

Sierra Vista City Council
Meeting Minutes
February 8, 2024

Mayor McCaa called the February 8, 2024, City Council Regular Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Roll Call:

Mayor Clea McCaa II – present
Mayor Pro Tem Carolyn Umphrey – present
Council Member William Benning – present
Council Member Gregory Johnson – present
Council Member Angelica Landry – present
Council Member Marta Messmer - present
Council Member Mark Rodriguez – present (telephonically, 5:13 p.m.)

Others Present:

Victoria Yarbrough, Assistant City Manager
Chuck Potucek, City Manager
Chris Hiser, Police Chief
Brian Jones, Fire Chief
Sharon Flissar, Public Works Director
Emily Duchon, Library, Recreation, and Cultural Services Manager
Matt McLachlan, Community Development Director
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Tony Boone, Economic Development Director
Adam Curtis, Marketing and Communications Manager
Elizabeth Wrozek, PIO

Invocation – Charles Carlson, Sierra Vista Community Church, led everyone present in prayer.

Pledge of Allegiance – Council Member Johnson led the Pledge of Allegiance.

[Item 1](#) Acceptance of the Agenda

Council Member Messmer moved that the agenda of the Regular City Council Meeting of February 8, 2024, be approved. Mayor Pro Tem Umphrey seconded the motion. The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, and Messmer voted in favor.

Awards and Presentations

Police Chief Hiser announced that February is Teen Dating Violence Awareness Month that dovetails in with a proclamation from October, Domestic Violence Awareness Month. He explained that almost a decade ago, the State Legislature incorporated teen dating violence into the domestic violence statutes because domestic violence is looked at as a cycle of violence and it sometimes starts early in the teen years. Domestic violence, the violence, must be addressed at an early age; therefore, this is why this month teen dating violence is addressed at the high school. The Police Department's school resource officer sometimes must address it; although, these are adolescents, these are youths that are still very impressionable and

teachable. Outreach and education are important; therefore, the Police Department is going to seize this opportunity and increase awareness. He introduced Sergeant Boltinghouse, a partner with the County-wide team that deals with domestic violence and its awareness.

Sergeant Boltinghouse reported that at the national scale, Teen Dating Violence Awareness Month began to be recognized around 2010/2011. It is important that this be recognized because it affects everyone and the question that everyone should ask themselves is what is being done as a community, or as leaders of the community. He noted the following statement made during the opening prayer, "to be a team, to work together, to bring about education and advocacy, and to try to shine a light on a topic that is pretty dark." The Police Department and the County-wide coalition are doing this through the proclamation. The Police Department has an information display table in its lobby and there are going to be social media blasts. Also, the Police Department's exterior has been illuminated in orange, color for this awareness in this campaign. The Coalition is actively working on trying to have a teen dating violence awareness conference to better educate teens on this so that they can start seeing the warning signs early on.

Mayor McCaa presented a proclamation declaring the month of February as Teen Dating Violence Awareness Month to Police Chief Hiser and Sergeant Boltinghouse.

City Manager's Report: Mr. Potucek announced that the next regularly scheduled work session is on Tuesday, February 20, 2024, at 3:00 p.m. in the Council Chambers that will include for discussion the election process for the General Plan, and the next regularly scheduled Council meeting is on February 22, 2024, at 5:00 p.m. in the Council Chambers. City offices will be closed on Monday, February 19, 2024, in observance of Presidents Day; therefore, refuse schedules will switch to Tuesday from Monday and Wednesday from Tuesday, and then back on schedule Thursday and Friday. He reported that the bid for the pedestrian walkway connections, transit grant, is out with a pre bid meeting scheduled for February 12, 2024, and the bids are due on March 5, 2024. A bid is out for the construction design for connectivity, transit grant, which is due on February 19, 2024. The bid for the annual street maintenance asphalt patching crack seal and sand seal is out with a pre bid meeting scheduled for February 12, 2024, and bids are due on March 1, 2024. He further reported that the list of streets that will be worked on will be provided to Council and be put out on social media. The bid for the purchase and installation of solar streetlights in Montebello, CDBG project, are due on February 20, 2024. Lastly, he reported that the December sales tax report shows that sales tax figures are running about 2.9 percent over budget. Therefore, the City is still over budget for the year and meeting budget projections; however, there is still a need to be concerned because the general sales tax dollars are flat at -.03 percent. Therefore, if the City did not have the food tax, that number would be more negative, which is even more reason to watch to see what the legislature does going forward. In closing, he announced that at the Arizona City Management Association Conference, Ms. Yarbrough was awarded the Catherine F. Connolly Award for professional excellence as the outstanding Assistant City Manager in the State of Arizona.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of January 9, 2024

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of January 11, 2024

[Item 2.3](#) Discussion and Possible Action of Resolution 2024-003, Acceptance of Karly Scarbrough's resignation and Appointment of Allyne McFalls to the Arts, Humanities, and Cultural Diversity Commission, said term to expire April 30, 2026

[Item 2.4](#) Discussion and Possible Action of Resolution 2024-004, Acceptance of Resignations by Tait Wilcox, Rosie Mackey, and Pamela Anderson, and Appointment of Wendee Grinde and Alvira (Vera) Gates-Williams to the Neighborhoods Commission, said term to expire April 30, 2026

[Item 2.5](#) Discussion and Possible Action of Resolution 2024-005, Appointments to the Upper San Pedro Partnership Advisory Commission

Mayor Pro Tem Umphrey moved that the consent agenda consisting of the minutes of the work session of January 9, 2024, the regular City Council Meeting of January 11, 2024, Resolution 2024-003, accepting Karly Scarbrough's resignation, and appointing Allyne McFalls to the Arts, Humanities, and Cultural Diversity Commission, said term to expire April 30, 2026, Resolution 2024-004, accepting the resignations of Tait Wilcox, Rosie Mackey, and Pamela Anderson, and appointing Wendee Grinde and Alvira (Vera) Gates-Williams to the Neighborhoods Commission, said terms to expire April 30, 2026, and Resolution 2024-005, appointing Clea McCaa, Carolyn Umphrey, and Marta Messmer as primary members, Mark Rodriguez and Angelica Landry as alternate members, and reaffirming that Charles Potucek continue to serve as an alternate member on the Upper San Pedro Partnership Advisory Commission, said terms to coincide with term of office as council member, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Public Hearing

[Item 3](#) Discussion and Possible Action of Resolution 2024-006, Location Transfer Series 7 Liquor License Application for Amy S. Nations on behalf of Delect Foods of Arizona LLC. dba Pizza Hut #036976, 3680 E. Fry Boulevard, Sierra Vista, Arizona

Council Member Landry moved that Resolution 2024-006, a location transfer series 7 liquor license application for Amy S. Nations on behalf of Delect Foods of Arizona LLC. dba Pizza Hut #036976, be approved. Council Member Benning seconded the motion.

Ms. Adams stated that an application was submitted for a location transfer of a Series 7 liquor license, beer, and wine bar liquor license, to the Pizza Hut located at 3680 E Fry Boulevard. The notice of the public hearing was posted on the facility and no comments from the public have been received pro or con. A background of the applicant and the primary manager of this liquor license was done by the Police Department, and they have no objection to this moving forward and if approved, it will be returned to the state for final action.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

[Item 4](#) Discussion and Possible Action of Resolution 2024-007, General Plan Amendment, Revisions to the Traffic Circulation Plan, Map 8

Mayor Pro Tem Umphrey moved that Resolution 2024-007, General Plan amendment, revisions to the Traffic Circulation Plan, Map 8 of VISTA 2030, be approved. Council Member Johnson seconded the motion.

Mr. McLachlan indicated that the amendment pertains to the Traffic Circulation Plan Map and the General Plan. The map shows the existing and future street network at full build out of the Plan. Each street has been assigned a functional classification that corresponds to traffic volumes, speed, and ability to convey traffic to and through the community. The proposed amendments seek to match the nomenclature in the State and Federal Transportation Department to the City's General Plan designations.

The terms Collector and Residential Connector will be revised to Major Collector and Minor Collector, respectively on the map. This will create alignment with the newly adopted Roadway Design Manual, which sets roadway design and access standards. At the work session on Tuesday, February 6, 2024, Mr. Pregler reviewed the analysis of certain segments of major collector streets that fit the profile of a minor collector based on their characteristics, including driveway access, speed, and lane profile. They include Golf Links between 7th and Coronado Drive, El Camino Real and Foothills Drive, and Wilcox Drive, east of El Camino Real. Those segments will be designated to minor collector streets which will allow for direct access and narrower right-of-way requirement. They will provide more flexible set back requirements through the administrative modification process.

The Planning and Zoning Commission held a work session and public hearing on the proposed amendments and unanimously voted to recommend approval at their meeting on January 31, 2024. Staff recommends approval of the resolution as presented.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

[Item 5](#) Discussion and Possible Action of Resolution 2024-008, Development Code Amendments, Section 151.04.005, Administrative Modification of Dimensional Standards, and Declaring a 30-day Comment Period

Council Member Benning moved that Resolution 2024-008, Development Code amendments, Section 151.04.005, Administrative Modification of Dimensional Standards, and declaring a 30-day comment period, be approved. Council Member Johnson seconded the motion.

Mr. McLachlan stated that this amendment applies to residential lots that front a street with a platted right-of-way width that exceeds the minimum required right-of-way width per code. In those situations, a property owner can request an administrative modification to the setback requirement that is equal to or less than the distance between the back of the sidewalk and the property line, which functions as de facto yard space. If no side way sidewalk exists, staff will determine its ultimate location based on the applicable cross section. This change will help accommodate front porch and room additions. Staff is seeking approval to declare a 30-day comment period. The amendments were approved by unanimous vote by the Planning and Zoning Commission at their meeting on January 31, 2024.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

New Business

[Item 6](#) Discussion and Possible Action of Ordinance 2024-001, Amendments to Development Code, Definitions Section 151.02.004, Supplementary District Regulations Section 151.04.007, Yards and Setbacks, Special Regulations for Particular Uses Section 151.06.013, Outdoor Storage, Walls and Screening Devices Section 151.15.005, Standards of Design, Matrix of Use Permissions by Zoning District Section 151.22.006, Use Permissions

Council Member Johnson moved that Ordinance 2024-001, amendments to the Development Code, Definitions Section 151.02.004, Supplementary District Regulations Section 151.04.007, Yards and Setbacks, Special Regulations for Particular Uses Section 151.06.013, Outdoor Storage, Walls and Screening Devices Section 151.15.005, Standards of Design, Matrix of Use Permissions by Zoning District Section 151.22.006, Use Permissions, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. McLachlan stated that there has been no public comment received during the 30-day comment. If approved, warehouse storage and distribution related uses would be allowed by right as a principal use in the General Commercial Zoning District provided the property does not front Fry Boulevard or pose a high hazard fire risk. They would be permitted as an accessory use throughout the district irrespective of location.

The main motivation is to increase the reuse potential of larger empty buildings on the West End. The Department has established use permissions and screening requirements for outdoor storage that are consistent with current practice and are generally followed in zoning ordinances around the state. They are being proposed to be relocated to special regulations for particular uses, which is the more appropriate placement in the Development Code. The Planning Zoning Commission helped craft the final version and ultimately voted unanimously to recommend approval. Staff recommends the adoption of the ordinance as presented.

Mayor Pro Tem Umphrey commented that the Planning and Zoning Commissioners discussed this a lot, and many of them are familiar with the businesses and real estate that this action would affect. She noted that they feel comfortable with the language, and it makes her feel good about voting for this.

Council Member Messmer asked about the effect that these amendments would have to the taxpayers. Mr. Potucek stated that the main reason for doing this is that the City has several larger facilities that are older on the West End of town that are difficult to redevelop and reuse. The City already has people that are looking at reusing these buildings, but they need it for warehousing space; however, the City's current zoning would not allow for that. Therefore, the amendments would allow for them to be reused for warehousing space, thus generating tax dollars and jobs, thereby benefitting the community.

Mayor Pro Tem Umphrey noted that the Planning and Zoning Commissioners also discussed the enclosures, curb appeal, which would keep everything looking nicer as the redevelopment of the City's downtown takes place.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

[Item 7](#) Discussion and Possible Action of Ordinance 2024-002, Sierra Vista Roadway Design Manual and associated Development Code Amendments to 151.04.008-Clear Vision Area, 151.08.002-General Regulations, 151.08.003-Street Improvements Criteria, 151.08.004-Street

Design Standards, 151.08.005-Street Access Standards, 151.17-Access Standards, and 151.19-Subdivision Regulations

Council Member Messmer moved that Ordinance 2024-002, Sierra Vista Roadway Design Manual, and associated Development Code amendments to 151.04.008 - Clear Vision Area, 151.08.002 - General Regulations, 151.08.003 - Street Improvements Criteria, 151.08.004 - Street Design Standards, 151.08.005 - Street Access Standards, 151.17 - Access Standards, and 151.19 - Subdivision Regulations, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. McLachlan stated that staff is seeking approval of the adoption of the Roadway Design Manual and corresponding Development Code changes. This is a product of many internal meetings between Community Development and Public Works staff over the past year. It was a major effort and adopting the ordinance will implement past City Council Strategic Plan, General Plan objectives and MPO initiatives pertaining to complete streets by providing for wider bicycle lanes, safe pedestrian access, and reduced roadway widths that will also help cut down on future construction maintenance costs.

The Maricopa County Roadway Design Manual was used as the baseline document and staff has custom tailored it to fit the community. As the City Manager mentioned at the work session on Tuesday, February 6, 2024, the City has already adopted the MAG standards for construction details, which many jurisdictions around the state follow. This makes it easier for development companies coming into the community that built in other places in the state using similar standards to develop their plans.

One comment was received during the public comment period that staff covered at the work session concerning bike lane and shoulder widths. Staff will do its best on retrofits to modify bicycle and pedestrian facilities to adhere to the preferred standards as the right-of-way allows. New roadway construction will need to provide bicycle lanes in accordance with the standard set forth in the Roadway Design Manual. The Planning Zoning Commission has reviewed the amendments and unanimously recommended their approval. Staff recommends adoption of the ordinance as presented.

Council Member Landry stated that there was good discussion during the work session and noted that she had concerns, but staff provided her with answers. She thanked John Wettack for his comments because it is important that the public share their comments so that Council may know their concerns. She further stated that the document is comprehensive with a lot of information and having public comments helps in taking a better look at the document. She stated that after the work session, she felt a lot better about her safety concerns regarding bicycle lanes.

Council Member Landry asked if there is any instance where a lane could be smaller than six feet. Ms. Flissar explained that the situation where a bike lane is smaller than six feet would largely be in a retrofit condition and not in new construction. However, the Department may get into a narrower situation when there is limited pavement, and accommodations are being made for multimodal travel.

In response to Council Member Landry, Ms. Flissar stated that if it is a City-owned roadway, people would call the Public Works Department and ask to talk to the Streets Section. On the State Highways, it would be ADOT that would handle those concerns.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Call to the Public - There was no response.

Comments and Requests of Council

Council Member Johnson stated that it is great to be back in person, noted that he is not 100 percent but hopes to get there soon as he still has one more procedure to go through. He stated that it is great to see everyone and thanked them for their thoughts and prayers.

Council Member Messmer had nothing to report.

Council Member Rodriguez thanked Council for agreeing to have him call in because he is on his way to Phoenix. He noted that the weather is not good and the game that he is on his way to see has been moved to another school due to flooding. He wished luck to the Buena Colts; girls are playing against Tucson and the boys are playing against Phoenix. He thanked the first responders and parents that came out to give the boys a sendoff from Subway, which means a lot to the youth in the area. In closing he reminded everyone that it is Super Bowl Weekend and encouraged everyone to shop local and support the local businesses that have a lot of deals.

Council Member Landry reported on the Transportation Commission Meeting, thanked Council for the proclamation on teen dating violence awareness because it is important to share the information with students, as young as possible. She noted that it could be one of their first relationships that they are experiencing, and they do not know what is going on, maybe they do not have anything in their life as an example. It is good for them to know that there are resources out there and having that awareness. She commented on road safety and referred to a video that has two teams playing basketball. The viewer is asked how many times the players passed the ball and at the end of the video, the viewer is asked if they saw the gorilla. It is obvious when looking at the video a second time, but the first time, no one noticed it. This is what it is like when driving on the road. People are looking for other cars and not looking for pedestrians, bicyclists, or runners. She encouraged people to be more aware because it takes only a few seconds which could save someone's life. Lastly, she announced the 16th anniversary open house at the ACO on Saturday, February 17, 2024, from noon until 4:00 p.m., where there will be adoption specials, a rummage sale, refreshments, and a dog kissing booth. On the same day at mall, from 11:00 a.m. until 2:00 p.m. the Mesquite Mercantile will be sponsoring a Paws at the Mall Pet Adoption where there will be multiple agencies with cats and dogs to be adopted.

Council Member Benning thanked Tait Wilcox, Rosie Mackey, and Pamela Anderson, a staple on the West End that have done so much for the community, thanked Allyne McFalls joining the Arts, Humanities, and Cultural Diversity Commission, and Wendee Grinde and Vera Gates-Williams joining the Neighborhoods Commission, welcomed back Council Member Johnson, and announced that a good friend of Sierra Vista, Rich Donovan, has passed away. In closing, he stated that life is short and encouraged people to let their loved ones know that they are cared for and being thought of.

Mayor Pro Tem Umphrey thanked Council Member Benning for mentioning Rich Donovan, a great guy, thanked the newly appointed commissioners who are willing to serve and those who have served. She noted that the City did not lose Tait Wilcox because he is now on the Planning and Zoning Commission. She gave a special thank you to Wendee Grinde and Vera

Gates-Williams and welcomed back Council Member Johnson. Lastly, she reported that at the Sierra Vista MPO Technical Advisory Committee Meeting, they received their south central ADOT update. The construction window opened on February 1, 2024, but there are some surveys and other things that need to be done; therefore, there will be activity but there will not be any tearing up of the road until August. However, there will be some concrete work being done in a month or two, i.e., sidewalks, curbs, but the pavement will get laid in September.

Mayor McCaa wished a Happy Valentines Day to everyone, thanked Wendee Grinde and Vera Gates-Williams for stepping up, welcomed back Council Member Johnson, gave a shout out to the Better Work Crew, Corporal Borgstadt, Ana Dickerson, Jessica Vannoy, and Gilbert Fuentes. He shared that they all went out south of Lehman Academy with 11 participants to pick up trash and noted that Council Member Rodriguez is correct in that there is trash in the back there that was not dumped by residents, but contractors. There was cement, big boulders, etc. and Corporal Borgstadt relayed to him that there have been some stings, but they are unable to be out there 24 hours per day. He further stated that contractors should be advised that there are some hefty penalties, not only by the City but by the State if they are caught. Lastly, he stated that Arizona Public Radio highlighted the Better Work Crew on their amazing work.

Adjournment

Mayor McCaa adjourned the February 8, 2024, meeting of the Sierra Vista City Council at 5:43 p.m.

Clea McCaa II, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

A recording of the Council Meeting is available at:

https://www.youtube.com/channel/UC8PtUpIbkQsixlhSy-jeR_Q/videos