

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, FEBRUARY 19, 2019 AT 7:00 PM AT THE CITY HALL BUILDING, 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

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

ROLL CALL

COUNCIL

Councilmember Gabe Lindstrom, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Bill Higgins, Ward I

Mayor David M. Smith

Councilmember Leslie Johns, Ward I

Councilmember Joan Hansen, Ward II

Excused

Councilmember Anna Cline, Ward III, Mayor Pro Tempore

STAFF

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Daniel Duchon, Personnel Director

Albert Echave, Police Chief

George Castillo, Fire Chief

CITY ATTORNEY

Elda Orduno

INVOCATION: Mayor Smith asked for a moment of silence to reflect on why most of us were here tonight. In sympathy and camaraderie with our brothers and sisters to the south.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Smith thanked the Bisbee bloomers for bringing the plants to City Hall. He wanted to acknowledge and thank them for their consideration.
- Mayor Smith announced he would be moving Item #7 up to the first item under new business.

CALL TO THE PUBLIC

- Keith Dennis, SEAGO spoke about the Community Development Block Grant project. He informed Council of the potential of phase 3 of the Tintown CDBG project.
- Gail Covengton McBride, Bisbee resident spoke on the razor wire situation. She said she spent a lot of time calling around Washington, Tucson, Phoenix and she still had many unanswered questions. She explained she finally was able to reach the community liaison out of the Tucson sector. She listed her questions she had been asked asking but had not yet received answers.
- Cynthia Conroy, Bisbee resident congratulated the new Council Members since she had not been to a meeting since they were seated. She spoke on Item #4. She requested that Council vote against elevating the position to a director. She said there was great deal of interest at the existing salary range. She spoke on the need for a Community Development Director.

- Charlet LePare, Bisbee resident explained she was here to show support for Council in regard to Mayor Smith letter in the paper. She spoke in regard to sewer and garbage fees. She also spoke about the razor wire and the effects on the animals and human beings.
- Tamara Burch, Bisbee resident, thanked the mayor for the Resolution regarding the razor wire. She explained that she had attended the Valentine’s Day gathering at the border with the concertina wire. She also said that she would love to have Council meetings televised again.

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 \$121,738.89

SECOND: Mayor Smith

Councilmember Giacomino asked for clarification regarding the sewer and garbage fee for the cemetery. She also questioned the water bills at the Cemetery, Garfield Park and Grassy Park.

Ms. Bagley said that she would look into those charges and report back to Council.

Councilmember Cline asked about payment request to Flagler law, she had thought there was a \$6000 limit.

Ms. Bagley responded that she was unaware of a limit. These were for legal fees for Laundry Hill

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Appointment of Sandra CH Smith to the Bisbee Arts Commission.
Ashlee Coronado, City Clerk
- B. Approval of the Appointment of Linda Hallsted to the Evergreen Cemetery Committee.
Ashlee Coronado, City Clerk
- C. Approval of the Appointment of Deborah Phagan to the Evergreen Cemetery Committee.
Ashlee Coronado, City Clerk
- D. Approval of a Park, Facility, and Right-of-Way Use Permit for the use of Subway Street for Merchant Events to be held on Saturday, March 16, 2019, May 18, 2019, September 21, 2019 and November 16, 2019 from 8:00am to 10:00pm; which includes set up and breakdown.
Ashlee Coronado, City Clerk
- E. Approval of a Special Event Liquor License Application submitted by St. Patrick Church for an Event to be held at St. Patrick Church Hall/ Basement Located at 100 Quality Hill, Bisbee, AZ on Friday, March 1, 2019 from 6:00PM to 11:30PM, Jennifer Ratkovich, Applicant.
Ashlee Coronado, City Clerk

- F. Approval of a Special Event Liquor License Application submitted by St. Patrick Church for an Event to be held at St. Patrick Church Basketball Court Located at 100 Quality Hill, Bisbee, AZ on Friday, September 13, 2019 from 6:00PM to 10:00PM, Jennifer Ratkovich, Applicant.
Ashlee Coronado, City Clerk

Mayor Smith explained that item D would be pulled from the consent agenda.

MOTION: Councilmember Cline moved to approve the consent agenda items A-C and E&F.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Lindstrom, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS: 0

MOTION PASSED: AYES -6; NAYS -0

OLD BUSINESS

- 3. Discussion and Possible Approval of Ordinance O-19-01; Amending Article 5.2.4, CM Zone, Division 2 Adding Cocktail Lounges and Taverns to Permitted Uses.
Paul Esparza, Planning Manager

Mayor Smith explained that this was the second reading of this ordinance to add Cocktail Lounges and Taverns to permitted uses.

MOTION: Councilmember Higgins moved to approve Ordinance O-19-01; Amending Article 5.2.4, CM Zone, Division 2 adding Cocktail Lounges and Taverns to permitted uses.

ROLL CALL VOTE:

AYES: Councilmember Lindstrom, Higgins, Johns and Mayor Smith.

NAYS: Councilmember Giacomino and Cline

MOTION PASSED: AYES -4; NAYS -2

NEW BUSINESS

- 4. Discussion and Possible Approval of Resolution R-19-03; Denouncing the Use of Concertina Wire as a Unauthorized Border Crossing Deterrent by the Federal Government along the U.S. Mexican Border.
David M. Smith, Mayor

MOTION: Mayor Smith moved to approve Resolution R-19-03; Denouncing the Use of Concertina Wire as a Unauthorized Border Crossing Deterrent by the Federal Government along the U.S. Mexican Border.

SECOND: Councilmember Johns

Mayor Smith opened the item up to discussion.

Councilmember Higgins said that he would like to see this be expanded. He would like a request sent to the governor’s office to join the lawsuit with 16 other states.

Councilmember Lindstrom asked what it meant to denounce it. He did support this, but wanted to know what action this would result from doing this.

Mayor Smith said that denouncing would mean that we are against concertina wire.

Councilmember Giacomino said that we could possibly talk to the residence of Naco.

Elda Orduno, City Attorney explained that before Council tonight was the resolution. The vote tonight should pertain to the resolution. If Council wanted to amend the resolution to include councilmember Higgins recommendation than someone would be able to withdraw the current motion on the floor. They would then have to offer an amended motion to take further action if there are no ideas right now Council could always bring those back at a later date for Council decision.

Councilmember Higgins requested to amend his motion.

AMENDED MOTION: to include urging the Governor and the Attorney General to join with the 16 other states that are suing the federal government over the emergency declaration.

Mayor Smith accepted the amendment to the motion.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Lindstrom, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS:

MOTION PASSED: AYES -6; NAYS -0

5. Discussion and Public Input and Possible Approval of an Updated Visitor Center/ Tourism Director Job Classification.

Daniel Duchon, Personnel Director

Daniel Duchon, Personnel Director explained that there was a collaborative meeting with iBisbee Members and business owners and they came up with their vision for this position and that was the Tourism Director. It differs from the Visitor Center Manager/ Tourism Marketing Manager position we have now.

Mr. Stanley Stern, Chair of the iBisbee Committee explained that the process used was to go through the existing job description point by point. He said that Jen Luria was also in attendance was able to advise us on changes that were made. The committee unanimously felt that the position should be moved to become the director of tourism reporting to the city manager. That resulted in a different wage and salary increase. He explained it took us from \$39,265 to a Director at \$46,638. He said that tourism was a major industry of our city.

Mayor Smith asked Mrs. Bagley where we were in reference to the money that was presently in the budget for salary.

Mrs. Bagley responded that 50% had been used to date.

Councilmember Lindstrom said he was unhappy with the range. When you look at the range for all other workers in town it seemed pretty high. He said we needed to focus on the other positions needing to be filled. Councilmember Lindstrom thought our priorities were a little out of whack.

Councilmember Giacomino asked if the applicants that applied under the old job description would still be considered under this new description. She went on to ask if it would be reopened under the new job description.

Mr. Duchon responded that yes the new job description would be open and the applicants that qualify under the new description would be considered.

Councilmember Johns said personally she would rather see a Community Development Director. If this was what the community wanted she understood. She represents the people.

Councilmember Cline thought we needed a Community Development Director. She agreed with Councilmember Lindstrom that we had so many critical positions needing to be filled. This was right before the budget process was set to start. She said that just because we have the money now doesn't mean we will have it during budget time.

Councilmember Lindstrom said he thought this was the wrong time. He would definitely consider a recommendation if it was the right time.

Ms. Bagley reminded Council that the Bed Tax could only be used for tourism.

MOTION: Mayor Smith moved to approve the updated Visitor Center/Tourism Director job classification

City Attorney Orduno pointed out that the way the proposed motion on the agenda item stated "I move to approve the job classification for the Tourism Director including the removal of the Visitor Center Manager job classification." She was unsure if that was part of Council's consideration. She just wanted to make sure Council was aware of that.

SECOND: Councilmember Higgins

MOTION PASSED: AYES: 4; NAYS: 2 (Lindstrom, Cline)

6. Discussion and Possible Approval of a Contract for Services with Washington Federal for Banking Services, Merchant Services and Employee Purchase Cards.

Keri Bagley, Finance Director

Ms. Bagley explained that this was a contract for banking services with Washington Federal. She explained that a request for proposal was posted in October 2018 three banks responded to the proposal. She said the three that bid were Wells Fargo, Washington Federal and Western bank. Of the three it was determined that Washington Federal provided the services that we needed.

Councilmember Bill Higgins thanked Ms. Bagley for bringing this before Council. He knew that this was a lot of work but was very happy about it.

MOTION: Councilmember Higgins moved to approve the contract for banking services, merchant services and employee purchase card services with Washington Federal.

SECOND: Councilmember Johns

ROLL CALL VOTE:

AYES: Councilmember Lindstrom, Giacomino, Higgins, Johns, Cline and Mayor Smith.

NAYS:

MOTION PASSED: AYES -6; NAYS -0

7. Discussion and Possible Approval to Retain an Attorney to Consult with Council about the Jacobs Contract and all the Protests.

Leslie Johns, Councilmember Ward I

Councilmember Johns explained that after thinking about this some more she would like to hold off on this for now. She said it may be beneficial to wait till we have a new City Attorney on staff. She requested that this item be pulled from the agenda.

8. City Manager's Report:

- 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 Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:04 PM

David M. Smith, Mayor