

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 15, 2022, AT 7:00 PM VIA ZOOM.

THE MEETING WAS CALLED TO ORDER BY MAYOR PRO TEMPORE ANNA CLINE AT 7:03 PM.

ROLL CALL

COUNCIL

Councilmember VACANT, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Frank Davis, Ward I

Mayor Ken Budge Excused

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

Logan Dodd, Operations Manager

Doug Taylor, City Planner

Albert Echave, Police Chief

Jim Richardson, Acting Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Pro Tempore Cline asked for a moment of silence to remember and send positive thoughts to the family of Brian Chacon who was killed while riding his bike to school in Douglas. She also asked that we keep our first responders in our thoughts as well.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

CALL TO THE PUBLIC

There was no one signed up to speak at 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 \$240,480.87.

SECOND: Councilmember Davis

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

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on February 1, 2022.

Ashlee Coronado, City Clerk

- B. Approval of the Resignation of Linda Santellanes from the Design Review Board.

Ashlee Coronado, City Clerk

- C. Approval of the Resignation of Emily “Lynda” Reynolds from the Transit Advisory Committee.

Ashlee Coronado, City Clerk

- D. Approval of the Appointment of Ed Briggs to the Design Review Board.

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, March 27, 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, April 10, 2022; Joseph Charles Fredrickson, Applicant.

Ashlee Coronado, City Clerk

MOTION: Councilmember Davis moved to approve Consent Agenda Items A through F.

SECOND: Councilmember Johns

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

OLD BUSINESS

- 3. 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 explained he had gone over the ordinance and there had been some changes since the last time it was before Council. He discussed the specific changes with Council.

Councilmember Davis said Mr. Taylor had done a good job cleaning this ordinance up. He thanked him for his hard work.

MOTION: Councilmember Davis moved to approve 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).

SECOND: Councilmember Sowid

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

NEW BUSINESS

- 4. Discussion and Possible Approval for proposed revision of the traffic control plan by Cochise County, between the Ironman and the Bisbee Courthouse.

Matthew Gurney, Public Works Director

Mr. Gurney explained that Cochise County had come to us to propose a new traffic control plan for the area between the Iron Man and the Bisbee Superior Court. He explained there was a lot of congestion in that area and these changes would help alleviate the traffic congestion. Mr. Gurney explained the new flow of traffic and the areas that would no longer allow parking.

Jackie Watkins, Cochise County Engineer explained that this plan would improve the flow of traffic but it would also prevent some parking. She informed the Council that there would be excess parking at the lower parking lot at St. Patrick’s Church. She explained this was a safety issue and a lot of liability for the County with the way people were currently parking.

Councilmember Giacomino asked how this will be enforced.

Ms. Watkins said they would be installing no parking signs along with painting no parking on the asphalt. They would also indicate that violators would be towed and the Police Department would enforce that area.

Councilmember Sowid asked how this would affect parking overall in the area. There are already a lot of issues with parking. Would this hurt the businesses in the area.

Mr. Gurney said there was parking across the street and more was added when they changed the intersection coming down from Clawson.

Ms. Watkins also said the County leased the parking lot from the church and that could be used for overflow parking.

MOTION: Councilmember Johns moved to approve the proposed revision of the traffic control plan by Cochise County, between the Ironman and the Bisbee Courthouse.

SECOND: Councilmember Davis

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 5. Public Auction of Designated Surplus Property Located adjacent to 348 Williams Avenue, a vacant parcel described as a portion of APN 103-60-266B.

Doug Taylor, City Planner

This item was pulled from the agenda.

- 6. Public Auction of Designated Surplus Property Located adjacent to and west of 140D & 144 Locklin Avenue.

Doug Taylor, City Planner

This item was pulled from the agenda.

- 7. Public Auction of Designated Surplus Property Located, a vacant parcel described as the north half APN 103-60-249, Lots 19 and 20, located primarily south of across the right-of-way from 125 Star Avenue.

Doug Taylor, City Planner

This item was pulled from the agenda.

- 8. Presentation by the Greater Cochise County Digital Jobs Accelerator Partnership.
Stephen Pauken, City Manager

This item was pulled from the agenda.

- 9. Discussion and Possible Approval to enter into a contract with Old Bisbee Enterprises to manufacture and install a fourth rail on the Copper Queen Library’s second and third floor balconies for \$11,400.

Jason Macoviak, Library Manager

Mr. Macoviak explained the library received a grant from Freeport McMoRan to do this necessary work on the libraries balconies. This would make them safer for public use. This was also a recommendation in the building structural report that was done by Corkey Poster. He explained this was also taken to the Design Review Board and they approved the plan. He Informed Council that this was the only bid received.

MOTION: Councilmember Davis moved to enter into a contract with Old Bisbee Enterprises to manufacture and install a fourth rail on the Copper Queen Library’s second and third floor balconies for \$11,400.

SECOND: Councilmember Sowid

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 10. Discussion and Possible Approval of Resolution R-22-03; Amending the Finance Section of the Fee Schedule by Adding Mobile Food Vendor Fees to the City Fee Schedule.

Doug Taylor, City Planner

Mr. Taylor read the Resolution into the record and discussed the fees that would be implemented by the Resolution.

Council and staff discussed the proposed fees.

MOTION: Councilmember Sowid moved to approve Resolution R-22-03; Amending the Finance Section of the Fee Schedule by Adding Mobile Food Vendor Fees to the City Fee Schedule.

SECOND: Councilmember Davis

ROLL CALL VOTE

AYES: Councilmember Davis, Johns, Sowid and Cline.

NAYS: Councilmember Giacomino

MOTION PASSED: AYES- 4 NAYS-1

- 11. Discussion and Possible Approval of Resolution R-22-01; Supporting the Bisbee Bus Transit Program and the Application for funds to operate the Bisbee Transit/Bus System.

Matthew Gurney, Public Works Director

Mr. Gurney explained as we do every year the City must apply for funds from the Arizona Department of Transportation for its share of federal funds used to operate the Bisbee Bus. This program provides transportation throughout Bisbee and Naco six days a week. In order to apply for these funds, the City Council must provide documentation of its support for this program every year along with authorizing the Mayor to sign the application and grant documents.

MOTION: Councilmember Davis moved to approve Resolution R-22-01; Supporting the Bisbee Bus Transit Program and the Application for funds to operate the Bisbee Transit/Bus System.

SECOND: Councilmember Johns

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 5 NAYS-0

- 12. Discussion and Possible Approval of a Motion to go into Executive Session Pursuant to A.R.S. § 38-431.03. (A) (4) for Discussion or consultation with the Attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation on the Bovee matter.

Joe Estes, City Attorney

MOTION: Mayor Budge moved to enter into Executive Session

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

MOTION: Councilmember Davis moved to come out of Executive Session

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 13. City Manager's Report:

- Other Current events (No Discussion)
 - Mr. Pauken explained that Item #8 will be postponed to the March 1st meeting.
 - Mr. Pauken gave an update on the Hillcrest buyer negotiations. They would be meeting with them next week to continue the discussions.

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.):

- Councilmember Johns would like to comment on the upcoming Bisbee Festival of the Arts put on by the Bisbee Arts Commission- this will be held until the next meeting.

ADJOURNMENT:

MOTION: Councilmember Davis moved to adjourn the meeting.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:43 PM

Ken Budge, Mayor