



Sierra Vista City Council  
Work Session Agenda  
August 11, 2020

1. Call to order - 3:00 p.m. in the Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.
2. Presentation and Discussion:
  - A. August 13, 2020 Council Meeting Agenda Items (agenda attached)
  - B. Report on Recent Trips, Meetings and Future Meetings
  - C. Future Discussion Items and Council Requests
  - D. COVID-19 Status Report
3. Adjourn

City Council work sessions are informal meetings of the elected body designed to allow the Mayor and Council Members to prepare for upcoming regular meetings, have staff briefings on issues, and provide an opportunity for more detailed discussions amongst themselves. The meetings are limited by City Ordinance to 90 minutes; but with Council consensus may be extended by an additional hour. The meetings are set in accordance with the State Open Meeting Law and no discussion can take place on issues/topics that have not been posted on the agenda at least 24 hours in advance. The public is welcome to observe the meetings in person or on Cox Channel 12, but time is not reserved on work session agendas for public comment. The public may, however, address the City Council at their regular twice monthly meetings or share written views through the City website, [www.SierraVistaAZ.gov](http://www.SierraVistaAZ.gov). For special needs and accommodations, please contact Jill Adams, City Clerk, 72 hours prior to the meeting or activity at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by dialing 7-1-1.



**Sierra Vista City Council**  
Meeting Agenda  
August 13, 2020

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**Call to Order:** 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona

**Roll Call**

**Invocation** – Pastor Greg Rowles, God is Good Church

**Pledge of Allegiance**

**Item 1** Acceptance of the Agenda

**City Manager's Report:** Upcoming Meetings, Bid Openings and Bid Awards

**Item 2 Consent Agenda**

**Item 2.1** Approval of the City Council Special Meeting Minutes of July 21, 2020

**Item 2.2** Approval of the City Council Regular Meeting Minutes of July 23, 2020

**Public Hearing(s)**

**Item 3** Resolution 2020-049, Series 9 liquor license application for an interim permit, owner transfer, limited liability co.-type of ownership for Kevin Arnold Kramber on behalf of Sierra Pharmacy and Compounding Lab at 2085 E. Fry Boulevard, Suite B, Sierra Vista, Arizona

**New Business**

**Item 4** Approval of the City Council Special Meeting Minutes of July 28, 2020

**Item 5** Ordinance 2020-006, Fiscal Year 2020/2021 Property Tax Levy

**Item 6** Resolution 2020-050, Donation of a 1997 Type 1 Pierce Quantum 1500 Pumper to Cochise College

**Item 7** Resolution 2020-051, South Wardle Road Pre-Annexation Agreement

**Item 8** Resolution 2020-052, Official Intent to be Reimbursed for Certain Capital expenditures

**Call to the Public**

**Comments and Requests of the Council**

**Adjournment**

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Sierra Vista City Council  
Work Session Minutes  
August 11, 2020

1. Call to order

Mayor Mueller called the August 11, 2020 City Council Work Session to order at 3:00 p.m., Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Mayor Rick Mueller – present  
Mayor Pro Tem Rachel Gray – present  
Council Member William Benning – present  
Council Member Gwen Calhoun – present  
Council Member Sarah Pacheco – present  
Council Member Carolyn Umphrey - present  
Council Member Kristine Wolfe – absent

Others Present:

Chuck Potucek, City Manager  
Victoria Yarbrough, Assistant City Manager  
Adam Thrasher, Police Chief  
Brian Jones, Fire Chief  
Blake Fisher, Planner  
David Felix, Chief Finance Officer  
Tony Boone, Economic Development Manager  
Jill Adams, City Clerk

2. Presentation and Discussion:

A. August 13, 2020 Council Meeting Agenda Items ([agenda attached](#))

Mayor Mueller stated that the Council Meeting for August 13, 2020 starts at 5:00 p.m. with roll call, invocation, Pledge of Allegiance, and the acceptance of the agenda. There were no changes made to the agenda.

In response to Mayor Mueller, Mr. Potucek reported that the City made the cut on the first round of the Defense Communities Infrastructure Program (DCIP) grant application made to fund the EMS substation over by Tomkins Park. He further reported that Mr. Boone is currently working with the Office of Economic Adjustment and offered kudos to him, Ms. Yarbrough, Mr. McLachlan, Ms. Flissar, and Fire Chief Jones. If the City is successful, the City will save about \$1 Million in the budget for the year.

The Consent Agenda consisting of the approval of the City Council Special Meeting Minutes of

July 21, 2020 and City Council Regular Meeting Minutes of July 23, 2020 was not discussed.

Item 3 Public hearing for Resolution 2020-049, Series 9 liquor license application for an interim permit, owner transfer, limited liability co.-type of ownership for Kevin Arnold Kramber on behalf of Sierra Pharmacy and Compounding Lab at 2085 E. Fry Boulevard, Suite B, Sierra Vista, Arizona – Ms. Adams stated that the application before Council is for an owner and agent transfer of a Series 9, a liquor store license, for the Compounding Pharmacy located at the corner of Coronado and Fry Boulevard. Mr. Kramber is the agent applicant and the background for him has been done by the Police Department, and they have no objections with the application moving forward. The new owner is Sierra Compounding LLC and the facility will keep the same name, and the primary owner is Elisabeth Davie, employee of the store. The posting of the public hearing was on the facility for the required amount of time and no comments have been received pro or con. If approved on Thursday, August 13, 2020, the application will be forwarded to the State for final action.

Council Member Calhoun asked if the pharmacy is becoming a bar. Ms. Adams explained that it is for the store. Mayor Mueller added that a lot of pharmacies sell alcohol. Ms. Adams stated that they do tastings, but do not open and serve.

Item 4 Approval of the City Council Special Meeting Minutes of July 28, 2020 – Council Member Pacheco stated that she would abstain because she was not present at the meeting.

Item 5 Ordinance 2020-006, Fiscal Year 2020/2021 Property Tax Levy – Ms. Yarbrough stated that this is the final step in the budget process for Fiscal Year 2021. The ordinance will set the primary property tax levy at \$0.1106 per \$100 of assessed value, which means that a house valued at \$100,000 would pay \$11.06 in property taxes and would pay that much per \$100,000 of value. The levy will generate an estimated \$372,034 this fiscal year, an increase over last year due to new construction and increased valuation.

This is a decrease from last year's City levy limits of 0.1124 that would raise additional revenue, but the City would be subject to disclosure, publication, advertising and a roll call vote for the truth and taxation notice. Staff is recommending that the rate be decreased to 0.1106 per \$100.

Item 6 Resolution 2020-050, Donation of a 1997 Type 1 Pierce Quantum 1500 Pumper to Cochise College – Fire Chief York stated that Sierra Vista Fire Medical Services has committed to supporting the Firefighter I and II classes in Cochise County with instruction given at Cochise College and Fire Services Station 3. The Firefighter I and II classes are an approved National Fire Protection Agency (NFPA) certification program. Students attend a 24-week training program, culminating in achieving State of Arizona Firefighter I and II certification.

Sierra Vista Fire and Medical Services would like to donate a 1997 Type 1 Pierce Quantum Pumper. The 1997 Pumper was formerly part of the Sierra Vista Fire Medical operational fleet but was turned into the Public Works Department for public auction when a new KME Type 3 Pumper replaced the vehicle. The vehicle is valued at \$8500.00, and in addition, the donated vehicle will retain its red and blue emergency lights for firefighting training. Cochise College has expressed a desire to accept this donation, and the vehicle will be used for the following firefighting training during class: emergency driving and field operations. Sierra Vista Fire and Medical Services currently has 23 full time personnel that have gone through the program and passed it.

Mayor Mueller stated that this is a great way of taking a piece of equipment that would cost too



much to maintain and put it to good use and still benefit from it, which would cost about \$8,000 if it did not go to scrap, and it would take a while to get it sold.

Council Member Pacheco asked if the Fire Science Program at the Buena High School is connected to the program. Fire Chief explained that the ECT Program at Buena High School is mainly medical and the Department is working with them from a recruiting standpoint as well going in to teach some of the classes and push the students towards a Fire Fighter One and Two Program is that is what they are interested in.

Item 7 Resolution 2020-051, South Wardle Road Pre-Annexation Agreement – Mr. Fisher stated that the pre-annexation is a request by Larry Phase III LLC referred to as Mr. Larry. He has expressed an interest in connecting his four properties in the County on South Wardle Road to the City sewer system. In exchange, Mr. Larry was asked to sign a pre-annexation agreement for the subject properties.

Mr. Larry has stated his desire is to construct four, veteran-friendly houses, and due to the potential strain this may place on the existing sewer system, Mr. Larry has agreed to provide City Engineering copies of the Cochise County approved site plan for the proposed houses (when available), which is to be submitted along with the standard Right of Way permit application to Public Works. These must be approved by City Engineering before he will be allowed to connect to City sewer.

South Wardle Road itself contains many properties defined as being within Sierra Vista's Proactive Annexation Area. This agreement will circumvent the need for petitioning these four properties if an annexation attempt is done in the future, and the subject properties would automatically count as "yes" votes for the annexation, even after the properties are sold to new, private owners.

Mr. Larry will be responsible for paying the cost of any sewer connection they wish to add to the subject properties, up to and including necessary improvements made within the public right of way for the connection to be feasible. Once connected, the property owners will, from that time forward, be required to pay for ongoing sewer service as other city residents with sewer service must.

Council Member Pacheco asked what is meaning of veteran-friendly property. Mr. Fisher explained that it was the description provided by Mr. Larry and he did not elaborate. He wants to essentially improve ADA and make them more accessible to veterans.

Council Member Pacheco asked if it will be a rental development. Mr. Fisher stated that at this point, the extent of what the Department knows is that they are single family residences on the four properties.

Council Member Pacheco asked if the four properties are only surrounded by County properties. Mr. Fisher stated that there is a vacant lot to the east adjacent to the incorporated limits that cannot be directly annexed and that is why staff is proceeding with the pre-annexation agreement. Mayor Mueller added that the City may not annex it because it is an island onto itself at the present time and there has to be connectivity.

Council Member Calhoun asked if the folks around Mr. Larry notified of the pre-annexation. Mr. Fisher stated that the Department did not conduct a survey effort, and the Department is not required by Pre-annexation Policy to notify surrounding properties, only if the Department

begins the annexation procedure.

Council Member Benning asked about the length of a pre-annexation phase. Mr. Fisher stated that there is currently no lapsing of the agreement over time, it stays with the property/title and does not expire.

Council Member Umphrey asked if the City would have to pave Wardle Road since it is a dirt road and people living on the four annexed properties would be setup with City sewer and sanitation services. Mr. Fisher stated that the City would not have to pave the road. Mayor Mueller explained that Wardle Road would need to be annexed into the City because currently it is a County street and not maintained by the County. It is a privately maintained road.

Council Member Umphrey asked if the structural plans for the buildings would be included in the site plan that the engineers approve before connecting the properties to the City's sewer. She added that the County has different standards and she wonders what would happen if they are not up to the City's Code. Mr. Fisher stated that Public Work's concern was on the stress that would be placed on the existing sewer system that goes down along South Wardle Road. As part of the process, the engineers would not be reviewing the site plan because that would still be the responsibility of Cochise County, but the Department still wants to get an idea of the stress put upon the sewer system. Mayor Mueller explained that there is a main sewer line there and before Mr. Larry builds, he will need to connect to the City's sewer and meet the structural standards for the sewer connection. They may not be in the City and the building may not be built to City standards; therefore, the building would be built to the County standards except for the sewer connection. If they annex into the City and then build, then they would have to meet City standards for both.

Mr. Potucek made a few comments from a policy perspective. The pre-annexation agreement has a conflict between two of the City's policies. One is that it is in a priority annexation area and so in enclaves, the City encourages annexation. The City also has a policy about requiring annexation as a condition for using the City sewer service, and because the property is not continuous to any City properties, the way that staff is justifying that is through the annexation agreement in hopes that other areas will then develop and then annex into the City at a later time with the extension of the sewer line in from the interceptor that runs down Highway 92 and hopefully that will encourage other propel to want to get on the sewer and then annex in the future. In terms of Council Member Umphrey's question, County Building Codes are like the City's Code in terms of building standards. They may be an iteration behind the International Building Code, but that is not the issue. The issue in why this is being reviewed is the development standards. If the area became a public street in the future, then people developing on it would be responsible for it.

Item 8 Resolution 2020-052, Official Intent to be Reimbursed for Certain Capital expenditures – Mr. Felix stated that this is the standard fall reimbursement resolution that the Internal Revenue Service requires. If the City purchases equipment throughout the fiscal year and if at the end of the year it is decided to finance, staff will put bids out at that time, get quotes and go to the lowest bidder. However, since the purchase is before the financing is in place, the IRS requires a reimbursement resolution showing the reasonable intent to get reimbursed for the items.

The items in the list have been put in the budget and discussion took place about possibly cashing out the School District Land purchase that is in the budget to be financed. This way if something were to come up and the City did want to finance it for whatever reason, money needed elsewhere, COVID surprises, etc., this provides the ability to do that. If all the items are

not included, come the end of the fiscal year the City purchases the items more than 30 days before the resolution, the City cannot finance them. This is simply to provide the flexibility and it is in the budget.

Mayor Mueller asked if these items are the maximum amount of things that the City would finance if the City had to. He added that probably there will be some items on the list that do not need to be financed and so there may be cash or other means to pay for them. Mr. Felix stated that he is correct and explained that last year there were items to be financed in FY 2020, but due to the cash situation at the time, the City did not finance any of them, i.e., the new fire apparatus.

Mayor Mueller stated that if the City does not need to finance any of the items, the City saves on the interest cost. Mr. Felix stated that this helps long term if items can be cashed out.

Council Member Pacheco asked if all these items are in the budget, which could possibly be financed if there is a need. Mr. Felix stated that she is correct. This provides the option. Mr. Potucek stated that the intent is to hopefully cash out all the items at the end of the year and not finance them.

#### B. Report on Recent Trips, Meetings and Future Meetings

Mayor Mueller stated that the League of Cities and Towns is going to hold a three-day worth of remote conferencing during the first week of September. Mayor Pro Tem Gray will be representing the City at the Resolutions Committee on August 1, 2020.

In response to Mayor Mueller, Ms. Yarbrough stated that there is not anything scheduled for next week, but the strategic plan report will be scheduled in September.

Mayor Mueller asked if everyone received the individual briefing on the Continuum of Care issues with the homeless, which he hopes will be a part of the strategic planning in January/February.

#### C. Future Discussion Items and Council Requests – covered under Item B.

#### D. COVID-19 Status Report

Mr. Potucek reported that the Governor lost a lawsuit that was filed by the gyms and the courts required that the State come up with criteria for the opening of gyms, bars etc. Those have come out and they are very stringent, and it will depend on county by county on how the numbers look like. Cochise County does not meet those criteria yet and so that is going to be an ongoing challenge for those businesses. The good news is that during the spike in July, the County reached the peak and there were 458 active cases. The County is currently at half at 229 active cases. The experience in Cochise County matches what is going on in the State. The State's active cases are also down by half since that time and so it appears that the County is on the other side of the spike and need to keep going.

He added that he does not anticipate a Phase II implementation by the Governor for a while and so as a result the City will continue to maintain its status with its buildings, and will potentially opening after the Labor Day Holiday. The City is in the process of looking at all the fall activities, i.e., Art in the Park, Cars in the Park and etc., but currently it does not appear that the City will be in a posture to be able to permit those events. He further reported that he and staff are working

with Ms. Wilson, who is working with those various groups. Next will be parades, but a decision has not yet been made.

Mayor Mueller stated that it is his understanding that the Art Association already has up on their site that Art in the Park has been cancelled.

Council Member Calhoun stated that she understands that the opening of the community depends on when the Governor is ready to move into Phase II, which is also the same for masks. Mayor Mueller stated that the mask issue is up to City Council, but he would not recommend that they not be worn until they are at least in Phase II. The numbers and the way that they peaked and trended downward, the timing that the City acted upon for masks has had some impact. The City Council would have to rescind the Mayor's authority for the Order, the wearing of masks.

Council Member Pacheco asked if pools are included, specifically the Cove to open during Phase II. Mr. Potucek stated that she is correct and explained that another point that he neglected to mention is the school situation. There will not be live classes in the School District until the second week of September and so school is all online. One of the biggest issues that the City faces throughout is the use of sports. The High School faces this as well and the City has been having some sport activities as long as they submit a distancing plan. Things like softball and baseball are relatively easier to do than things like youth football, soccer, and basketball. Swimming has come up and the City has a separate agreement with the School District with regards to the use of the pool for swim practice and meets. The City will honor the agreement if the School District asks the City to proceed with the swim season, but not yet for the public. The problem with the High School sports is who are they going to play because Tucson and Phoenix are shut down as well as their facilities.

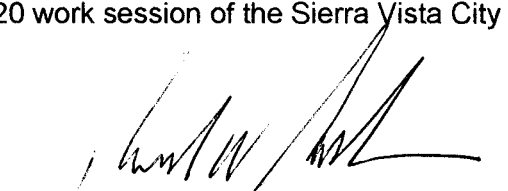
Council Member Pacheco asked if the School District has asked for use of the pool. Mr. Potucek stated that the School District has not asked. Mayor Mueller stated that the School District is still focused on the classroom issue.

Council Member Benning noted that the School District will be talking about athletics along with reopening.

Mayor Mueller announced the drive through luncheon for the employees. He asked about the employee awards. Ms. Yarbrough stated that the luncheon is not the Employee Awards Luncheon. The luncheon is simply a luncheon for morale.

### 3. Adjourn

Mayor Mueller adjourned the July 21, 2020 work session of the Sierra Vista City Council at 3:31 p.m.



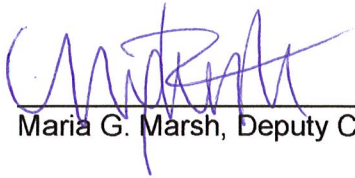
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Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:





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Maria G. Marsh, Deputy Clerk



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Jill Adams, City Clerk