

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, APRIL 19, 2016, AT 7:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR OERTLE AT 7:04PM.

ROLL CALL

COUNCIL

Councilmember Eugene Conners, Ward I
Councilmember Joan Hansen, Ward II
Councilmember Shirley Doughty, Ward III
Mayor Ronald Oertle
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Douglas Dunn, Ward II
Councilmember Serena Sullivan, Ward I

STAFF

Jestin Johnson, City Manager
Nina Williams, Deputy City Clerk
Sharon Buono, Finance Director
Albert Echave, Police Chief
Andy Haratyk, Interim Public Works Director

CITY ATTORNEY

Britt Hanson

INVOCATION: Mayor Oertle asked that we reflect on the good things in our lives.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Councilmember Doughty introduced and spoke about the Teacher of the Year nominee from Naco Elementary School Ms. Erin Rhodes who was nominated for Elementary Teacher of the Year.
- Mayor Oertle announced that without objection from council items number fourteen (14) and seven (7) would be pulled from the agenda. Councilmember Conners asked for the reason why number fourteen (14) was being pulled. Mayor Oertle deferred over to City Attorney Britt Hanson. Mr. Hanson stated that the agenda item was properly noticed however, because of the possibility for executive session it was also required to at least twenty-four (24) hour notice to anybody who would be the subject to that discussion and that was not done.

CALL TO THE PUBLIC

- Tom Nelson, Bisbee resident spoke about the upcoming community events.
- Ryan Bruce, Bisbee resident spoke about the upcoming City Park 100th Birthday Celebration on May 29, 2016.
- Nicholas Night, Bisbee resident spoke regarding the Visitor Center trial move and urges Council to go ahead and make that move. He also spoke regarding the interim City Manager position and urged the Council to pick someone with the experience needed especially during budget time.

- Doug Stanhope, Bisbee resident spoke about Bisbee being nominated in a current online poll by the USA Today as one of the top twenty (20) Best Small Towns in America. He encouraged citizens to vote for Bisbee.

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 \$516,459.41.
 SECOND: Councilmember Doughty MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Special Session of Mayor and Council held on March 22, 2016 at 5:30PM.

Ashlee Coronado, City Clerk

- B. Approval of a Liquor License Application for the San Jose Chevron Located at 1288 Highway 92, Bisbee, AZ 85603; Max Mini Mart, Applicant.

Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve the Consent Agenda items 2A-2B.
 SECOND: Councilmember Doughty

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Doughty, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

OLD BUSINESS

Councilmember Doughty introduced and spoke about the Teacher of the Year nominee from Bisbee High School Mr. Armando Ballesteros who was nominated for High School Teacher of the Year.

Mayor Oertle noted that Laura Miller, Principal of the Bisbee High School and said that she was doing a good job.

Councilmember Cline stated that it was a pleasure to work with Mr. Ballesteros.

3. Discussion and Possible Approval of Ordinance O-16-01, Authorizing the Sale and Transfer of City Property Located East of 536 C Warren Hill Street.

Britt Hanson, City Attorney

Mr. Hanson stated that this was just completing the paperwork and this was it and then the deed will be executed and property transferred.

MOTION: Councilmember Hansen moved to approve Ordinance O-16-01, authorizing the sale and transfer of City property located East of 536C Warren Hill Street in the amount of \$2,052.00.

SECOND: Councilmember Cline

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Doughty, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

4. Discussion and Possible Approval of Ordinance O-16-02, Authorizing the Sale and Transfer of City Property Located East of 534 B Warren Hill Street.

Britt Hanson, City Attorney

Mr. Hanson stated ditto.

Councilmember Dunn pointed out the typographical it should read 534 B Warren Hill Street.

MOTION: Councilmember Hansen moved to approve Ordinance O-16-02, authorizing the sale and transfer of City property located East of 534B Warren Hill Street in the amount of \$1,838.00.

SECOND: Councilmember Conners

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Doughty, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

NEW BUSINESS

5. Presentation by Step Up Bisbee/Naco on Clean Up Efforts.

Britt Hanson, City Attorney

Mr. Hanson stated that the Council had a work session regarding ways to clean up certain parts of Bisbee. He introduced Grady Meadows from Step UP Bisbee / Naco.

Mr. Meadows spoke regarding what Step Up Bisbee/ Naco does. He also spoke in detail about projects they have done.

Councilmember Hanson said that it was the finest example of neighbor's helping neighbor's and also citizen's and the City of Bisbee coming together for the benefit of Bisbee. She thanked Mr. Meadow's board and volunteers for all the wonderful work they have done.

Councilmember Dunn applauded their efforts and commented on a tax credit that was given for agencies that assist the low income.

Councilmember Hansen thanked Mr. Joe Ward for making this happen.

Mr. Bogue said that Step Up Bisbee/ Naco had greatly expanded the reach, scope and depth. He was thrilled with what they had done.

Mayor Oertle said to Mr. Meadows that it was a noble undertaking. It's what makes communities really worthwhile to live in.

6. Presentation on Self Evaluation for ADA Transition.

Andy Haratyk, Interim Public Works Director

Torin Sadow, Public Works Intern

Mr. Haratyk spoke regarding being 100% ADA Compliant in the City of Bisbee in the next few years. He introduced Torin Sadow.

Mr. Sadow thanked Andy, Jestin and Serena for working so closely with him and inspiring him. He gave a detailed presentation regarding traffic control and ADA Self-evaluation.

Mr. Haratyk stated that we were the only municipality in the county that has two (2) certified street employees in ADA-Right-of-Way.

Councilmember Dunn asked about the motorcycle parking spaces that have been designated. Mr. Haratyk explained in detail the motorcycle parking spaces.

Councilmember Sullivan thanked Torin Sadow. He really worked hard while he was here. He was so motivated, so professional and so competent. She wished him well in his future.

Mayor Oertle thanked Andy Haratyk, Interim Public Works Director and Torin Sadow, Public Works Intern.

- 7. Discussion and Possible Approval of a Park, Facility and Right of Way Use Permit to play on Various Saturdays at Grassy Park Effective April 30, 2016.
Andy Haratyk, Interim Public Works Director

This item was pulled from the agenda.

- 8. Discussion and Possible Approval of the Extension of the Park, Facility and Right of Way Use Permit for the Bisbee Farmers Market for the Use of Lower Vista Park Every Saturday between April 16th through May 2, 2016.
Jestin Johnson, City Manager

Mr. Johnson stated that this agenda item was allowing the Farmer’s Market to continue the next couple of weeks while we work out some technical issues.

Mr. Bogue spoke regarding continuing the Farmer’s Market. He stated that the current insurance was through May 2nd. He urged council to vote to give them till May 2nd.

Councilmember Doughty commented how great Saturday’s Farmer’s Market was.

MOTION: Councilmember Sullivan moved to approve the Extension of the Park, Facility, and Right-of-Way Use Permit for the Bisbee Farmers Market for use of Lower Vista Park Every Saturday between April 16, 2016 through May 2, 2016.

SECOND: Councilmember Doughty

MOTION PASSED: UNANIMOUSL

- 9. Public Hearing for the 5311 Grant regarding the Bisbee Bus Transit Program to allow the Public to be heard with respect to the Social, Economic and Environmental Aspects of the Project.
Jestin Johnson, City Manager

Mr. Johnson introduced Melanie Greene.

Ms. Greene spoke in detail regarding the 5311 Grant Program /Application. She stated that this budget would be for two (2) years and went over in detail. She spoke about expanding the route into Sierra Vista. She gave examples on how the budget had changed this year. She thought we had a really lean budget, we are spending less than we did last year, but when you look at the two (2) year combined if that

expansion was to go forward, which we have assumed it will for budget purposes it was a lot more and that was something that may need some further discussion. It doesn't have to be done yet until this budget was negotiated next year.

Mayor Oertle opened the Public Hearing.

- Mayor Oertle asked if there was a member in the public that would like to speak in support of this item. There were no members in the public that spoke in support of this item.
- Mayor Oertle asked if there was a member in the public that would like to speak in opposition of this item. There were no members in the public that spoke in opposition of this item.
- Mayor Oertle asked the City Clerk's Office if there had been any written communications filed with the Clerk's Office. Ms. Williams indicated that there were not.

Mayor Oertle closed the Public Hearing.

Councilmember Sullivan asked if there was money in there for year one (1) replacement bus and if that money would come from the grant. Ms. Greene said that award request for the \$98,000 was in there. Ms. Greene went over year one (1) and two (2) bus replacement in detail. Councilmember Sullivan asked if the feasibility and needs study would be funded by this also. Ms. Greene stated that it was completely funded through the SEAGO planning grant that they received from ADOT. They will start that planning process in July.

Councilmember Conners asked Ms. Greene if she knew there was any demand between here and Palominas/ Hereford. Ms. Greene thought that there had always been a need however; understanding that there was always a need doesn't mean that you meet an economy of scale.

10. Discussion and Possible Approval of Resolution R-16-01 Supporting the Bisbee Bus Transit Program and the Application for Funds to Operate the Bisbee Transit/Bus System and Authorizing the Mayor to Sign all Applications and Grant Contracts.

Jestin Johnson, City Manager

Mr. Johnson said that this was a resolution associated with this particular grant program requesting approval for the Mayor to execute.

Ms. Greene clarified that the application signature authority actually belongs in this case to the City Manager unless you prefer to be the signatory she could go back and change those signature forms. Mayor Oertle asked if it made a difference. Ms. Greene stated that it did not.

MOTION: Councilmember Cline moved to approve Resolution R-16-01 Supporting the Bisbee Bus Transit Program and the Application for Funds to Operate the Bisbee Transit / Bus System and Authorizing the Mayor to Sign all Applications and Grant Contracts.

SECOND: Councilmember Doughty

Councilmember Sullivan commented on an idea that she had and wanted to ask if there was a way to have the bus available on Sunday's for a couple of runs. She knows that there was some need there or maybe it could be a part of the feasibility study. Ms. Greene said that for Sunday's here in Bisbee they would need to look at a greater change of programming they have always and very close to pushing the limit on what the local match availability was.

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Doughty, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

11. Discussion and Possible Approval of Resolution R-16-02 Supporting the City of Bisbee's Formal Adoption of the City of Bisbee Transportation Amended Title VI Plan.

Jestin Johnson, City Manager

Mr. Johnson stated that we were requesting the adoption of the resolution for the Title VI Transit Plan.

Ms. Greene stated that the Title VI was a standard plan that requires resolution approval every year. Title VI was civil rights and assurances and the city bus has a number of civil rights requirements that it was bound to every year. This plan addresses what they are and how the city bus addresses them.

MOTION: Councilmember Connors moved to approve Resolution R-16-02 in support of the City of Bisbee's formal adoption of the City of Bisbee Transit's Amended Title VI Plan.

SECOND: Councilmember Hansen

ROLL CALL VOTE:

AYES: Councilmember Connors, Hansen, Doughty, Cline, Dunn, Sullivan and Mayor Oertle.

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

12. Discussion and Possible Approval for the City of Bisbee to Enter into an Agreement with the Bisbee Museum for the Visitor Center Annex.

Jestin Johnson, City Manager

Jen Luria, Visitor Center Manager

Mr. Johnson said that this particular item originated back in December of last year and the idea was to look at other ways of promoting, establishing, recognizing and giving the public the opportunity to see who we are by way of our visitor center. He also said that this was an idea something to try and see if it works.

Ms. Luria reiterated that we are currently number one (1) for the best U.S. historic small town right now on USA.com, which was a huge title.

Ms. Luria said that the Bisbee Mining and Historical Museum and the Bisbee Visitor Center are proposing an innovative partnership to enhance tourism in Bisbee. A Visitor Center information Annex which will be housed at the Bisbee Museum office, which was the 1914 Paymaster office which was to the right of the actual museum not in the museum. As tourism was one of Bisbee's primary economic drivers this project offers a unique opportunity for the city, museum and our business to work together to enhance the visitor experience.

This proposed Annex would pick up those not crossing Highway 80 where the current Visitor Center was and would direct visitors to businesses of their interest and encourage extended stays. The Visitor Center located at the Queen Mine tour will remain the primary center for the visitor information. The Annex would be a Bisbee information center, which would be centrally located in the Historic District and will focus on providing information relevant to all of Bisbee's businesses, services and events.

The museum was budgeted for a part-time contract employee to serve as the museum office assistant and the Visitor Center had budgeted for a part-time contract employee to serve as the Visitor Center Manager's assistant. The required skill set for both these positions was the same with the shared employees and several volunteers this annex could be open seven (7) days a week.

They are proposing a one (1) year trial period for this rather unique partnership. The City would see enhanced tourism, accessible and quality services, as well as a likely increase in Mine Tour attendance. Businesses would see better information availability and direction for restaurants, retail shops, lodging and services. Tourist would see an enhanced visitor experience with accessible and quality services and learning what Bisbee has to offer.

Ms. Luria read aloud several letters of support for the Visitor Center Annex.

Ms. Gustavson said that the governing authority of the Museum, which was the Bisbee Council on Arts & Humanities were very interested and intrigued by this idea and fully supports it.

Mark Schmidt said that the Chamber of Commerce was in 100% support of the Visitor Center Annex. He urges council to strongly consider it.

Ann English supported the idea of this partnership and encourages council to support this.

Stanley Stern, Chairman of the iBisbee Committee said that the iBisbee committee had discussed this at their meetings and felt that it would work very well. He also said that tourism was changing in Bisbee. People come not just for the Mine Tour, but the ambience of our town. Many people will not cross Highway 80 to go to our Visitor Center, but do have questions. They felt that the establishment of an annex would work. They also believed in the one (1) year trial, because we need to take a look at the numbers and see how successful it has been or how unsuccessful it has been. The iBisbee Committee unanimously supports it.

Mayor Oertle asked about the one (1) year trial that either party could withdraw after 60 day notice. Mr. Stern said of course.

Councilmember Sullivan was confused on the hours of operation asked for clarification on what they would be working. Mr. Stern said the overflow would be staffed with volunteers.

Mayor Oertle also asked regarding the hours being 28 hours a week. Mr. Stern said that it would be a new employee, it was a posted job. That person will work fourteen (14) hours for the museum and fourteen (14) hours for the visitor center manager. So, you would have a split person, but you have them doing two (2) defined things on a particular schedule.

Ms. Gustavson stated that Jenn, her and Sharon had discussed how this could be worked out. Right now neither one of them had the funds to pay a full-time person with benefits so, we need to keep this position under thirty (30) hours a week. They will utilize volunteers to keep the visitor center open Saturday, Sunday and Monday. She explained what they would be working on and how. Mayor Oertle reiterated the information that was given.

Councilmember Sullivan stated that it was a really nice plan and she supports it.

Susan Blackford stated that she would like this item to be tabled. She explained and reviewed in detail her reasons for tabling this item.

Cristina Plascencia spoke in support all efforts being made currently by the City and businesses. She stated the Bisbee had been noticed in a big way. All of this collectively had made this a boom year and boosted our economy.

Maralyce Ferrer said that tourism now was our economic driver. She thought they had seen tremendous business expansion this year. We need to take this opportunity to provide more information for our tourist and guest's. She also thought we needed to vote on this now why wait.

Mayor Oertle asked about the remodeling money that the Mining Museum had and that he worried that the historical nature might be changed. Ms. Gustavson said that the remodeling was simply repainting it, bringing the electrical up to code, replacing the carpet and putting new flooring in and signage. It will not be any structural change at all to the building.

Mayor Oertle reiterated regarding the one (1) year trail.

Councilmember Doughty heard several people say that the Visitor Center was hard to find. She had been up to the Mining Museum tour building several times this past week and had problems finding a parking place. If the Visitor Center was so hard to find; there have been an awful lot of people finding that building. The Mine Tour had been overloaded and doesn't see the necessity for the annex, because she had been told by several people that it was only for Old Bisbee. She asked if the businesses in Warren and San Jose would be recognized by the annex. Why are we doing all of this work just for Old Bisbee. All of the advertisements that she has seen it said Bisbee it doesn't say Old Bisbee.

Ms. Luria spoke regarding the parking that Councilmember Doughty had brought up. She stated that they represent businesses everywhere; San Jose, Warren and Old Bisbee. Mr. Stern stated that, that was an issue that iBisbee also had addressed regarding representing all businesses. The annex itself will be set up to work with our whole community.

Councilmember Hansen said that the idea of having an annex was not only going to help all of the businesses and make it easier for people who are visiting in Bisbee to find out information. The people who are not using the Visitor Center right now and don't know about the Mine Tour learn about the Mine Tour because that information will be there.

Councilmember Sullivan reiterated for Councilmember Shirley that it was the whole City of Bisbee businesses being represented. She really thought it would be nice to have both the annex and the Visitor Center. She also thought it would be good to do a count of how many people come through both.

Councilmember Cline was not so concerned about a one (1) year trial period. She thanked Mr. Stern for explaining as he did. She felt that with brochures and information it was more of a Chamber of Commerce job. She asked if the Chamber was not in the convention center where are they and why aren't they doing their part perhaps maybe they should go into the annex and be a little more visible. Councilmember Sullivan said that the idea was to see how this went first. Councilmember Cline asked again where the chamber was.

Mark Schmidt, Chamber of Commerce stated that right now the Chamber of Commerce was a virtual organization they are not looking to spend business owner's money on grants right now. They have no paid salary positions. He stated that the Chamber was approached about assisting on this. He also stated that they are looking for more board members.

Susan Blackford stated that tonight we are talking about the Visitor Center. She spoke about being a business owner on Main Street. She reviewed some of the history of tourism in Bisbee.

Mr. Johnson stated that one of the things that had not been discussed was that although we are saying this was a one (1) year trial there was still a goal, approach or idea of what to do long term. He spoke regarding the long term solution in the event that something changes. When we talk about being fiscally responsible that was what we are doing, but we are choosing to look forward and not staying in the past

but try to do something a little bit different than what has been done before. We won't get a different result if we don't try something different. He recommends the adoption of this MOU.

Councilmember Dunn appreciates the cooperation between the Mining Museum and the Visitor Center and he would be voting for this request.

Mayor Oertle stated that this possible expenditure comes from the bed tax. He felt it was a duplication of what we have, but there are some excellent arguments on both sides of this issue.

MOTION: Councilmember Dunn moved to approve the City of Bisbee executes an MOU with the Bisbee Mining Museum to create a visitor center annex for a period of one year.

SECOND: Councilmember Hansen

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Cline, Dunn, Sullivan and Mayor Oertle.

NAYS: Councilmember Doughty

MOTION PASSED: AYES -6; NAYS -1

13. Discussion and Possible Approval of Resolution R-16-03 Establishing a Confidentiality Policy Regarding Recruitment of City Manager.

Britt Hanson, City Attorney

Mr. Hanson said that this was brought up a couple of weeks ago when the council was discussing the hiring process for the City Manager he had suggested the possibility for increasing the applicant pool and give applicants more assurance if they are working at a current job. They could apply and their current employer would not know about it at least until we had made the final cut. He suggested at that time that council adopt a policy to allow the council to review applications in private and confidentiality. He believed it would work well for the City to shield applicants from public scrutiny until such time as council makes the final cut.

MOTION: Councilmember Conners moved to approve Resolution R-16-03 Establishing a Confidentiality Policy Regarding Recruitment of City Manager.

SECOND: Councilmember Cline

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Doughty, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

14. Discussion and Possible Appointment by Mayor and Council of an Interim City Manager.

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.

Britt Hanson, City Attorney

This item was pulled from the agenda.

15. City Manager's Report:

- Other current events

- Mr. Johnson said that this year compared to last year we were in a hole about \$452,000.00 and he was very happy to report and express that we are in the black to the tune of \$34,351.00.
- Mr. Johnson spoke about the Public Works request for proposal for the gabion baskets to restore the actual wall at the Santa Cruz wash and the request for proposal regarding chip seal for Adams and Laundry Hill.
- Mr. Johnson said that the Hwy 92 Sidewalk project was moving forward and the project should be completed by the end of 2016.
- Mr. Johnson spoke regarding the Police Manual. He was looking forward to bringing it forward to Council.
- Mr. Johnson said that the Fire Department was moving forward with their annual Emergency Vehicle Operations Course.
- Mr. Johnson spoke regarding Rope Rescue training.

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.):

- Councilmember Dunn explained how to report a concern regarding control weeds, trash, unsightly properties, health and fire hazards and abandoned vehicles through the City's website.
- Councilmember Sullivan updated on the Bisbee Homeless Taskforce. She called for Sustainability Commission Members and talked about the upcoming Earth Day Celebration/Planting and Pollinator Demonstrations at the Bisbee Community Garden on Friday, April 22nd from 8:00am-12:00pm.

MOTION: Councilmember Hansen moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 9:42PM

Ronald Oertle, Mayor