

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, 2023, AT 7:00 PM AT COUNCIL CHAMBERS LOCATED AT, 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

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

ROLL CALL

COUNCIL

Councilmember Juanetta Hill, Ward III
Councilmember Joni Giacomino, Ward II
Councilmember Frank Davis, Ward I
Mayor Ken Budge
Councilmember Leslie Johns, Ward I
Councilmember Mel Sowid, Ward II
Councilmember Anna Cline, Ward III, Mayor Pro Tempore

STAFF

Stephen J. Pauken, City Manager
Ashlee Coronado, City Clerk
Matthew Gurney, Public Works Director
Jim Richardson, Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of silence to reflect on this past year and what may be coming in the new year.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge wished everyone a Happy New Year.

CALL TO THE PUBLIC

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 approved accounts payable in the amount of \$177,291.17.

SECOND: Mayor Budge

Council asked questions about accounts payable, and staff responded to each question.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on December 20, 2022.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Special Session of Mayor and Council held on December 22, 2022.

Ashlee Coronado, City Clerk

- C. Approval of the Reappointment of Todd Conklin to the Appeals Board for the Property Maintenance Code.

Ashlee Coronado, City Clerk

- D. Acceptance of the Resignation of Brian Hope from the Appeals Board for the Property Maintenance Code.

Ashlee Coronado, City Clerk

- E. Approval of the Reappointment of Jennifer Druckman to the Bisbee Arts Commission.

Ashlee Coronado, City Clerk

- F. Acceptance of the Resignation of Nancy Parana from the Planning and Zoning Commission.

Ashlee Coronado, City Clerk

- G. Approval of a Park, Facility, and Right-of-Way Use Permit for Old Shit Rules for the Use of City Park for their Prowl Event to be held starting on Friday, March 17, 2023 at 11:59pm and ending on Sunday, March 19, 2023 at 11:59am; this includes set-up and break down.

Ashlee Coronado, City Clerk

- H. Approval of a Liquor License Application for Gene’s Place located at 24 Brewery Avenue, Bisbee Arizona; Alexander Mastrangelo Chavez, Applicant.

Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve the Consent Agenda items A – H.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

OLD BUSINESS

- 3. Discussion and Possible Approval of Ordinance O-22-21; Acknowledging a Right of Way in Zacatecas Canyon.

Joe Estes, City Attorney

Cado Daily, Bisbee resident asked why weren’t lots 41-43 included in the exception of exhibit “A” and asked that they be included.

Mr. Estes stated that we relied on the surveyor. The surveyor determined this section was the section that wasn’t existing as a dedicated right of way.

Ms. Daily thanked Mr. Estes for that explanation, but her question was why are lots 41-43 excluded (not included in that exception).

Council and Ms. Daily discussed and had additional questions and Mr. Estes responded.

Mr. Estes reiterated that there was a dedicated right of way up to this section and the reason they requested this was because there was no recorded document showing this as dedicated right of way.

MOTION: Councilmember Davis moved to approve Ordinance O-22-21, Designating certain City property located at Zacatecas Canyon and generally known as Brewery Gulch as a Public Throughfare and Righty of Way.

SECOND: Councilmember Sowid

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

NEW BUSINESS

- 4. Discussion and Possible Approval of Resolution R-23-01, Amending the Finance and Public Work Sections of the City Fee Schedule.

Joe Estes, City Attorney

Mr. Estes said we were requesting this update because of the recent changes that had been made to the short-term rental ordinance and code. There were also some changes that we had requested to be made to the public works trash service bill, which was essentially there were a number of single individuals; really small one-room commercial accounts that weren't generating any outside trash, but our minimum was higher than the residential minimum was. We are essentially establishing a minimum for those types of businesses.

MOTION: Councilmember Johns moved to approve Resolution R-23-01; Amending the Finance and Public Work Section of the City Fee Schedule.

SECOND: Councilmember Sowid

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

- 5. Discussion and Possible Approval of a Construction Contract with Rustic Adobe Masonry for adobe wall repairs at Camp Naco.

Matt Gurney, Public Works Director

Mr. Gurney stated this contract was to do an assortment of adobe repairs at Camp Naco.

Mr. Pauken said there are three different entities picking up the cost.

Council discussed and asked questions about this construction contract, and staff responded.

MOTION: Councilmember Davis moved to approve the Construction Contract with Rustic Adobe Masonry for adobe wall repairs at Camp Naco.

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

6. City Manager's Report:

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.):

ADJOURNMENT:

MOTION: Councilmember Davis moved to adjourn the meeting.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 7:44PM

Ken Budge, Mayor