

MINUTES

MINUTES OF THE WORK SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, HELD ON TUESDAY, MAY 23, 2017, AT 5:30 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING CALLED TO ORDER BY MAYOR SMITH AT 5:30PM.

ROLL CALL

COUNCIL

Councilmember Anna Cline, Ward III	Excused
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	Excused

STAFF

Richard J. Marsh Jr., City Manager
Ashlee Coronado, City Clerk
Albert Echave, Police Chief
Marc Burneleit, Fire Chief

CITY ATTORNEY

Britt Hanson

COMMENTS FROM THE PUBLIC WILL BE ALLOWED AT THIS MEETING. A SIGNUP SHEET WILL BE AVAILABLE.

THE FOLLOWING ITEM WAS DISCUSSED AT THIS MEETING:

1. Discussion Regarding Vacant, Abandoned, Dilapidated Structures.
Joe Ward, Building Inspector/ Code Enforcer

Mr. Ward gave a presentation and some overview of the vacant homes in Bisbee. He said that they were driving down the values of homes in Bisbee and that squatters were living in them using camp stoves and candles creating hazards. He explained that no one would be thrown out of their home. These were vacant. He also explained that with the help of Britt Hanson, City Attorney home owners have been willing to talk and work with the City.

Mayor Smith said that it was important that it was understood that these were vacant and abandoned homes not occupied homes. They are occupied by squatters that are not authorized to be there.

Mr. Marsh said that both the Fire Chief and Police Chief were a part of this conversation from the stand point of the public safety and the health hazard that it creates in the community. He wanted to discuss possible solutions.

Mr. Echave, Police Chief said that these homes were very concerning from a public safety stand point. He also said that squatters have caused many problems. It concerns him as a department head when he has to send his officers to some of these houses that might not be structurally sound to look for someone that shouldn't be there. These are unsafe structures and fire hazards.

Mr. Burneleit, Fire Chief said that this was a public safety stand point. He also said he supported everything Police Chief Echave had said. We have to identify these safety hazards and this was a good way in which to do so.

Mr. Marsh reiterated that this was a discussion on vacant, abandoned, dilapidated structures. He explained what they had been talking about for the last seven months regarding this issue.

Nanette Slusser, Bisbee resident said that they had formed the Bisbee Housing Organization with the intent of identifying these properties and helping restore the ones they can. If they can't be restored then demolishing it and getting the property ready for redevelopment.

Jim Richmond, Bisbee resident said he and his wife purchased a home in 2008. He stated that on many occasions he had spoken to Mr. Marsh and the Mayor regarding economic development in our city. He felt that the abandoned derelict properties represent a potential threat to our future economic development not just in old Bisbee, but in many of the neighborhoods.

Bobby Chavez, Bisbee resident spoke regarding a wall near his home and what needs to be done. He stated that he couldn't even get insurance because of the homes next to him.

Albert Hopper, Bisbee resident spoke that the idea of redevelopment was good, but we all needed to look at how this would take place. Money needed to be put into the budget for engineers to establish reports before demolition. Money was also needed to be put into the budget for demolition or condemnation. He felt it was time for the City to put money into this situation.

Mr. Hanson, City Attorney said that he had a lot of experience dealing with zoning violations and junked up properties both at the County and supporting Mr. Ward. He discussed in detail what had been done in other areas in Sierra Vista. He had come to discover that people who let their houses get into that state of disrepair are not necessarily responsive to a letter from the city inspector or the county inspector saying clean up your property or you will be fined. It was a very laborious effort to get them to respond. It was very time consuming and all you end of with was a bunch of fines and you still haven't gotten compliance. He said that we had to be realistic that it was going to take time and money even with the help of others. He encouraged the Council to support this.

Mayor Smith said that it was estimated that it would take 25 to 40 lawyer hours to go through this process on a single house. Mr. Hanson said that it could consume one attorney full time for a year or two and he couldn't justify that with the contract that we have.

Mayor Smith asked if they were to put out an RFP / RFQ for legal services specifically for this area was there any way for us to recoup those through that property that has been taken. Mr. Hanson said that legally certainly you can recoup attorney's fees whether practically you can that was another question.

Councilmember Dunn said that he would gladly request the \$40,000, but didn't really see the vision in terms of what it would result in. Mr. Hanson stated that we were not at that point. A lot more ground work would need to be done to come up with a specific plan to go to Council with a budget.

Councilmember Dunn said he would like to see more neighborhood involvement.

Councilmember Davis said he would certainly support this program. We certainly need to do something about it. We need to have the community involved in it; behind it and to understand what was going on and needs to be done.

Councilmember Higgins said that this problem was so overwhelming that it was hard to figure out how to get started. Maybe we should start with one tiny project to see how it would work. We know what the problem was we need to come up with a solution.

Mayor Smith said that was why they were discussing this to come up with a game plan with citizen involvement, backing and that we do start with one property.

Councilmember Hansen asked if other small towns were looked at to see if there were any programs that have already been established or how they are dealing with these types of properties, to maybe modify it to our needs.

Mr. Marsh spoke regarding what they could do now and the mechanism that would be used. The primary goal was to rehab the properties. He gave an estimation on what would be needed and the amount it may cost start to finish. He didn't have a problem with putting \$10,000 in the budget to start this project.

Councilmember Hansen asked how they were going to determine which houses would be first. Mayor Smith said it would be the low hanging fruit.

Mayor Smith said what the Council really needed was a plan; to say what the step by step process would be and what we needed to go through to include staff and the people that would be involved with this process.

Councilmember Higgins asked what specifically would the \$10,000 do for us, what we would get. Mr. Marsh spoke regarding the money and what it would be used for. Mr. Hansen explained the first steps for this process. The process would have to go by each house there was no cookie cutter program that fits all. We have to start somewhere \$10,000 could go a long way or a little depending on the house.

Mayor Smith said that there was a list of homes that should be looked at first and the first step with the allocation of money would be a title search.

Councilmember Higgins asked what the timeframe was for this. Mr. Marsh said that the whole process on one home could take up to 6 to 8 months.

Mayor Smith said that if the money was allocated in the budget he would ask the City Manager to have a clear cut plan by July 1st in place on how that \$10,000 would be spent.

Mr. Hanson said that two low cost ways that the City could approach this was by sending out notices of violations hoping to encourage people to sell these properties that they are doing nothing with and doing no good for them or anybody else. The second one was hopefully finance could help identify more houses where the sewer liens on the property are worth more than the property itself.

Councilmember Hansen said she was glad that the City was actually going to start doing something about this.

Fred Miller, Bisbee resident asked if the city attorney could explain condemnation verses foreclosures. Mr. Hanson said that condemnations are generally governed by the Fifth Amendment, which means you have to pay the fair market value of the property. He explained the process for foreclosures which was more in depth.

MOTION: Councilmember Hansen moved to adjourn the meeting.

SECOND: Councilmember Higgins

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 6:36pm

David M. Smith, Mayor