

## 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, MAY 17, 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 7:01PM.

### 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                      Excused

#### STAFF

Stephen J. Pauken, City Manager

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Joelle Landers, Personnel 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 Budge asked for a moment of silence for the mass shooting that occurred in Buffalo and to think about the victims and their families.

### PLEDGE OF ALLEGIANCE

### MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

### 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: Mayor Budge moved to approve accounts payable in the amount of \$488,308.97.

SECOND: Councilmember Davis

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

ROLL CALL VOTE

AYES: Councilmember Hill, 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 April 19, 2022.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Regular Session of Mayor and Council held on May 3, 2022.

Ashlee Coronado, City Clerk

- C. Approval of the Minutes of the Special Session of Mayor and Council held on May 3, 2022.

Ashlee Coronado, City Clerk

- D. Approval of the Minutes of the Work Session of Mayor and Council held on April 25, 2022.

Ashlee Coronado, City Clerk

- E. Approval of the Minutes of the Work Session of Mayor and Council held on April 26, 2022.

Ashlee Coronado, City Clerk

- F. Approval of a Special Event Liquor License Application submitted by Dennis Gallus: Copper Queen Community Hospital for an Event to be held at 99 Arizona Street #73 Bisbee, Arizona on Saturday, June 11, 2022, from 2:00pm to 8:00pm; Dennis Gallus, Applicant.

Ashlee Coronado, City Clerk

- G. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Vogue, Inc. for the use of Higgins Hill Park and Pool Restrooms for the Bisbee 1000 Stair Climb event from Thursday, October 13, 2022, through Saturday, October 15, 2022, from 6:00am to 2:00pm each day.

Ashlee Coronado, City Clerk

- H. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Vogue, Inc. for the use of 20 parking spaces at various places along the Bisbee 1000 Route and for the use of Staircases for the event on Friday, October 14, 2022, through Saturday, October 15, 2022, from 5:00am to 2:00pm each day.

Ashlee Coronado, City Clerk

- I. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Vogue, Inc. for the use of Grassy Park and City Park for the Bisbee 1000 Stair Climb Event Music in Parks on Saturday, October 15, 2022, from 6:00am to 10:00am.

Ashlee Coronado, City Clerk

- J. Approval of a Park, Facility and Right-of-Way Use permit for Bisbee Pride Inc. for the use of Main Street from the Iron Man Statute to Goar Park for the Pride Parade to be held on Saturday, June 18, 2022, from 9:00am to 11:00am.  
Ashlee Coronado, City Clerk
  
- K. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Pride Inc. for the use of City Park and Parking for Daytime: Family / Kids Activities – Nighttime: Saturday evening show and dance to be held on Saturday, June 18, 2022, from 6:00pm to 12:00am (midnight).  
Ashlee Coronado, City Clerk
  
- L. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Pride Inc. for the use of Goar Park for the Day Stage-Amplified Music to be held on Saturday, June 18, 2022, from 8:00am to 7:00pm.  
Ashlee Coronado, City Clerk
  
- M. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Pride Inc. for the use of Subway Street for a Vendor Fair to be held on Saturday, June 18, 2022, and Sunday, June 19, 2022, from 8:00am to 7:00pm each day.  
Ashlee Coronado, City Clerk
  
- N. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Pride Inc. for the use of Naco Road (between Ok Street / Review Alley) for a Vendor Fair to be held on Saturday, June 18, 2022, and Sunday, June 19, 2022, from 8:00am to 7:00pm each day.  
Ashlee Coronado, City Clerk
  
- O. Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Pride Inc. for the use of Grassy Park for a Vendor Fair and Beer Garden to be held on Saturday, June 18, 2022, and Sunday, June 19, 2022, from 8:00am to 7:00pm each day.  
Ashlee Coronado, City Clerk
  
- P. Approval of a Special Event Liquor License Application submitted by Bisbee Pride, Inc. for an event to be held at Grassy Park, 5 Copper Queen Plaza on Friday, June 17, 2022, and Saturday, June 18, 2022, from 11:00AM to 6:00PM each day; Ramon Garcia, Applicant.  
Ashlee Coronado, City Clerk
  
- Q. Approval of a Special Event Liquor License Application submitted by Bisbee Pride, Inc. for an event to be held at City Park, 62 Brewery Avenue on Saturday, June 18, 2022, from 6:00PM to 12:00AM: Ramon Garcia, Applicant.  
Ashlee Coronado, City Clerk

MOTION: Councilmember Johns moved to approve Consent Agenda Items A through Q.

SECOND: Councilmember Giacomino

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

**OLD BUSINESS**

- 3. Discussion and Possible Approval of Ordinance O-22-09, Accepting the Transfer of Real Property from Southeast Arizona Renovations LLC, Located at 601 W Melody Lane, Bisbee.  
Stephen Pauken, City Manager

Mr. Pauken stated that this was the second reading of this ordinance.

MOTION: Councilmember Davis moved to approve Ordinance O-22-09, Accepting the transfer of real property from Southeast Arizona Renovations LLC, located at 601 Melody Land, Lots 1 through 56, Sierra Cobre Estates.

SECOND: Councilmember Johns

**ROLL CALL VOTE**

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

**NEW BUSINESS**

- 4. Discussion and Possible Approval of a Park, Facility, and Right-of-Way use permit for Bisbee Pride Inc. for the use of Howell Avenue (Review Alley – YWCA) for the Street Dance and Extended Festival Area for Vendors and Events to be held on Friday, June 17, 2022, from 6:00pm to 12:00am (midnight).  
Ashlee Coronado, City Clerk

Mayor Budge said items 4 and 5 were for the same street on the same night.

Mr. Pauken said that item 4 was a one-night event June 17, 2022, and item 5 were multiple nights June 17, 2022, through June 18, 2022.

Council commented and discussed both permits.

MOTION: Mayor Budge moved to approve the Park, Facility and Right-of-Way Use Permit for Bisbee Pride Inc. for the use of Howell Avenue (Review Alley-YWCA) for the Street Dance and Extended Festival Area of Vendors to be held on Friday, June 17, 2022, from 6:00pm to 12:00am (midnight).

SECOND: Councilmember Giacomino

**ROLL CALL VOTE**

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

- 5. Discussion and Possible Approval of a Park, Facility and Right-of-Way Use Permit for the Copper Queen Hotel for the use of Howell Avenue for the Gay Pride Street Dance to be held from Friday, June 17, 2022, through Sunday, June 19, 2022, from 6:00pm to 1:00am each day.  
Ashlee Coronado, City Clerk

Chris Rhinehart, applicant spoke regarding his permit and gave background on why the Hotel asked for the permit.

Mayor and Council commented and had questions of the applicant Chris Rhinehart. Mr. Rhinehart answered their questions and made comments regarding his application.

Mayor Budge stated that we would need an extension of premises permit. He also requested that a new Right-of-Way permit be submitted for Saturday and Sunday and respectfully requested that the events go to midnight.

MOTION: Mayor Budge moved to table this and asked the applicant to bring it back modified at the next council meeting and it include the extension of premises permit.

SECOND: Councilmember Davis MOTION PASSED: UNANIMOUSLY

- 6. Discussion and Possible Approval of Designating 75C Ok Street as City of Bisbee Surplus Property and Establishing a Minimum Bid Price.

Doug Taylor, City Planner

Mr. Taylor explained we have a property at 75C Ok Street that was purchased by the city in 2021 for \$149,000 due to a Notice of Claim. The property was valued for the dwelling itself at \$160,000 if the wall were intact. The wall has fallen on the back of the house. We would like to put this up for auction starting the minimum bid at \$40,000.

Mr. Estes, City Attorney gave background information regarding 75C Ok Street.

Council discussed and asked questions. Mr. Estes, City Attorney and staff responded to each question.

MOTION: Councilmember Davis moved to approve designating 75C Ok Street as City of Bisbee Surplus Property and Establish \$40,0000 as the Minimum Bid Price.

SECOND: Councilmember Giacomino

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 6 NAYS-0

- 7. Discussion and Possible Approval of the Request for Proposal to install a catch basin on Tombstone Canyon Road, near the entrance to Busy B Parking Lot.

Matthew Gurney, Public Works Director

Mr. Gurney said the catch basin is going to be on the opposite side of the road of the Bisbee Grand. On the north side of the road there was already an existing catch basin. This will help the flow of water from going further down Main Street.

Council asked questions and staff responded to each question.

MOTION: Councilmember Johns moved to go out for Request for Proposal to install a catch basin on Tombstone Canyon Rd. near the entrance of the Busy B parking lot.

SECOND: Councilmember Davis MOTION PASSED: UNANIMOUSLY

- 8. Discussion and Possible Approval of Resolution R-22-10; Designating Keri Bagley as the Chief Fiscal Officer (CFO) for Fiscal Year 2023 for the purpose of submitting the City's Annual Expenditure Limitation Report to the Arizona Auditor General's Office.

Keri Bagley, Finance Director

Ms. Bagley stated this was required each year to annually provide to the Auditor General the name of the Chief Fiscal Officer of the governing body to officially submit the current year's Annual Expenditure Limitation Report on behalf of the governing body.

MOTION: Mayor Budge moved to approve Resolution R-22-10 Designating Keri Bagley as the CFO of the City of Bisbee for Fiscal Year 2023.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 9. Discussion and Possible Action regarding a temporary stay in the acceptance of applications for the purchase of City property pending a review and potential update of the City Code.

Joe Estes, City Attorney

Mr. Estes said we have had discussions with regard to the process of the sale of excess city property. Questions and concerns have been raised so we need to take a comprehensive look at the code section. We can propose some suggestions and bring them to Council. While we do this, we want to avoid having a rush or having people come in to purchase while we are in the process of trying to clean that up. This will not include the properties that are already in the queue that have already been requested.

Council discussed and asked questions regarding the temporary stay of acceptance of applications for the purchase of City property. Mr. Estes answered them throughout the discussion.

MOTION: Councilmember Davis moved to approve a temporary stay in the acceptance of applications for the purchase of City property pending a review and potential update of the City Code.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

10. City Manager's Report:

- Other Current events (No Discussion)
- Mr. Pauken spoke regarding the Bond Sale for the PSPRS unfunded liability and thanked Council for their support.
- Mr. Pauken explained we had the pre-bid meeting for City Hall.

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 Davis moved to adjourn the meeting.

SECOND: Mayor Budge

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:09 PM

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Ken Budge, Mayor