetery Committee.  
Ashlee Coronado, City Clerk
- H. Approval of the Reappointment of Kay Lynn Cummins to the Parks and Recreation Committee with a waiver for length of service.  
Ashlee Coronado, City Clerk
- I. Approval of the Appointment of Sara Curtis to the Parks and Recreation Committee.  
Ashlee Coronado, City Clerk
- J. Approval of the Appointment of Jennifer “Ginger” Ryan to the Planning and Zoning Commission.  
Ashlee Coronado, City Clerk
- K. Approval of the Appointment of Frank Davis to the Design Review Board.  
Ashlee Coronado, City Clerk
- L. Approval of the Appointment of Benjamin Lepley to the Design Review Board.  
Ashlee Coronado, City Clerk
- M. Approval of the Appointment of Darin Giltner to the Youth Council as the Adult Advisor.  
Ashlee Coronado, City Clerk

N. Approval of a Park, Facility and Right of Way Use Permit for the Use of City Park for the 5th Annual Howl & Prowl Vintage Motorcycle Show on Saturday, May 25, 2019 from 6:00am to 6:00pm.

Ashlee Coronado, City Clerk

O. Approval of a Park, Facility and Right of Way Use Permit for the Use of 100 Tombstone Canyon at the Iron Man to City Park for the Bisbee Pride Parade on Saturday, June 15, 2019 from 9:30am to 11:30am.

Ashlee Coronado, City Clerk

P. Approval of a Park, Facility and Right of Way Use Permit for the Use of City Park, Storage and Parking for Bisbee Pride as follows: Daytime: Family Stage-Kid Activities and Evening Entertainment and Dance on Friday, June 14, 2019 from 12:00PM to 2:00AM, Saturday June 15, 2019 from 9:00am to 2:00am and Sunday, June 16, 2019 for cleanup.

Ashlee Coronado, City Clerk

Q. Approval of a Park, Facility and Right of Way Use Permit for the Use of Grassy Park with surrounding parking for the Bisbee Pride Village on Friday, June 14, 2019, Saturday, June 16, 2019 from 6:00am to 2:00am and on Sunday, June 16, 2019 from 6:00am to 4:00pm.

Ashlee Coronado, City Clerk

R. Approval of a Park, Facility and Right of Way Use Permit for the Use of Goar Park with four parking spaces for the Bisbee Pride’s Day stage: Amplifies Music/Talks on Friday, June 14, 2019 and Saturday, June 15, 2019 from 8:00am to 8:00pm.

Ashlee Coronado, City Clerk

S. Approval of a Park, Facility and Right of Way Use Permit for the Use of Subway Street for Bisbee Pride to extend the festival to encompass side streets for vendors and events on Friday, June 14, 2019 from 12:00pm to 1:00pm, Saturday, June 15, 2019 from 10:00am to 10:00pm and Sunday, June 16, 2019 from 9:00am to 12:00pm.

Ashlee Coronado, City Clerk

T. Approval of a Park, Facility and Right of Way Use Permit for the Use of Howell Avenue to Review Alley for Bisbee Pride to extend the Festival area of Vendors and events on Friday, June 14 from 12:00pm to 2:00am, Saturday, June 15, 2019 from 10:00am to 2:00am and Sunday, June 16, 2019 from 8:00am to 12:00pm.

Ashlee Coronado, City Clerk

U. Approval of the Special Event Liquor License Application submitted by the Bisbee Firefighters Local 2146 for an event to be held at the Eddie King Baseball Field, Cochise Row, Bisbee, AZ on Saturday, February 16, 2019 from 8:00am to 10:00pm.

Ashlee Coronado, City Clerk

**ACTION ITEMS: 2A-2J AND 2M-2U APPROVED**

**ACTION ITEMS 2K AND 2L REMOVE THEM (DAVIS/ LEPLEY) FROM CONSIDERATION**

**OLD BUSINESS**

**NEW BUSINESS**

- 3. Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-19-01; Amending Article 5.2.4, CM Zone, Division 2 Adding Cocktail Lounges and Taverns to Permitted Uses.

Paul Esparza, Planning Manager

**ACTION APPROVED**

- 4. Discussion and Possible Approval of the Right of Way Use Permit for Chiricahua Community Health Center to be able to park their Mobile Medical Clinic in front of 312 Arizona Street.

Dwayne Wallace, Operations Manager

**ACTION APPROVED**

- 5. Discussion and Possible Approval of a Yiptel Service Agreement to provide Phone/Fax Service at City Hall.

Ashlee Coronado, City Clerk

**ACTION APPROVED**

- 6. Discussion and Possible Approval to Accept the letter of Intent not to renew the Intergovernmental Agreement for Legal Services between the City of Bisbee and the Cochise County Attorney’s Office to include early termination.

David M. Smith, Mayor

**MOTION FAILED 3 TO 4**

- 7. Public Hearing on Notice of Intent to Increase Rates for Sewer Service.

Keri Bagley, Finance Director

**NO ACTION REQUIRED**

- 8. Discussion and Possible Approval of a Revised Visitor Center Manager Job Description.

Bill Higgins, Councilmember Ward I

Leslie Johns, Councilmember Ward I

**THIS ITEM WAS TABLED**

- 9. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to Fund a Grant Application for “A Dance History of Bisbee” by Rita Marie Verri for \$500.00 from the Bisbee Arts Commission Fund.

Bill Higgins, Council Liaison to the Bisbee Arts Commission

**ACTION APPROVED**

- 10. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to Fund a Grant Application for the Return of the Turkey Vultures 2019 for \$500.00 from the Bisbee Arts Commission Fund.

Bill Higgins, Council Liaison to the Bisbee Arts Commission

**ACTION APPROVED**

- 11. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to Fund a Grant Application for “Aurora Brings Color into the World” by Judy Murray for \$422.50 from the Bisbee Arts Commission Fund.

Bill Higgins, Council Liaison to the Bisbee Arts Commission

**ACTION APPROVED**

- 12. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to Fund a Grant Application for the 2019 Tucson Symphony Concert for \$1,000.00 from the Bisbee Arts Commission Fund.

Bill Higgins, Council Liaison to the Bisbee Arts Commission

**ACTION APPROVED**

- 13. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to Fund a Grant Application for “Creative Clay Arts Activities” by Tonya Borgeson for \$500.00 from the Bisbee Arts Commission Fund.

Bill Higgins, Council Liaison to the Bisbee Arts Commission

**ACTION APPROVED**

- 14. Discussion and Possible Direction to Staff regarding the City Attorney Search.

Gabe Lindstrom, Councilmember Ward III

**DIRECTION GIVEN TO CONTACT THE ARIZONA STATE BAR**

- 15. Discussion and Possible Approval to waive Attorney/Client Privilege to discuss Memo from County Attorney regarding JACOBS Contract.

*Per ARS § 38-431.03(a)(4), the City Council may vote to go into executive session 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.*

Leslie Johns, Councilmember Ward I

Joni Giacomino, Councilmember Ward II

**ACTION APPROVED**

- 16. **Ratification of Actions Taken on November 20, 2018. The purpose of this item is to ratify an earlier action by the Mayor and Council regarding entering into a Five Year Contract with JACOBS for Operations Services of the City of Bisbee’s Wastewater Treatment Plant.**

**Leslie Johns, Councilmember Ward I**

**Joni Giacomino, Councilmember Ward II**

**MOTION FAILED 3 TO 4- THIS ITEM WILL BE ADDED TO THE SPECIAL SESSION NEXT WEEK**

- 17. Discussion and Possible Approval of a Motion to go into Executive Session to discuss the Job Performance of City manager, Robert E. Smith, 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.

*Per ARS § 38-431.03(a)(1), the City Council may vote to go into executive session 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.*

Leslie Johns, Councilmember Ward I

Joni Giacomino, Councilmember Ward II

**ACTION APPROVED**

- 18. Discussion and Possible Approval of a Lease Agreement for Copy Machines with XEROX Corporation for City Hall Offices.

Ashlee Coronado, City Clerk

**ACTION APPROVED**

- 19. City Manager's Report:

- Other current events (No Discussion)

**NO ACTION REQUIRED**

**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.):

**NO ACTION REQUIRED**

**ADJOURNMENT: 10:12PM**

**ACTION APPROVED**