

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, OCTOBER 4, 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 7:00PM.

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
Keri Bagley, Finance Director
Matthew Gurney, Public Works Director
Tim Cox, Police Chief
Jim Richardson, Fire Chief
Melissa Hartman, City Planner

CITY ATTORNEY

Joseph Estes

INVOCATION: A Moment of Silence

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: Councilmember Cline moved to approve accounts payable in the amount of \$279,878.19.

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

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

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

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Work Session of Mayor and Council held on September 20, 2022.

Ashlee Coronado, City Clerk

- C. Approval of the Resignation of John Crow from the Appeals Board for the Property Maintenance Code.

Ashlee Coronado, City Clerk

- D. Approval of the Parks, Facility and Right of Way Use Permit for the use of Main Street from Subway Street to the Convention Center for the 32nd Annual Festival of Lights on Friday, November 25, 2022, from 8:00am to 10:00pm.

Ashlee Coronado, City Clerk

- E. Approval of the Parks, Facility and Right of Way Use Permit for Bisbee’s Christmas on the Vista, to be held on the lower end of Vista Park, on Saturday, December 10, 2022, from 3:00pm to 8:00pm, with a request of waiver of fees.

Ashlee Coronado, City Clerk

Councilmember Johns asked that Item 2E be pulled from the Consent Agenda for discussion.

MOTION: Councilmember Cline moved to approve the Consent Agenda A through D.

SECOND: Mayor Budge

MOTION PASSED: UNANIMOUSLY

ITEM 2E:

Councilmember Johns stated she was not certain if the waiving of fees would truly be supporting non-profit organizations when most participants in the proposed event looked to be private parties.

Mayor Budge expressed his approval of the event and the benefits to city residents by waiving the fees.

Councilmember Giacomino clarified, there would be local benefactors with the profits received from the event.

MOTION: Councilmember Davis moved to approve Consent Agenda Item 2E.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

OLD BUSINESS

- 3. Approval of a Park, Facility and Right of Way Use Permit for the use of Howell Avenue in front of the Copper Queen Hotel for a Halloween Street Party on Saturday, October 29, 2022, from 6PM to 1AM.

Ashlee Coronado, City Clerk

Mayor Budge explained this item had been previously held for further discussion and asked council if they had any questions or concerns.

Councilmember Johns stated when previously brought to council the applicant did not have a liquor license for their event but, have since obtained it. She had no issues with their request.

MOTION: Councilmember Johns moved to approve the Park, Facility and Right-of-Way Use Permit for the Use of Howell Avenue in front of the Copper Queen Hotel for a Halloween Street Party, Saturday, October 29, 2022 from 6:00pm to 1:00am.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 4. Approval of an Application for an Extension of Premises/Patio Permit submitted by Copper Queen Hotel for an event to be held on Howell Avenue, Bisbee, Arizona on Saturday, October 29, 2022, Chris Rinehart, Applicant.

Ashlee Coronado, City Clerk

Councilmember Hill asked for clarification of maps and requested area for event.

Mr. Pauken clarified the map and the event area.

MOTION: Councilmember Davis moved to approve the application for an Extension of Premises/Patio Permit Submitted by the Copper Queen Hotel for an Event to be held on Howell Avenue, Bisbee, Arizona on Saturday, October 29, 2022.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 5. Discussion and Possible Approval of Ordinance O-22-13, Authorizing a utility easement to Arizona Public Service Company located near 118 Walsh Avenue.

Matthew Gurney, Public Works Director

Mayor Budge gave a summary of proposed Ordinance.

No questions, comments, or concerns were expressed.

MOTION: Mayor Budge moved to approve Ordinance I-22-13; Authorizing a utility easement to Arizona Public Services Company located near 118 Walsh Avenue.

SECOND: Councilmember Davis

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 7 NAYS-0

- 6. Discussion and Possible Approval of Ordinance O-22-14; an ordinance of the Mayor and Council of the City of Bisbee, County of Cochise, State of Arizona, authorizing the sale and transfer of certain property located at 105 E Street, City of Bisbee, County of Cochise, State of Arizona under the city’s workforce housing initiative; authorizing the taking of all other actions necessary for the consummation of the transaction contemplated by this ordinance.

Stephen Pauken, City Manager

Mayor Budge gave a summary of proposed Ordinance.

No questions, comments, or concerns were expressed.

MOTION: Councilmember Sowid moved to approve Ordinance O-22-14; an ordinance of Mayor and Council of the City of Bisbee, County of Cochise , State of Arizona, authorizing the sale and transfer of certain property located at 105 E Street, City of Bisbee County of Cochise , State of Arizona under the city’s workforce housing initiative; authorizing the taking of all other actions necessary for the consummation of the transaction contemplated by this ordinance.

SECOND: Councilmember Johns

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 7 NAYS-0

- 7. Discussion and Possible Approval of Resolution R-22-05 Approving a 5-year lease with the United States Postal Service for the facility in Old Bisbee at a rent of \$59,815 per year, effective January 1, 2023.

Stephen Pauken, City Manager

Mayor Budge stated he believed it would be best to table this item.

Councilmember Sowid asked if there were any possibilities for changes in the proposed lease agreement.

Attorney Estes stated there was no room for alterations to the agreement at this time as terms were based on prior incidents of criminal activity.

MOTION: Mayor Budge moved to table Resolution R-22-05, until further information is provided.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

NEW BUSINESS

- 8. Discussion and Possible Approval for the Bisbee Arts Commission to pay High Desert Market in the amount of \$1,096.00 to be their caterer for the fundraising event that will take place on Friday, October 21, 2022 to kick off their Festival of the Arts Event.

Leslie Johns, Council Liaison Bisbee Arts Commission

Mayor Budge, Mr. Pauken, and Council provided Event details for any members of the public wanting to attend.

MOTION: Councilmember Johns moved to approve Bisbee Arts Commission to pay High Desert Market in the amount of \$1,096.00 for catering of the fundraising event that will take place on Friday, October 21, 2022.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

- 9. Discussion and Possible Approval for the Bisbee Arts Commission to pay BookBaby for the publishing of the Exhibition Catalogue “For Art’s Sake,” the Main Exhibition of Bisbee Artists and Craftspeople.

Leslie Johns, Council Liaison Bisbee Arts Commission

Councilmember Johns gave a summary of the item being published.

Mayor Budge stated public donations were also being used in combination with possible approved funds.

MOTION: Councilmember Davis moved to approve for the Bisbee Arts Commission to pay BookBaby for the publishing of the Exhibition Catalogue “For Art’s Sake,” the Main Exhibition of Bisbee Artists and Craftspeople.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

- 10. Discussion and Action to make year-end retention payments to certain City Employees in 2022 and 2023 from ARPA.

Stephen Pauken, City Manager

Mr. Pauken explained the importance of recognizing city employees; many who could not perform their duties by working remotely during the pandemic.

Mayor Budge asked how these funds would be classified if approved, would it be considered a bonus or wage.

Councilmember Giacomino asked for clarification of the packet with this item.

Mr. Pauken stated it was added to serve as a referencing of the allocation of ARPA funds.

Councilmember Cline expressed that she approves of the request and wanted to take a moment to thank the Bisbee Police Department, Bisbee Fire Department as well as Bisbee Sanitation services as they continued to support our city while we faced a global pandemic.

Councilmember Sowid expressed his concern in approving these funds as well as the amount being requested. He asked for clarification as to how this amount was reached as well as clarification as to which employees would qualify as a recipient.

Mr. Pauken clarified the amount and whom would be considered qualified personnel.

Mayor Budge stated he felt the approval of these funds would not only benefit the city employees but also our community.

Councilmember Hill stated she appreciated Councilmember Sowid's perspective and agreed that ARPA Funds being used for City Employees could be misinterpreted from the community viewpoint if approved.

MOTION: Mayor Budge moved to approve the action to make year-end retention payments to certain City Employees in 2022 and 2023 from ARPA.

SECOND: Councilmember Cline

ROLL CALL VOTE

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

NAYS: 0

MOTION PASSED: AYES- 7 NAYS-0

Mr. Pauken thanked the Mayor and Council on behalf of all City of Bisbee employees.

11. Discussion and Possible Approval of Resolution R-22-17, Authorizing the adoption of Project Wildlife Bisbee certifying Bisbee as a Community Wildlife Habitat by the National Wildlife Federation.
Stephen Pauken, City Manager

Mr. Pauken provided a summary of the item and introduced the Project Wildlife Representatives to Mayor and Council.

Project Wildlife Representatives explained the benefits on the environment and community by adapting city parks and private yards to National Wildlife Organizations guidelines.

Councilmember Cline and Councilmember Giacomino asked about the water resources available in the parks they are considering.

Matthew Gurney explained he and Logan Dodd had been looking into the accessibility of the current water system and believed them to be functional but would need to confirm.

MOTION: Councilmember Giacomino moved to approve Resolution R-22-17, Authorizing the adoption of Project Wildlife Bisbee certifying Bisbee ad a Community Wildlife Habitat by the National Wildlife Federation.

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

12. Discussion and Approval to award the bid for On Call Engineering Services to Zacatecas Engineering, The WLB Group, EPS Group and Kimley Horn.

Matthew Gurney, Public Works Director

Mathew Gurney stated the contract with previous engineers had now expired, leaving the city vulnerable, without the expertise and equipment to accommodate any major structural incidents.

MOTION: Councilmember Davis moved to approve approval to award the bid for On Call Engineering Services to Zacatecas Engineering, The WLB Group, EPS Group and Kimley Horn.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

13. Discussion and Possible Approval of the attached letter to request donations for the 32nd Annual Festival of Lights to be held on Friday, November 25, 2022 from 8:00am to 10:00pm.

Matthew Gurney, Public Works Director

Mathew Gurney stated with the help of Lorena Valdez in Public Works, they have been planning and networking to create a wonderful event for our community.

Mayor and Council were concerned about the cost, the time needed to plan the event, and items provided to attendees.

Matthew Gurney assured Mayor and Council that there was plenty of time to create an event that was cost effective and enjoyable.

MOTION: Councilmember Johns moved to approve the attached letter to request donations for the 32nd Annual Festival of Lights to be held on Friday, November 25, 2022 from 8:00am to 10:00pm

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

14. 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 Johns

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:11PM

Ken Budge, Mayor