

## 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, SEPTEMBER 5, 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 7:04PM.

### ROLL CALL

#### COUNCIL

Councilmember Juanetta Hill, Ward III	Excused
Councilmember Joni Giacomino, Ward II	Excused
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  
Joelle Landers, Personnel Director  
Matthew Gurney, Public Works Director  
Tim Cox, Police Chief  
Jim Richardson, Fire Chief

#### CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of reflection.

### PLEDGE OF ALLEGIANCE

### MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge announced we would be updating our Facebook page over the next two weeks and that it would be up and running by the next Council meeting.
- Mayor Budge spoke regarding attending the League of Cities and Towns Arizona conference.
- Mayor Budge said without objection he would be moving item 15 up to item 10.

### 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 \$367,713.14.

SECOND: Councilmember Johns

Council asked questions about accounts payable, and staff responded.

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

A. Approval of the minutes of the Regular Session of Mayor and Council held on Tuesday, August 15, 2023.

Ashlee Coronado, City Clerk

B. Approval of the minutes of the Work Session of Mayor and Council held on Tuesday, August 15, 2023.

Ashlee Coronado, City Clerk

C. Approval of the Appointment of Patricia Damon to the Parks and Recreation Committee.

Ashlee Coronado, City Clerk

D. Approval of the Appointment of Annie Larkin to the Evergreen Cemetery Committee.

Ashlee Coronado, City Clerk

MOTION: Councilmember Johns moved to approve the Consent Agenda items 2A-2D.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

**OLD BUSINESS**

3. Discussion and Possible Approval of Ordinance O-23-13; Amending the Code of the City of Bisbee, Article 9.4 – Removal of Litter, Section 9.4.1 – Definition, by Repealing and Replacing Subsection (D) the definition for “Dilapidated Building” and adding a New Subsection (E) the definition for “Vacant and Unsecured Structure”.

Joe Ward, Building Inspector / Code Enforcement

Mayor Budge stated this was the second reading of this ordinance.

MOTION: Councilmember Sowid moved to approve the Ordinance O-23-13; Amending the Code of the City of Bisbee, Article 9.4 – Removal of Litter, Section 9.4.1 – Definition, by Repealing and Replacing Subsection (D) the definition for “Dilapidated Building” and adding a New Subsection (E) the definition for “Vacant and Unsecured Structure”.

SECOND: Councilmember Johns

**ROLL CALL VOTE**

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

NAYS: 0

MOTION PASSED: AYES-5 NAYS-0

**NEW BUSINESS**

4. Discussion and Possible Approval of a Technology Software-As-A Service (SaaS) Agreement with Gridics, LLC.

Ashlee Coronado, City Clerk

Ms. Coronado stated Gridics would update our current zoning maps which are outdated and difficult to find property zoning. Our maps would be updated and online. If we choose not to renew for another year the upgraded maps would belong to the city.

MOTION: Councilmember Davis moved to approve the Technology Software-As-A Service (SaaS) Agreement with Gridics, LLC.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 5. Discussion and Possible Approval of the Acceptance of the AZ Coronavirus Emergency Supplemental Funding Program Grant awarded to Bisbee Police Department in the amount of \$12,000 for the funding of 12 desktop computers.

Tim Cox, Chief of Police

Chief Cox said this grant was applied for through the Arizona Criminal Justice Commission specifically related to upgrade their desktop computers in the police station that are currently in use. This will allow them to get more updated systems with faster capabilities.

Councilmember Cline appreciated Chief Cox for applying for all these grants.

MOTION: Councilmember Cline moved to approve the acceptance of the AZ. Coronavirus Emergency Supplement Funding Program Grant awarded to Bisbee Police Department in the amount of \$12,000 for the funding of 12 desktop computers.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 6. Discussion and Possible Approval of the Acceptance of the Arizona Department of Emergency & Military Affairs conditional grant in the amount of \$1,374,949.00 and authorizing the City Manager to execute all necessary grant agreement documents upon approval as to form by the City Attorney.

Tim Cox, Chief of Police

Chief Cox said this grant funding source through DEMA was put into state law that establishes a fund specifically for border enforcement and border crime prosecution. This grant does not deal with enforcing the border or immigration. He explained in detail the various line items in the budget associated with the grant.

Councilmember Sowid asked questions regarding the grant, and staff responded.

Councilmember Cline congratulated Chief Cox on obtaining this grant.

MOTION: Councilmember Cline moved to approve the acceptance of the Arizona Department of Emergency & Military Affairs conditional grant in the amount of \$1,374,949.00 and authorizing the City Manager to execute all necessary grant agreement documents upon approval as to form by the City Attorney.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 7. Discussion and Possible Approval of the purchase of 6 vehicles using grant funding from the Arizona Department of Emergency & Military Affairs conditional grant subject to the receipt of the grant funding in the amount of \$627,000.00.

Tim Cox, Chief of Police

Chief Cox said he was coming before Council because police vehicle ordering was supposed to open up in the middle of September. He stated he was requesting approval so that he could go ahead and start working on vehicle allocation contingent upon this grant money being received.

MOTION: Mayor Budge moved to approve the purchase of 6 vehicles using grant funding from the AZ. Dept. of Emergency & Military Affairs conditional grant subject to the receipt of the grant funding in the amount of \$627,000.

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

- 8. Discussion and Possible Approval to award a Documentation Consulting Services contract for Camp Naco.

Mike Normand, Camp Naco Construction Project Manager

Mr. Normand said the Mellon grant funded the documentation at Camp Naco, part of the documentation project was to film and video the progress of the renovation as it moves along and the other part was to collect stories from people that lived there, that had relatives or ancestors that were either Buffalo Soldiers or lived at Camp Naco at some point.

He stated they received two proposals to provide this service and the project team reviewed the proposals and recommended that the contract be awarded to Gerald Lamb.

Bijoyini Chatterjee, Onirica Productions, local filmmaker in Bisbee voiced her dissatisfaction with the selection process.

Council also voiced their concerns on the selection process and requested the rating sheets for the RFP.

MOTION: Mayor Budge moved to table the award of the Consulting Services at this time.

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

- 9. Discussion and Possible Approval to award an Archaeological Consulting Services contract for Camp Naco.

Mike Normand, Camp Naco Construction Project Manager

Mr. Normand said this was similar to the documentation services, archeology was funded through the Mellon grant. He explained the need for an archaeologist to do a site survey and to develop procedures for when they encounter artifacts.

He stated they received three proposals to provide this service and the project team reviewed the proposals and recommended that the contract be awarded to Desert Archaeology, Inc.

Mr. Pauken gave some background information regarding Desert Archaeology, Inc, and he confidence in their ability to do the job.

MOTION: Councilmember Davis moved to approve award of the Camp Naco Archaeological Consulting Services contract to Desert Archaeology, Inc.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 15. Discussion and Possible Approval of The Bisbee Area Mobility Master Plan.

Ken Budge, Mayor

Mayor Budge gave some background information on the Mobility Master Plan and said with this adoption they can go after other grant funding for this project.

Meggen Connolley, Bisbee Bikeways gave an update on the project and where they are on the project.

MOTION: Councilmember Davis moved to approve the Bisbee Area Mobility Master Plan.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 10. Discussion and Possible Approval to have RH Borden complete and Acoustic Assessment of Sewer Line Pipes utilizing SL-RAT.

Matthew Gurney, Public Works Director

Colton Stewart, RH Borden gave some background information regarding this technology. He gave a presentation on this technology to include the following:

- Time-Based Protocol for Maintaining Sewer Lines
- Issues with Time-Based Cleaning Protocol
- New Technology-Acoustic Inspection
- How it Works
- SL-RAT Assessment Scale – National Trends
- Condition-Based Approach with SL-RAT
- Acoustic Assessment Benefits

Council and City Manager asked questions regarding the SL-RAT technology, Mr. Stewart and staff responded.

MOTION: Councilmember Davis moved to approve to have RH Borden complete an Acoustic assessment of sewer line pipes utilizing SL-RAT.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

- 11. Discussion and Possible Approval to have KE&G pave Adams Avenue as well and mill and pave Garden Avenue.

Matthew Gurney, Public Works Director

Mr. Gurney stated these two roads were in need of being paved, they tried to pave Garden Avenue last year but there were concerns regarding drainage. In order to pave this road, it would need a mill and fill with asphalt which was something that the city workers didn't have the ability to do. KE&G has the machinery to do this job. He also stated that Adams Avenue was a very rough and long road that has needed asphalt for quite some time. KE&G was very skilled and can manage both of these projects.

Council commented and asked questions regarding the paving, and staff responded.

MOTION: Mayor Budge moved to approve to have KE&G pave Adams Ave as well as mill and pave Garden Ave.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 12. Discussion and Possible Approval to have Westland Resources update the Preliminary Engineering Report for the Old Bisbee Sewer Lateral Rehabilitation Project.

Matthew Gurney, Public Works Director

Mr. Gurney said they were asking to have Westland update the Preliminary Engineering Report. They have received a USDA grant for \$27,000, which does not cover the full amount. The difference in cost will be covered by the grant funds budgeted for this year.

Mr. Pauken clarified this was for the preliminary engineering report. This was a minor part of the sewer lateral project. We were simultaneously working with USDA to attempt to obtain a multi-million-dollar grant to actually do the construction. Having the Preliminary Engineering Report does not make the next level automatic.

MOTION: Councilmember Cline moved to approve to have Westland Resources update the Preliminary Engineering Report for the Old Bisbee Sewer Lateral Rehabilitation Project.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 13. Discussion and Possible Approval to purchase nine speed cushions for speed mitigation on West Boulevard Rd.

Matthew Gurney, Public Works Director

Mr. Gurney said this was in reference to the petition that was submitted to Mayor and Council regarding West Boulevard. This was to mitigate speeding on West Boulevard. He described what the speed cushions were. He stated these would only be in city limits.

Mr. Pauken spoke regarding a meeting that he, Mr. Gurney, Mr. Dodd, and the County Chief Engineer had with the folks on West Boulevard. In which they came up with this as an experimental method of seeing if the problem was solvable using speed bumps of some type. The main feature about this was if it was determined not to be effective in this particular application they were removable, portable, and can be used on other roads. He recommended that we move forward with this.

MOTION: Councilmember Davis moved to approve the purchase of nine speed cushions for West Boulevard Rd.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 14. Discussion and Possible Approval to pursue legal action against the Coin Vendor for the Police Department Challenge Coins.

Joe Estes, City Attorney

Mr. Estes stated we had been having some issues with the coin vendor the police department had ordered from. We normally do business with this vendor. The vendor has claimed there has been delay issues with their supply company. We have asked that either they provide us with the coins or give a refund because this has been going on for ten to eleven months. This was unacceptable even with shipping delays.

As Council controls legal actions for the city, he needed to request permission to be able to pursue. His goal would be to try and have another conversation with the owner of the small business to see if we can get this resolved, otherwise his suggestions was that we take this to small claims court and seek to get a judgement to reimburse the city for the cost of the coins paid for.

MOTION: Councilmember Cline moved to pursue legal action against the coin vendor for the Police Department Challenge Coins.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 16. Discussion and Possible Approval of the Contract Agreement between the City of Bisbee and Step-up Bisbee/Naco for the Owner- Occupied Housing Rehabilitation CDBG

Melissa Hartman, City Planner

Ms. Hartman stated that this was to award the contract to Step-Up Bisbee/Naco, a non-profit locally that was going to perform the renovation work. The response from the homeowners has been amazing.

MOTION: Councilmember Johns moved to approve the contract with Step Up Bisbee/Naco for the Owner-Occupied Housing Rehabilitation CDBG #134-23.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 17. City Manager's Report:

- Mr. Pauken spoke regarding the scheduling of Recruitment for a City Manager.
- Mr. Pauken gave an update on the City Hall Bids.
- Mr. Pauken spoke regarding the Solar Power Grant.
- Mr. Gurney, Public Works Director gave an update on the pool.

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: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 9:25PM

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Ken Budge, Mayor