

Due to Covid 19 this meeting will be conducted both in person and electronically by Zoom and Facebook. The public can join, listen and view the meeting as follows:

- City's Facebook page (<https://www.facebook.com/COB118Arizona/>). A Facebook account is not necessary.
- Zoom by calling in at 1-346-248-7799 or by the following link <https://us02web.zoom.us/j/86566557792> the meeting/webinar ID is 865 6655 7792.
- The public can submit comments that will be made part of the record and/or read by a staff member to [publiccomment@bisbeeaz.gov](mailto:publiccomment@bisbeeaz.gov) . Citizens can also be recognized to personally to speak during the meeting only if they sign up ahead of time using the email address above. All comments or requests to speak shall be submitted no later than by noon of the day of the Internet meeting, recognizing the 3-minute time limit. Please indicate a specific Council Agenda item number or request 'Call to the Public' on matters that are not listed on this agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded.

### **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, AUGUST 3, 2021 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 7:09PM.

### **ROLL CALL**

#### **COUNCIL**

Councilmember Louis Pawlik, Ward III  
Councilmember Joni Giacomino, Ward II  
Councilmember Frank Davis, Ward I  
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  
Jesus Haro, Public Works Director  
Albert Echave, Police Chief

#### **CITY ATTORNEY**

Joseph Estes

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

CALL TO THE PUBLIC

“During the proper time on the agenda, taxpayers or residents of the city, or their authorized representatives, may address the council on any matter concerning the City’s business or any matter over which the council has control (oral presentations shall not be repetitious and shall be confined to 3 minutes’ maximum duration.)” Ordinance O-91-29.

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 Special Session of the Mayor and Council held on July 8, 2021.

Ashlee Coronado, City Clerk

B. Approval of the Minutes of the Regular Session of the Mayor and Council held on July 20, 2021.

Ashlee Coronado, City Clerk

C. Approval of the Appointment of Jon Sky to the Appeals Board for the Property Maintenance Code.

Ashlee Coronado, City Clerk

D. Approval of the Appointment of Deborah Young to the Parks and Recreation Committee.

Ashlee Coronado, City Clerk

E. Approval of a Park, Facility and Right of Way Use Permit for the Bisbee Coalition for the Homeless for the 6<sup>th</sup> Annual Bisbee Mariachi Festival for Signs, Trash Barrels, Dumpsters, Additional Dumpster Pickup and Parking Spaces on Saturday, November, 6, 2021 from 12:00 pm to 6:00 pm.

Ashlee Coronado, City Clerk

F. Approval of a Special Event Liquor License Application submitted by the Bisbee Coalition for the Homeless for the 6<sup>th</sup> Annual Bisbee Mariachi Festival to be held at the Historic Warren Ballpark located at 99 Arizona Street, Bisbee, AZ on Saturday, November 6, 2021 from 11:00 am to 8:00 pm; Tony Bedolla, Applicant.

Ashlee Coronado, City Clerk

G. Approval of an Application for an Extension of Premises/Patio Permit submitted by Electric Brewing for an Event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, August 15 and Monday, August 16, 2021; Joseph Charles Frederickson, Applicant.

Ashlee Coronado, City Clerk

**ACTION ITEMS: 2A, B, D, F & G APPROVED**

**ACTION ITEM: 2C APPROVED**

**ACTION ITEM: 2E APPROVED**

**OLD BUSINESS**

- 3. Discussion and Possible Approval of Ordinance O-21-13; Authorizing the Re-Recording of a certain Quit Claim Deed to Aileen Weaver to correct the legal description on the property adjacent to 48 Wood Canyon.

Ashlee Coronado, City Clerk

**ACTION APPROVED**

**NEW BUSINESS**

- 4. Discussion and Possible Approval for a Compliance Center Contract and a BRForms and Manager Series Contract with Building Reports for Fire Inspection Software.

Jim Richardson, Fire Marshal

**ACTION APPROVED**

- 5. Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance o-21-12; Amending Article 6 “General Provisions” Section 6.4 “Walls and Fences” by inserting Screens for the Purpose of Providing an Opportunity for Recreational Courts as Accessory uses in Public use and/or Commercial Historic District, to protect the Integrity of Neighboring Public use and/or Commercial areas, and to Mitigate any Deleterious Impacts on Proximate Properties.

Joe Ward, Building Inspector/Code Enforcement

**ACTION APPROVED**

- 6. Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-21-14, Accepting the Transfer of Real Property from Southeast Arizona Renovations LLC, located at 300 Campbell St, Bisbee.

Stephen Pauken, City Manager

**ACTION APPROVED**

- 7. Possible Approval of a motion to go into Executive Session for the following matters:

- 1. An executive session pursuant to A.R.S. § 38-431.03(a)(3)(4) for discussion or consultation on the Gouguet matter.
- 2. An executive session pursuant to A.R.S. 38-341.03(A)(7) for discussion or consultations with designated representatives of the City in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property known as the Hillcrest Apartments

*Per ARS § 38-431.03(A3)(A4)(A7) , the City Council may vote to go into executive session for discussion or consultation for legal advice with the attorney or attorneys of the public body and 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 and Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.*

Joseph Estes, City Attorney

**ACTION APPROVED**

- 8. Discussion and Possible Approval of a Settlement and General Release Agreement on the Gouguet Matter.

Joseph Estes, City Attorney

**ACTION APPROVED**

**9. Discussion and Possible Approval of a Letter Agreement for the Hillcrest Apartments.  
Stephen Pauken, City Manager**

**ACTION APPROVED**

10. City Manager's Report:

- Main Street Update
- New Hire Announcement
- 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.):

**ADJOURNMENT: 8:18PM**

**ACTION APPROVED**