

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 1, 2022 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 7:02PM.

ROLL CALL

COUNCIL

VACANT Councilmember 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
Keri Bagley, Finance Director
Matthew Gurney, Public Works Director
Doug Taylor, City Planner
Albert Echave, Police Chief
Jim Richardson, Acting Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of silence to reflect on Black History Month.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge announced that we were accepting applications for Ward III. They were due Monday by noon.

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 approve accounts payable in the amount of \$209,575.57.

SECOND: Councilmember Johns

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

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on January 18, 2022.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Special Session of Mayor and Council held on January 11, 2022.

Ashlee Coronado, City Clerk

- C. Approval of the Appointment of Michael Wilson to the Library Advisory Board.

Ashlee Coronado, City Clerk

- D. Approval of an Application for an Extension of Premises/Patio Permit submitted by Electric Brewing for an event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, February 6, 2022; Joseph Charles Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- E. Approval of an Application for an Extension of Premises/Patio Permit submitted by Electric Brewing for an event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, February 20, 2022; Joseph Charles Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- F. Approval of an Application for an Extension of Premises/Patio Permit submitted by Electric Brewing for an event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, March 13, 2022; Joseph Charles Fredrickson, Applicant.

Ashlee Coronado, City Clerk

- G. Approval of an Application for an Extension of Premises/Patio Permit submitted by Electric Brewing for an event to be held at 1326 W. Highway 92 #7, Bisbee, Arizona on Sunday, April 3, 2022; Joseph Charles Fredrickson, Applicant.

Ashlee Coronado, City Clerk

Councilmember Cline asked that on item 2A there be a correction of her saying we were hearing that the building was not of use, but she thought that it was and she went on to explain.

Mr. Pauken asked that item 2D be pulled from the agenda.

MOTION: Mayor Budge moved to approve Consent Agenda Items A through C and E through G with a correction to the January 18th minutes.

SECOND: Councilmember Davis

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

2D. Mr. Pauken said that there had been many applications for an extension of premises from Electric Brewing. He wondered if there was a procedure available to us to allow for these extensions without having to come back to Council every time.

Mr. Estes replied that he would check into it and get back to the Council

MOTION: Mayor Budge moved to approve Consent Agenda item 2D.

SECOND: Councilmember Cline

MOTION APPROVED: Unanimously

OLD BUSINESS

NEW BUSINESS

3. Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-22-02; Amending the Zoning Code Article 6, by Establishing a New Section 6.17 Entitled “Accessory Dwelling Units (ADU).

Doug Taylor, City Planner

Mr. Taylor said the intent of this Ordinance would support multi-generational households, encourage flexible housing options for seniors, provide supplemental income for homeowners and increase the supply of affordable housing. An ADU or Accessory Dwelling Unit is a small residential unit with a bath and kitchen and was subordinate to the primary residents on the same lot as the primary residence. These would be allowed in all residential categories. He went on to say that the freestanding unit would have a maximum of 600 square feet or an internal unit would have 40% of the primary residence. It would be subject to all zoning setback and building heights. He said there would be a 5-year review of this Ordinance to see if it has worked.

Mayor Budge opened the public hearing.

He asked if there were any comments in support of this item.

Alisia Espiriti spoke in favor of the ADU’s. She thought it would help solve some of the rental challenges that face the City of Bisbee.

Mayor Budge asked if there were any written communications in support.

Ms. Coronado responded there were none.

Mayor Budge asked if there was any discussion in opposition either in person or written.

Ms. Coronado responded there were none.

Mayor Budge closed the public hearing.

Mayor Budge opened up the discussion to Mayor and Council.

Councilmember Johns asked if this would open us up for more Airbnb’s.

Mr. Taylor responded that Airbnb’s were allowed by law in Arizona. The City was not able to limit the number or the fact that they exist. He said this could do that but he felt that we were pretty close to saturation on Airbnb’s in the City. Unfortunately, we do not have a way to control Airbnb’s.

Councilmember Giacomino asked if a prefabricated garage could be used as an ADU.

Mr. Taylor responded it would have to fit in within code.

Mr. Estes reminded Council that all setbacks would still apply and this would not fit within all properties in town.

Councilmember Giacomino asked if the units would have to pay two separate sewer bills if the sewer line ties into the main house line. She went on to discuss her home and mother in laws cottage she has. She asked various questions relating to allowing family to live in the unit and not charging them rent.

Mayor, Council and staff discussed different scenarios that could come up in this situation.

Mr. Pauken said that there was a whole lot of grey here. We should take that section of the code and give it some further review. This may have created a bit of confusion.

Mayor Budge said that there was a need to clear some things up before Council considered this item.

MOTION: Mayor Budge moved to table this item until the next meeting or the following one.

SECOND: Councilmember Davis

MOTION APPROVED: Unanimously

4. Discussion and Possible Approval of Resolution R-22-02; Supporting Affordable Housing.

Doug Taylor, City Planner

Mr. Taylor explained approval of this Resolution would show our commitment to affordable housing. This represents our intentions with affordable housing.

Councilmember David said this was a great statement at this time. It was a crisis everywhere in this country and he was glad we were taking a stance.

Mr. Pauken wanted the people of Bisbee to know that we were also trying to make homes available for workforce level occupations to buy. This just reinforces that. He heard from people every day that were in the lodging or hospitality industry that need homes. We have a lot of people that work here and are not able to live here.

Mayor Budge discussed many housing projects in the works to come up with housing across many fronts.

Alisia Espiriti, Bisbee resident recommended that we look at what the City of Phoenix had done. There was a great model there to follow.

Councilmember Johns said she was so proud of Bisbee for doing this.

Councilmember Sowid asked how we go about translating this and what was next.

Mr. Taylor said we currently had the workforce housing initiative along with branching that out into housing in need.

MOTION: Councilmember Davis moved to approve Resolution R-22-02, Supporting Affordable Housing.

SECOND: Councilmember Johns

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

5. City Manager's Report:

- Update on City cell phone costs
 - Mr. Pauken explained there had been a review of various cellphone records. There was a lot of adjustments resulting in a savings of \$1,000 per month.
- Report on cost of roll-out containers
 - Mr. Pauken asked Matt Gurney to explain this item. Mr. Gurney said when we purchased the cans from the City of Sierra Vista there was a total savings of \$50,000 by buying these cans instead of going through a vendor.
- Securing roll-out containers
 - Mr. Pauken said as the old dumpsters were being replaced by the new rollouts there were a lot of questions. It was a difficult switch. We were trying to help everyone to adapt to this change. He said the City was asking the public not to leave the rollouts on the curb the entire week. They were meant to be taken out and brought back in. He addressed those residents that were not able to bring their rollouts to the curb. We could help those in need. He said cans could be painted as long as the numbers were still showing. The aim was to work with everyone.
- Hiring of Animal Control Officer
 - Mr. Pauken said that an Animal Control Officer was currently in the background process. We are hopeful to have the person on board by the end of February.
- Other Current events (No Discussion)
 - Mr. Pauken said that two weeks ago Council gave direction to inspect a certain property on Yuma trail based on a petition. We made a call to request entry onto the property and were turned down. We will contact him again tomorrow for a program that we could observe the cleanup, but if he was not cooperative we would take another route.
 - Mr. Pauken reminded the Council of the upcoming Planning Session.
 - Mr. Pauken gave an update on the 2nd workforce housing home. He was happy to announce that it was a City employee who would be purchasing that home.
 - Mr. Pauken said the Hillcrest bid closed today. There was one bid received that met the minimum bid of \$600,000. He hoped to put something on the agenda soon to accept that bid.

Councilmember Giacomino asked questions relating to the rollouts containers. She had many questions and concerns.

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 Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:57 PM

Anna Cline, Mayor Pro Tempore