

MINUTES  
CHARTER REVIEW COMMITTEE  
HELD ON MONDAY, February 3<sup>rd</sup>, 2020, 5:30 PM  
915 S. TOVREAVILLE ROAD, BISBEE, AZ 85603

THE MEETING WAS CALLED TO ORDER BY BOYD NICHOLL AT 5:30 PM

ROLL CALL: Nina Williams

CHARTER REVIEW COMMITTEE

Ward I

Danielle Bouchever

Sean Hicks

Thomas Holz- Not Present

Boyd Nicholl

Ward II

William Crow

Lisbeth Hines- Not Present

Fred Miller

Catherine Wright

Ward III

Oney Crowley- Not Present

Duane Earl Doane

Juanetta Hill

Sandra Hummingbird

Original Freeholder: Tom Wheeler- Not Present

Former Committee Member: Sylvia Anable

CITY COUNCIL LIAISON

David M. Smith, Mayor

CITY STAFF LIAISON

Theresa Coleman, City Manager

Ashlee Coronado, City Clerk

CITY ATTORNEY

James Ledbetter

1. Discussion and Possible Recommendations or Decisions starting with Article VII, Ordinances and Resolutions Section 7.06 Emergency ordinances and continuing through remainder of Articles as time permits.

Article VII Ordinances and Resolutions

Section 7.06 Emergency Ordinances

- (a) "Emergency defined"
- (b) Matters Not to Classified as "Emergencies"
- (c) Procedure
- (d) Adoption

Section 7.07 Reading and Passage of Ordinances and Resolutions: Effective Date

Requirements

- (a) Copies to mayor and Council
- (b) Reading
- (c) Posting at City Hall

Sean Hicks moved to change the title to only “Posting” and remove “at City Hall” Sandra Hummingbird seconded and passes Unanimously.

Fred Miller motioned to change wording in first sentence to “Copies of the titles of proposed ordinances and resolutions heretofore mentioned shall be posted at the City Hall and on the City’s official website... Seconded by Catherine Wright. Passed Unanimously.

(d) Amendment

Section 7.08 Motions to Reconsider

Section 7.09 Signing of Ordinances and Resolutions

Section 7.10 Publication of Ordinances and Resolutions

Fred Miller moved to change add the City’s official website to the wording to read “...ordinances shall be published at least once a week for two consecutive weeks in the official newspaper for the City and the City’s official Website before they become effective and operative. Emergency measures shall be published twice in the official newspaper of the city and the City’s official Website within 30 days after their passage.”

Bill Crow seconded and passed unanimously.

Section 7.11 Ordinances Revised, Re-Enacted, Amended

Section 7.12 Ordinances Repealed or Suspended

Section 7.13 Ordinances and Resolutions Filed, Recorded and Certified; Ordinances and Resolutions as Evidence.

Section 7.14 Procedure for Adoption by References.

(a) Code or Public Record

(b) Penalty Clauses

Section 7.15 Recording of Certain Ordinances

Section 7.16 Codification of Ordinances

Article VIII Contracts

Section 8.01 Formal Rules by Ordinance

Section 8.02 Purchase and Contracts for City Improvements

(a) City Purchase

(b) Contracts over \$5000 and Public Works Improvements

(c) Council Approve Contracts over \$5000

(d) Contract Alterations

(e) Progressive Payments

Section 8.03 Bids

Fred Miller moved to add City Official website to read... “ Such notice shall be published at least once in the official newspaper and on the City’s official web site not less than 5 days prior to the opening bids.” Sean Hicks seconded. Motion passed unanimously.

Section 8.04 Transfer and Sale of Personal Property

Section 8.05 Transfer and Sale of Real Property

Section 8.06 Contracts for Official Advertising

Section 8.07 Fraud and Collusion

Section 8.08 Avoidance of Contracts Made through Fraud and Collusion

Section 8.09 Personal Interest

Article IX Elections

Section 9.01 Types of Elections

- (a) Primary
- (b) General
- (c) Special

Section 9.02 Application of State Law

Section 9.03 Qualifications of Electors; Registration

- (a) Qualifications
- (b) Registration

Section 9.04 Qualification of Candidate

Section 9.05 Arrangement of Names on Ballot

- (a) Mayor
- (b) Council Members

Section 9.06 Nomination for Primary Election

- (a) Petition
- (b) Mayor
- (c) Council Members
- (d) Nomination and Notice of Qualification

Section 9.07 Majority to Elect in Primary

- (a) Mayor
- (b) Council Member

Section 9.08 Nomination for General Election

- (a) Mayor
- (b) Council Member

Section 9.09 Plurality to Elect in General Election

- (a) Mayor
- (b) Council Member
- (c) Tie

Section 9.10 Time of Holding Primary Elections

Section 9.11 Time of Holding General Elections

Section 9.12 Special Elections

Section 9.13 Early Voting

Section 9.14 Canvassing Returns and Declaring of Election Results

Section 9.15 Alignment of ward Boundaries

Article X Initiative, Referendum, Recall

Section 10.01 Initiative, Referendum, Recall

Section 10.02 Submission of Measures for Electors

2. Future Agendas for the Committee. Chair

- [Begin Charter discussion at Article XI magistrate Court Section 11.01 Establishment](#)
- Discuss Section 7.05 Actions Requiring an Ordinance

(a) Tax

It was agreed that legal advice was need on this topic. It is currently not worded accurately.

(b) Real Property

Ask legal about easements.

Next meeting scheduled for March 9th, 2020 at 5:30 PM in Council Chambers.

Adjournment: 7:00 PM

MOTION: Bill Crow

SECOND: Juanetta Hill

MOTION PASSED: Unanimously