

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, JANUARY 3, 2017, AT 7:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

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

ROLL CALL

COUNCIL

Councilmember Anna Cline, Ward III
Councilmember Joan Hansen, Ward II
Councilmember Frank Davis, Ward I
Mayor David M. Smith
Councilmember Bill Higgins, Ward I
Councilmember Douglas Dunn, Ward II , Mayor Pro Tempore
Councilmember Gabe Lindstrom, Ward III

STAFF

Richard J. Marsh Jr., City Manager
Ashlee Coronado, City Clerk
Keri Bagley, Finance Director
Andy Haratyk, Public Works Director
Albert Echave, Police Chief

CITY ATTORNEY

Elda Orduno

INVOCATION: Mayor Smith wished everyone a Happy New Year and asked for a moment of silence in remembrance of the people we have lost and miss. He especially wanted to remember Carol Burke.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Smith announced that Item #5 would be pulled from the agenda.
- Mayor Smith explained the process for the upcoming City Manager Evaluation. He said that it would be held two weeks from tonight. He explained that this would be held in Executive Session.

CALL TO THE PUBLIC

- Allison Williams informed the public of the upcoming events at the Library.

THE FOLLOWING ITEMS WILL BE 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 the accounts payable in the amount of \$301,107.05.

SECOND: Councilmember Hansen

ROLL CALL VOTE:

AYES: Councilmember Cline, Hansen, Davis, Higgins, Dunn, Lindstrom and Mayor Smith

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Special Session of Mayor and Council held on December 15, 2016 at 5:01PM.
Ashlee Coronado, City Clerk
- B. Approval of the Appointment of Olivia Conklin to the Youth Council.
Ashlee Coronado, City Clerk
- C. Approval of the Appointment of Jill Maxwell to the Bisbee Arts Commission.
Ashlee Coronado, City Clerk
- D. Approval of the Re-Appointment of Marilyn Seibold to the Airport Advisory Commission with a Waiver for Length of Service.
Ashlee Coronado, City Clerk
- E. Approval of the Re-Appointment of Peter Von Gundlach to the Board of Adjustment with a Waiver of number of Commissions Served.
Ashlee Coronado, City Clerk
- F. Approval of the Re-Appointment of John Crow to the Design Review Board with a Waiver of number of Commissions Served.
Ashlee Coronado, City Clerk
- G. Approval of the Re-Appointment of Stanley Stern to the iBisbee Committee with a Waiver of number of Commissions Served.
Ashlee Coronado, City Clerk
- H. Approval of the Re-Appointment of Will Gronlund and Doris Wells to the Library Advisory Board.
Ashlee Coronado, City Clerk
- I. Approval of the Re-Appointment of Kathryn Daily to the Parks and Recreation Committee.
Ashlee Coronado, City Clerk
- J. Approval of the Re-Appointment of Mark Apel to the Planning and Zoning Commission with a Waiver for Length of Service.
Ashlee Coronado, City Clerk
- K. Approval of the Re-Appointment of Ramiro Ross with a Waiver of Length of Service and Peter Von Gundlach and a Waiver of Number of Commission Served to the Streets and Infrastructure Committee.
Ashlee Coronado, City Clerk
- L. Approval of the Resignation of Jill Darnielle from the Bisbee Arts Commission
Ashlee Coronado, City Clerk
- M. Approval of the Resignation of Anna Garcia from the Evergreen Cemetery Committee.

Ashlee Coronado, City Clerk

N. Approval of the Resignation of Sharon Frosco from the Evergreen Cemetery Committee.
Ashlee Coronado, City Clerk

O. Approval of the Resignation of Arthur Wohlers from the Airport Advisory Commission.
Ashlee Coronado, City Clerk

P. Approval of the Resignation of Carole Beauchamp from the Parks and Recreation Committee.

Ashlee Coronado, City Clerk

Councilmember Hansen thanked all who served the City of Bisbee on various Boards and Commissions and those who continued to serve.

Councilmember Dunn agreed with Councilmember Hansen.

Mayor Smith said that there were openings on many of the Boards and Commissions and this was a great way to become part of the solution instead of finding problems.

MOTION: Councilmember Cline moved to approve the Consent Agenda items 2A-P

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

OLD BUSINESS

3. Discussion and Possible Approval of Ordinance O-16-09; Amending Article 2.8.2 of the City Code Changing the meeting times of the Boards, Commissions and Committees.

David M. Smith, Mayor

Mayor Smith explained that the Notice of Intent to adopt this Ordinance was brought up at the last meeting. He clarified that this would only affect Boards and Commission meetings. This measure was an attempt to make the meetings uniformed. He said that Work and Special Sessions of Mayor and Council were still going to be held at 5:30PM.

MOTION: Councilmember Dunn moved to approve Ordinance O-16-09; Amending Article 2.8.2 of the City Code changing the meeting times of the Boards, Commissions and Committees.

SECOND: Councilmember Higgins

ROLL CALL VOTE:

AYES: Councilmember Cline, Hansen, Davis, Higgins, Dunn, Lindstrom and Mayor Smith

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

NEW BUSINESS

4. Discussion and Possible Direction from Mayor and Council Regarding the Petition Received from Richard Green on How the City Invests Money

David M. Smith, Mayor

Ms. Orduno explained that she had reviewed the petition along with information provided by City Attorney Britt Hanson. Mr. Hanson researched this issue and petition in great detail. She explained that the City was bound by Arizona Statute particularly two Statutes §35-323 and §35-324. They set forth what Cities and Towns could invest in. She said that Mr. Hanson found a possibility to establish a "Green Fund" but the problem for our City would be that it would need a person to continually analyze those

funds and we cannot do that at this time. Overall statutorily we cannot invest outside of what we are investing in. The Statute was very clear that we are limited in what we can invest in.

Ms. Orduno said that Mr. Green's second request to send a letter to the Secretary of State requesting them to stop investing in these banks and project and start divesting City funds if the state does not comply. She said that would not be a solution for the City. The Statute would need to be changed and a letter would not do that. It would be a change that someone would need to lobby for.

Mayor Smith said that Mr. Green's next option would be to begin to lobby the legislature for a change. We then could follow.

Councilmember Dunn said that he had spent the afternoon with the Finance Director Keri Bagley and requested that she answer a few questions.

Councilmember Dunn asked who we currently bank with.

Mrs. Bagley responded that we currently bank have our checking account with Wells Fargo and we did check into some smaller local banks and they did not provide the services that the City needed. She went on to say that we use Washington Federal for the Wastewater reserve accounts for a total of 3 accounts with them.

Councilmember Dunn explained that the State Treasurer offers the investing we have through the Local Government Investment Pool. We are currently investing in Pool 5 and that includes the Youth Fund, Street Fund and any cash that was sitting in our account. He said that there was a Pool 7 available to us that were totally US Obligations. This would be an option available to us that was more attractive and this was a safer investment.

5. Discussion and Possible Approval of an Ambulance Restocking Agreement with Northwest Medical Center.

Marc Burneleit, Chief of Fire

This item was pulled from the agenda.

6. Discussion and Possible Approval of the Request by the Bisbee Arts Commission to hold an Art Auction at the Central School Project located at 43 Howell Avenue, Bisbee, AZ on Saturday, May 6, 2017 from 5:30pm to 10:30pm.

David M. Smith, Mayor

Marie Minor, Bisbee resident explained that she was the current Vice Chair of the Bisbee Arts Commission. The last Art Auction was held in 2010. The Bisbee Arts Commission would like to schedule an auction on May 6th. She said that the last auction raised \$5,000 and in turn gave out \$5,000 in Art grants. She said that the Art Commission counts on donations and fundraisers to be able to continue to give Art grants. She requested that Council support the approval of the Art Auction.

Karen Schumacher, Bisbee Arts Commission member spoke in favor of the Bisbee Arts Commission Art Auction. She felt that the Arts Auction was a necessary event for this community that needed to be revived. She said that last year the Bisbee Arts Commission gave out grants to many Arts organizations. The Art Auction would serve the purpose of fundraising to continue to support many organizations.

Councilmember Higgins said that they would like to amend the time of the Auction to run from 5:00pm to 11:00. He said that this was a dynamic group and a lot of new people with a lot of enthusiasm. They were expecting a lot of high end donations.

MOTION: Councilmember Higgins moved to approve the request of the Bisbee Arts Commission to hold an Art Auction at the Central School Project located at 43 Howell Avenue, Bisbee on Saturday, May 6, 2017 from 5:00PM to 11:00PM.

SECOND: Councilmember Hansen

MOTION PASSED: UNANIMOUSLY

- 7. Discussion and Possible Approval of a Formal Letter to Freeport McMoRan, Inc. regarding the acquisition of Land for the Senior Living Housing.

David M. Smith, Mayor

Mayor Smith explained that this was a letter written to Robert Quintanar addressing the fact that there are 14.5 acres off of Highway 92 that have been identified and surveyed as a perfect site for a Senior Affordable Housing project for 40-60 units. Mayor Smith requested permission to send this letter.

Councilmember Dunn said that he commended Stanley Stern and Robert Quintanar for moving this project forward.

MOTION: Councilmember Dunn moved to approve a formal letter to Freeport McMoRan requesting a possible land donation to the City of Bisbee for the construction of a senior living facility.

SECOND: Councilmember Davis

ROLL CALL VOTE:

AYES: Councilmember Cline, Hansen, Davis, Higgins, Dunn, Lindstrom and Mayor Smith

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

- 8. City Manager's Report:

- NONE

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.):

NONE

A MOTION: Councilmember Hansen moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 7:41PM

David M. Smith, Mayor