

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 16, 2018 AT 7:00 PM IN THE 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 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

Robert Smith, City Manager
Ashlee Coronado, City Clerk
Keri Bagley, Finance Director
Dan Duchon, Personnel Director
Andy Haratyk, Public Works Director
Albert Echave, Police Chief
George Castillo, Interim Fire Chief

CITY ATTORNEY

Elda Orduno

INVOCATION: Mayor Smith asked for a moment of silence in reference to Ventura and Santa Barbara County they have gone from being ravaged from the Thomas Fire to mudslides. It had killed over 20 people along with several missing including a small baby.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Smith stated that former Councilwoman Shirley Doughty's services were this Saturday, January 20th at 10:00am at the First Southern Baptist Church in Warren.

CALL TO THE PUBLIC: **None**

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 the accounts payable in the amount of \$254,879.04.

SECOND: Councilmember Davis

Mayor Smith asked if there were any questions from the Council.

Councilmember Lindstrom stated that he had seen a lot of Office Depot on the Accounts Payable and wondered if it was stuff we could get in Bisbee in the future.

Councilmember Cline asked about the KE&G Asphalt charge of a little over \$40,000.00. She wanted to know where we were paving right now.

Ms. Bagley, Finance Director said that Mr. Haratyk, Public Works Director stated they are not paving anywhere right now it was an outstanding bill from back in August/ September.

Councilmember Cline wanted to know why we were so far behind in getting it paid. Ms. Bagley stated that sometimes the invoices get lost especially if it came in at the time of the fire which this probably did.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Work Session of the Mayor and Council held on November 7, 2017 at 5:30pm.
Ashlee Coronado, City Clerk
- B. Approval of the Minutes of the Regular Session of the Mayor and Council held on November 7, 2017 at 7:00pm.
Ashlee Coronado, City Clerk
- C. Approval of the Minutes of the Regular Session of the Mayor and Council held on November 21, 2017 at 7:00pm.
Ashlee Coronado, City Clerk
- D. Approval of the Appointment of Cathy Murphy to the Bisbee Arts Commission.
Ashlee Coronado, City Clerk
- E. Approval of the Appointment of Will Nathan to the iBisbee Committee.
Ashlee Coronado, City Clerk
- F. Approval of the Appointment of Jane Gaffer to the Parks and Recreation Committee.
Ashlee Coronado, City Clerk
- G. Approval of the Appointment of Donna Pulling to the Transit Advisory Committee.
Ashlee Coronado, City Clerk
- H. Approval of the Reappointment of Stephen Green to the Design Review Board.
Ashlee Coronado, City Clerk
- I. Approval of the Reappointment of Jeffery Trujillo to the Design Review Board.
Ashlee Coronado, City Clerk
- J. Approval of the Reappointment of Fred Miller to the iBisbee Committee.
Ashlee Coronado, City Clerk

- K. Approval of the Reappointment of Kathy Sowden to the iBisbee Committee.
Ashlee Coronado, City Clerk
- L. Approval of the Reappointment of Joan Reichel to the Library Advisory Board with a waiver for length of service.
Ashlee Coronado, City Clerk
- M. Approval of the Reappointment of Michael McPartlin to the Planning and Zoning Commission.
Ashlee Coronado, City Clerk
- N. Approval of the Reappointment of Stephen Dey to Streets and Infrastructure Committee with a waiver for residency requirement.
Ashlee Coronado, City Clerk
- O. Approval of the Reappointment of Lawrence Phillips to the Streets and Infrastructure Committee with a waiver for length of service.
Ashlee Coronado, City Clerk
- P. Approval of a Special Event Liquor License Application submitted by St. Patrick Church for an event to be held at St. Patrick Church Hall Located at 100 Quality Hill, Bisbee, Arizona on Friday, February 9, 2018 from 6:00pm to 10:00pm, Jennifer Ratkovich, Applicant.
Ashlee Coronado, City Clerk
- Q. Approval of a Special Event Liquor License Application submitted by the Friends of the Warren Ballpark for an event to be held at Warren Ballpark located at 300 Ruppe Avenue, Bisbee, Arizona on Saturday, April 7, 2018 and Sunday, April 8, 2018 from 9:00am to 7:00pm both days, Judith Anderson, Applicant.
Ashlee Coronado, City Clerk

Mayor Smith asked if any member from Council wished for any of these items to be pulled for further discussion. There were no items pulled for discussion.

MOTION: Councilmember Cline moved to approve Consent Agenda Items A -Q.

SECOND: Councilmember Hansen MOTION PASSED: UNANIMOUSLY

Councilmember Dunn commented that Bisbee has the largest number of commissions and it stresses the point that we tremendously value Citizens input.

OLD BUSINESS

3. Discussion and Possible Approval of Ordinance O-17-17, Amending the Zoning Code Article 8.7 to Provide a Permanent Parking Exemption for Existing Commercial Structures and Existing Residential Uses in CM Zone of the Bisbee Historic Overlay Zone.
Joe Ward, Zoning Inspector

Mayor Smith indicated to Council that this was an item that they had gone through last meeting. This would be the second reading.

MOTION: Councilmember Higgins moved that we approve Ordinance O-17-17, Amending the Zoning Code Article 8.7 to provide a permanent parking exemption for existing commercial structures and existing residential uses in CM Zone of the Bisbee Historic Overlay Zone.

SECOND: Councilmember Davis

Councilmember Dunn stated that we really needed to look at parking in the downtown area.

ROLL CALL VOTE:

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

NAYS: 0

MOTION PASSED: AYES -7; NAYS -0

- 4. Discussion and Possible Approval of Ordinance O-17-18, Amending the Zoning Code Article 3.6.1 to insert a reference to the Current International Building Code instead of the Uniform Building Code.

Joe Ward, Zoning Inspector

Mayor Smith stated that this was the second reading. This was more of a housekeeping matter than anything else.

MOTION: Councilmember Dunn moved to approve Ordinance O-17-18, Amending the Zoning Code Article 3.6.1 to insert a reference to the current International Building Code instead of the Uniform Building Code.

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

- 5. Discussion and Possible Approval of Ordinance O-17-19, amending the Zoning Code Matrices to conform them to the text of the Zone Code.

Joe Ward, Zoning Inspector

Mayor Smith stated that this was the second reading. He asked if Council had any questions or comments.

MOTION: Councilmember Hansen moved to approve Ordinance O-17-19, Amending the Zoning Code Matrices to Conform them to the text of the Zoning Code.

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

NEW BUSINESS

- 6. Discussion and Possible Approval of the Professional Services Agreement between the City of Bisbee and Gallagher and Associates for the Science Exploration and Research Center Feasibility Study.

Melanie Greene, M. Greene Planning & Resources Development

Ms. Greene said that the city had put out an RFP to attract professionals to conduct a feasibility study and received none. The USDA on hearing this information granted permission for the city to seek a sole source contract with a qualified contractor. She stated that upon hearing this one of the partners in the Science center effort (Freeport) had just completed an extensive vetting process for an organization to conduct a separate feasibility study for them in similar vein. She contacted that company to see if they would be interested in conducting this contract. They have agreed to do this for the amount we would have paid a qualified contractor through the RFP process. They are working on a similar concern for Freeport's ownership and what they want to do about the Queen Mine Tour in the future this absolutely goes parallel and was perfectly aligned.

The RFP/ Q was sent to Gallagher and Associates. They were asked to look at it to determine if they could conduct the scope of work, if they would do it for the funding that was allowed by USDA to conduct the work and if they could meet all of the qualifications. They immediately responded that they could and would.

Ms. Greene spoke regarding the partners; who they were and how they have been involved in the process.

Mayor Smith gave some background information regarding Gallagher and Associates along with Ms. Greene.

Mayor Smith thanked the partners without them we would not be here.

MOTION: Councilmember Davis moved to approve the Professional Services Agreement between the City of Bisbee and Gallagher and Associates for the Science Exploration and Research Center Feasibility Study.

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

7. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to fund a Grant Application for Tracey Rocco in the Amount of \$216.00 from the Bisbee Arts Commission Fund.

Karen Schumacher, Bisbee Arts Commission Chair

Councilmember Higgins stated that this had come before the Bisbee Arts Commission and was granted to Tracey Rocco in the amount of \$216.00 for a collage project. The Commission was looking forward to it being around town.

MOTION: Councilmember Higgins moved to approve the funding of the grant application for Tracey Rocco in the amount of \$216.00 from the Bisbee Arts Commission Fund.

SECOND: Councilmember Hansen MOTION PASSED: UNANIMOUSLY

8. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to fund a Grant Application for Ken Boe in the Amount of \$250.00 from the Bisbee Arts Commission Fund.

Karen Schumacher, Bisbee Arts Commission Chair

Councilmember Higgins stated that this was another grant that was approved by the Bisbee Arts Commission for Ken Boe, it was a poetry project. If you look around town you can see his poetry on various boards, telephone poles and there would also be some verbal poetry.

MOTION: Councilmember Higgins moved to approve the funding of the grant application for Ken Boe in the amount of \$250.00 from the Bisbee Arts Commission Fund.

SECOND: Councilmember Davis MOTION PASSED: UNANIMOUSLY

9. Discussion and Possible Approval of the Recommendation from the Bisbee Arts Commission to fund a Grant Application for Isaac Brandt in the Amount of \$300.00 from the Bisbee Arts Commission Fund.

Karen Schumacher, Bisbee Arts Commission Chair

Councilmember Higgins stated that it was another grant for \$300.00 to fund a winter solstice celebration

MOTION: Councilmember Higgins moved to approve the funding of the grant application for Isaac Brandt in the amount of \$300.00 from the Bisbee Arts Commission Fund.

SECOND: Councilmember Cline MOTION PASSED: UNANIMOUSLY

10. Discussion and Possible Approval to Authorize the City to accept a donation of \$7,500.00 from the Friends of the Copper Queen Library and to solicit a Request for Qualifications for a Pre-Kindergarten Literacy and Parent Engagement Outreach Coordinator.

Daniel Duchon, Personnel Director

Mr. Duchon stated that this was to start the process by accepting the grant funds and then putting out for an RFQ (Request for Qualifications) so that we find the contractor. It would be approximately 20 hrs. a week for six months. This would be the first phase depending on the grant funding.

Mr. Duchon stated that the contract could be with a firm or an individual. If we do go with an individual we would have at least taken the steps necessary to make sure that the city was adequately insured.

Councilmember Dunn said that the contract before Council was certainly very routine but, it could however be seen to an individual as intimidating and he would encourage staff to facilitate this process. He urged staff to be encouraging.

Councilmember Dunn asked what the insurance would be funded by. The contractor rather than the city correct. Mr. Duchon stated that was correct the insurance would be funded by the individual or a firm that was selected.

Councilmember Dunn asked Mr. Duchon if he had an estimate of what the cost of insurance would be. Mr. Duchon stated that he didn't, but could get that information.

Councilmember Dunn stated that he would appreciate that. We are talking about a position here that was paying \$12.00 per hour a six month position part-time. If they are paying this it would be an additional cost out of their own pocket. He wanted to make a commitment to generate donor support to cover that cost.

Councilmember Dunn asked about who would supervise this position and provide program oversight. The contractor would report to the Library Manager Jason Macoviak and he would give the contractor direction.

Mayor Smith said that working with children there would be a background check. Who would be conducting that if we go with an independent? Mr. Duchon stated that he didn't know who would conduct it he would have to talk with the City Attorney as far as who was the most appropriate.

Councilmember Cline asked that it was only for six months. What happens after that? Mr. Duchon stated that it was driven by the donor funding. That was the reason they decided to go with a contractor. This was a short term project and only had a guarantee for funding for the first six months.

Councilmember Dunn said this was a unique opportunity to have a significant impact in preparing kids for school and increasing a student' success. He stated that the project had been donor funded for the first phase which was a mini challenge grant from the Bisbee Foundation as well as the Friends of the Copper Queen Library. It was his personal commitment to ensure that this project continues to be funded and has donor support for an extended period of time. He was excited about this opportunity and he was fully committed ensuring that we have donor support for the long haul. He thought this was another opportunity for Bisbee to shine.

Councilmember Cline stated that she completely agrees with the literacy program. She was just concerned about further funding. Did Councilmember Dunn know how long the funding would be for?

Councilmember Dunn stated that the contract spoke of three (3) phases and the continuation after that. Hopefully we would see through long term support the impact the program had. This was a unique opportunity for the City of Bisbee to participate in that process.

MOTION: Councilmember Davis moved to approve an authorization for City to accept the donation and move forward with the RFQ to contract for a Pre-Kindergarten Literacy and Parent Engagement Outreach Coordinator.

SECOND: Councilmember Hansen

MOTION PASSED: UNANIMOUSLY

11. Discussion and Possible Approval of Resolution R-18-01, Designating the Cochise County Highway and Floodplain "Commercial Driveways" "Residential Driveways" and "Site Distance Triangle" and "Road Design and Construction Standards & Specifications for Public Improvements" in addition to the City's other Adopted Standards and Specifications.

Andy Haratyk, Public Works Director

Mr. Haratyk said that they had adopted the MAG standard a couple of years ago for the City of Bisbee. He wanted to add the County's specifications to the cities. This enhances the building codes that we already have.

Councilmember Lindstrom asked what it meant for existing residential houses. Mr. Haratyk gave an example of this and explained what it meant.

MOTION: Councilmember Hansen moved to approve Resolution R-18-01, designating the Cochise County Highway and Floodplain "Commercial Driveways" "Residential Driveways" and "Site Distance Triangle" and "Road Design and Construction Standards & Specifications for Public Improvements" in addition to the City's other Adopted Standards and Specifications.

SECOND: Councilmember Cline

ROLL CALL VOTE:

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

NAYS: Councilmember Lindstrom

MOTION PASSED: AYES -6; NAYS -1

12. Discussion and Possible Approval to establish an Ad Hoc Committee to study potential uses for the City Hall Building.

David M. Smith, Mayor

Mayor Smith said he was requesting to establish an Ad Hoc Committee of professionals specifically architects, a few from the iBisbee Committee and contractors. He would solicit all the Councilmembers by the end of the week to submit names for this. The purpose of this was to find out what we wanted to do about the City Hall building. We need some professionals to evaluate and provided data that we can operate off of so the Council could make decisions for the citizens. He would be providing them a drop dead date April 17th which will provide about 90 days to get this done. He was bringing this up to the Council to get approval so that we can move on this.

Councilmember Higgins asked how many members would be on this committee. Mayor Smith stated that they would want to keep it to about five (5).

Councilmember Higgins also asked how many times a month they would meet. Mayor Smith stated that it would be up to them with a mission that was provided to them. It would be up to them to accomplish this within 90 days.

Councilmember Lindstrom asked who determines who would be on it. Mayor Smith said that the City Manager and he would make that determination at this point.

MOTION: Councilmember Davis moved to approve establishing an Ad Hoc Committee to Study Potential Uses for the City Hall Building.

SECOND: Councilmember Hansen

MOTION PASSED: 6/1: NAY-Cline

13. City Manager's Report:

- Mr. Smith gave a power point presentation on Transparency in Local Government: How are decisions made in Bisbee, What processes are public, How is decision making transparent in Bisbee, and How do I access my transparent government in Bisbee.
- George Castillo, Interim Fire Chief spoke regarding current events, experiences, programs, staffing, grants and fundraisers within his department. Mayor Smith thanked Chief Castillo and those that helped in our time of need.
- Other current events (No Discussion)

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.):

MOTION: Councilmember Higgins moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:14PM

David M. Smith, Mayor