

Sierra Vista City Council
Meeting Minutes
October 24, 2024

Mayor McCaa called the October 24, 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 – absent
Council Member Angelica Landry – present
Council Member Marta Messmer – present
Council Member Mark Rodriguez – present

Others Present:

Victoria Yarbrough, Assistant City Manager
Chris Hiser, Police Chief
Brian Jones, Fire Chief
Laura Wilson, Leisure, Parks, and Library Director
Matt McLachlan, Community Development Director
Nathan J. Williams, City Attorney
Elizabeth Wrozek, PIO
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst

Invocation – Council Member Messmer led the invocation.

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

[Item 1](#) Acceptance of the Agenda

Council Member Benning move that the agenda for the Regular City Council Meeting of October 24, 2024, be approved. Council Member Rodriguez seconded the motion. The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

Presentations and Awards

A Proclamation declaring the week of October 27 through November 2, 2024, as Veterans Small Business Week in Sierra Vista was presented to Mr. Boone and staff.

Mr. Boone stated that according to the SBA, military veterans own over 2 million businesses across the country, employ over 5 million Americans, and contribute over \$1.2 trillion per year in revenue for the US economy. Veterans not only make great entrepreneurs because of the skills they acquired during their service to our country but are also 45 percent more likely to start businesses and become self-employed. The City of Sierra Vista's shared community with Fort Huachuca means that there is a greater than average number of veteran entrepreneurs providing much appreciated goods, services and jobs to our area. As such, the City seeks to join in the nationwide recognition of Veteran Owned Small Business Week.

Mr. Wallace Ricks, Economic Development Commission Vice Chairman, presented Cary Brown and Vish Hirani, owners of Urban Axe Yard, a certificate in recognition as Sierra Vista's Veteran-Owned Business of the Year. Mr. Brown thanked the Mayor, Council, his staff, and the community.

City Manager's Report: Ms. Yarbrough announced that City's offices will be closed on Monday, November 11, 2024 in observance of Veterans' Day, encouraged everyone to join staff on Fry Boulevard for the Veterans' Day Parade and the ceremony in Veterans Memorial Park. She further announced that with Veterans' Day falling on a Monday, Monday trash pickups will move to Tuesday and Tuesday's pickups will shift to Wednesday. There will be no special pickups that week, and Thursday and Friday pickups will be as usual. The next regularly scheduled work session is on Tuesday, November 12, 2024, at 3:00 p.m. in Council Chambers, and the next regularly scheduled Council meeting is on Thursday, November 14, 2024, at 5:00 p.m. also in Council Chambers. She reported that the bids for the MLK reconstruction from Avenida Escuela to SR90 are due on October 28, 2024; proposals were opened on October 17, 2024 and under review for the on-call demolition services that includes Kings Court; and KE&G is scheduling to start work at the end of October on the pedestrian walkway connection, construction of shared use path, ADA ramps, sidewalk, driveway, etc.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of October 8, 2024

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of October 10, 2024

[Item 2.3](#) Discussion and Possible Action of the Special City Council Meeting Minutes of October 15, 2024

Mayor Pro Tem Umphrey moved that the Consent Agenda consisting of the minutes of the October 8, 2024 work session, Council Meeting of October 10, 2024, and Special Meeting of October 15, 2024, be approved. Council Member Benning seconded the motion. The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

Public Hearing

[Item 3](#) Discussion and Possible Action of Resolution 2024-074, Amendment to Chapter 31: City Manager, City Code and Declaring a 30-Day Public Record

Council Member Rodriguez moved that Resolution 2024-074, amendment to Chapter 31: City Manager, City Code, and declaring a 30-day public record, be approved. Mayor Pro Tem Umphrey seconded the motion.

Public Hearing started at 5:11 p.m.

Ms. Yarbrough stated that staff regularly reviews and updates chapters of the City Code. Chapter 31 establishes the Office of the City Manager and sets requirements, powers, duties, and other specifications. Three sections that are proposed for updates are:

- 31.06 refers to who is in charge in the absence of the city manager. The amendment reflects the established practice of the assistant city manager being in charge or whomever the city manager designates. The director of administrative services would be removed from this section because that position has not existed for over 10 years and has been absorbed into the assistant city manager position.
- 31.07 Section C would be amended to reflect the removal of the requirement by city council to appoint the city clerk, city physician, and counsel. The city clerk has not been appointed by the city council for about 25 years and there has never been a city physician to the best of staff knowledge. Also removed is the appointment of counsel because the council appoints a city attorney that already serves as the city's chief legal advisor and his primary responsibility is addressing the city's legal needs and keeping council informed of all legal matters.
- 31.07 Section H would be amended to remove an Arizona Revised Statute that no longer exists.

Ms. Yarbrough voiced her appreciation to one of the council candidates for pointing out that the Statute no longer exists. This section of the Code has not been updated for 25 years and State law changes frequently; therefore, removing that reference does not change the meaning of the section. She explained that Council's approval will put this out for a 30-day public comment.

Public Hearing concluded at 5:13 p.m.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

New Business

[Item 4](#) Discussion and Possible Action of Resolution 2024-075, Intergovernmental Agreement with Sierra Vista Fire and Medical Services and Cochise County Community College District

Council Member Messmer moved that Resolution 2024-075, an intergovernmental agreement with Sierra Vista Fire and Medical Services and Cochise County Community College District, be approved. Mayor Pro Tem Umphrey seconded the motion.

Fire Chief Jones stated that the item before Council is the annual renewal of the intergovernmental agreement between Cochise College and Sierra Vista Fire Medical Services to provide the highest quality fire training to the students in the area. The College provides the instruction and Sierra Vista Fire Medical Services provides facilities and apparatus for the students that go through the program. The instruction is done by Cochise College instructors. There is no PSPRS burden for the City and it has been very beneficial for the organization to have them as partners.

In response to Mayor McCaa, Fire Chief Jones stated that the two new ambulances that were received in June are in service. One ambulance will go to Station IV on BST and the other will be at Station One on 7th and Fry Boulevard.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

[Item 5](#) Discussion and Possible Action of Resolution 2024-076, Dedication of Center Event Space at Veterans Memorial Park to Frederick W. (Rick) Mueller II

Council Member Benning moved that Resolution 2024-076, dedicating the center event space at Veterans Memorial Park to Frederick W. (Rick) Mueller II, be approved. Mayor Pro Tem Umphrey seconded the motion.

Ms. Wilson stated that this resolution seeks approval from the Mayor and Council to dedicate the central event space located at Veterans Memorial Park to former Mayor Rick Mueller. Staff would like to officially dedicate this space to former Mayor Rick Mueller during the 2024 Veterans' Day activities.

Ms. Wilson read the dedication for the record: Mayor Mueller was a dedicated public servant, decorated veteran, and a beloved leader of the community. His lifetime of service exemplifies the values held dear in Sierra Vista. After he retired from the Army in 1995, he chose Sierra Vista as his permanent home, committing himself to the community he had come to love. He became a strong advocate for the City and was actively involved in civic engagement, attending City Council and Planning and Zoning Commission meetings even before entering public office.

Mayor Mueller's leadership abilities and passion for the community led to his election to the Sierra Vista City Council in 2000. He served diligently for 10 years and in 2010, was elected as Mayor of Sierra Vista, a role in which he would go on to serve for three consecutive terms, the longest tenure of any mayor in the City's history. Under his leadership, Sierra Vista flourished as a regional hub for commerce, education, healthcare, tourism, and technology.

Mayor Mueller was a tireless advocate for veterans and active-duty military personnel, championing numerous initiatives to support Fort Huachuca and its importance to National Defense. His efforts earned Sierra Vista national recognition from the Association of Defense Communities and firmly established the City as a community committed to the welfare of service members and their families.

Mayor Mueller's impact extended beyond Sierra Vista, serving on the League of Arizona Cities and Towns Executive Board, the Arizona Military Affairs Commission, and as Chairman of the Upper San Pedro Partnership and SEAGO Executive Committee. His unwavering commitment to economic development and military affairs, as well as his advocacy at the state and federal levels that made him a respected leader throughout Arizona and beyond.

Mayor Mueller's dedication to service was also reflected in his extensive involvement with charitable and community organizations. He served as president of the University South Foundation, the Sierra Vista Rotary Club, the 1200 Club, and was instrumental in the construction of the Salvation Army's Chapel and Community Center. He achieved the rank of Eagle Scout and was a proud member of the Order of the Arrow, always emphasizing the importance of civic duty and community service.

Mayor Mueller sadly passed away on May 29, 2024, but he left an indelible impact on the community along with a legacy of service that continues to inspire. Naming the central area of Veterans Memorial Park as Frederick W. "Rick" Mueller II Parade Field would be a fitting tribute

to his lifetime of service and his tireless dedication to Sierra Vista. It would honor not only his military service but also his unparalleled commitment to enhancing the quality of life for all who live and visit the community.

Ms. Wilson stated that this item went through the Parks and Recreation Commission with unanimous approval.

Council Member Rodriguez stated that Mayor Mueller was a great man in the community, and it is an honor to be a part of naming the parade field after him. He thanked the Parks and Recreation Commission and added that he likes to see commissions working on an idea and pushing it through the whole Commission, providing and receiving feedback, and seeing results at the end.

Council Member Benning stated that he is looking forward to Veterans' Day when the MC gets to say, "welcome to the Frederick Mueller Parade Field".

Mayor McCaa thanked the Parks and Recreation Commission for pushing this through and stated that it is an honor to sit in the seat that he sat in on the dais.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

[Item 6](#) Discussion and Possible Action of Resolution 2024-077, Dedication of Dog Park located at Hubert Tompkins Park to Canine Bones

Council Member Landry moved that Resolution 2024-077, dedicating the dog park located at Hubert Tompkins Park to Canine Bones, be approved. Mayor Pro Tem Umphrey seconded the motion.

Ms. Wilson stated that this resolution seeks the approval from Mayor and Council to acknowledge the dedicated service of retired Sierra Vista Police Department Canine Bones by dedicating the dog park located at Hubert Tompkins Park in his memory.

Ms. Wilson read the dedication into the record: Canine Bones served the Sierra Vista Police Department from 2012 to 2021 and exemplified loyalty, courage, and unwavering commitment to the community. Upon his retirement at age 12, Canine Bones lived out his remaining years with his trusted partner, Sergeant Justin Allyn, until his recent passing. During his distinguished career, Canine Bones worked alongside Sergeant Allyn from 2016 to 2021, deploying his exceptional skills 679 times in narcotic detection and patrol apprehension. Their partnership led to the discovery of 354 drug paraphernalia items, the seizure of 473 pounds of marijuana, over 850 grams of illegal narcotics, and 206 arrests. His contributions greatly enhance public safety and community well-being and in remembering Canine Bones, the City celebrates his legacy of service. Naming the dog park in his honor will provide a lasting tribute to his loyalty and the important role he played in protecting the City.

Ms. Wilson noted that this nomination was brought forth by the Parks and Recreation Commission Chairman, Wesley Hewitt, with unanimous support.

Sergeant Allyn thanked Ms. Wilson and stated that she did an excellent job with the dedication.

Council Member Rodriguez stated that it is great to see a canine honored because they are like police officers. They go into a lot of bad situations, fit into spaces where people do not, their amazing sense of smell, and the training they go through. Lastly, he shared that he lives close to that park; therefore, he will be able to go out there and visit the Bones Park.

Council Member Landry stated that these dedications are great. It is great to recognize Canine Bones, and it is perfectly fitting for that park, which is on her way to work every day. She added that she always drives by that park and loves to see what dogs are out there. Canine Bones did great work, and it is great that he will be able to be honored this way.

Mayor McCaa thanked Mr. Hewitt for his efforts as well as the Parks and Recreation Commission's work. He also thanked Ms. Wilson and Sergeant Allyn.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

[Item 7](#) Discussion and Possible Action of Resolution 2024-078, Authorization to Accept Arizona Governor's Office of Highway Safety Grant Funding (Contract #2025-AL-030)

Mayor Pro Tem Umphrey moved that Resolution 2024-078, acceptance of the Arizona Governor's Office of Highway Safety Grant Funding in the amount of \$88,099.00, Contract #2025-AL-030, be approved. Council Member Rodriguez seconded the motion.

Police Chief Hiser stated that this resolution requests approval of the next iteration of grant funding from the Governor's Office of Highway and Safety in the amount of \$54,643 plus the additional employee related expense of \$21,857 specific toward overtime reimbursement for saturation details that are conducted on holiday weekends, which are focused at removing impaired drivers from the roadway as well as aggressive driving details.

He noted that the amount is significantly higher than last year's \$20,900 due to the performance of the Sierra Vista Police Department officers who are working the task forces and getting impaired drivers off the roadway, which was recognized by the Governor's Office of Highway and Safety. The grant also funds \$2,199 for the purchase of five preliminary breath test devices as well as \$9,400 for an additional Intoxilizer 9000 device, which would stay at the Police Department in the booking area. All together the grant totals \$88,099.

In response to Council Member Benning, Police Chief Hiser stated that there is no City match required.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

[Item 8](#) Discussion and Possible Action of Resolution 2024-079, Authorization to Approve Settlement Agreement

Council Member Rodriguez moved that Resolution 2024-079, authorizing the City Attorney to take the necessary action to finalize the settlement in the matter of the City of Sierra Vista vs. Travelers Casualty and Surety Company of America, be approved. Council Member Messmer seconded the motion.

Mr. Williams stated that at the end of 2022, the City discovered that it had been the victim of check fraud. Several fake checks were written off City's accounts and the loss to the City was over \$200,000. As a result, the City submitted a claim against its insurance company, Travelers Casualty Surety Company under the City's forgery and alteration policy through Travelers. However, Travelers denied the City's claim and it was felt that they did so in bad faith and as a result the City retained counsel to pursue the claim on the City's behalf. After several months of negotiation, a negotiated settlement was reached. Travelers has agreed to reimburse the City \$135,000 for the City's loss. The City incurred about \$4,300 in attorney's fees in pursuing the claim; therefore, the net to the City would be over \$130,000. Although, this is not a full recovery, given the circumstances, this is a fair and appropriate settlement.

Council Member Rodriguez thanked Mr. Williams and stated that it is a shame that Travelers denied the claim and noted that it is interesting that once a lawyer showed up, they seemed to want to work with the City.

In response to Mayor Pro Tem Umphrey, Ms. Yarbrough stated that the fraud was discovered during the monthly check reconciliation; however, that check reconciliation file can only be downloaded once a month. To reduce the chances of this happening again, the Finance Division is reviewing the daily account activity statements to look for any checks that could be fraudulent, such as amounts that are outside the norm, duplicate check numbers being used, etc.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor.

Call to the Public

Jere Fredenburg stated that she is a volunteer at the Animal Shelter and voiced her concern over the \$1,000,000 donation that was given to the shelter during the fiscal year. She noted that the executor of the estate, Paula Baker, is also present and stated that she listened to the City Manager's report on October 10, 2024, where he stated that he had spent the \$1,000,000 budgeted and \$1,000,000 donation on the animal shelter and moved a \$1,000,000 budgeted amount by the City Council to capital improvement instead of spending it this year. Council budgeted \$2,000,000 and a generous donor gave another million, totaling \$3,000,000 that was for the fiscal year. Construction is ongoing and they have plans and that money could be spent immediately. This is a Council decision, not the City Manager. In closing, she asked that Council act in good conscience and allocate the budgeted funds and the donation to the Animal Shelter.

Comments and Requests of the Council

Council Member Benning congratulated Urban Axe Yard, a great establishment; stated that it is always great to see veterans doing great things; offered thoughts and prayers to Council Member Johnson; thanked his brothers and sisters in arms for what they do, for putting that uniform on, and thanked the new veterans/soldiers coming in that enable people like himself, Mayor McCaa and Council Member Rodriguez to retire. He also thanked the family members of veterans and noted that war is hardest on the people at home. In closing, he wished everyone a Happy Veterans' Day, encouraged everyone to go out to the parade, and thanked his beautiful Christie for blessing him and stated that he looks forward to their special day on November 9, 2024. Lastly, he congratulated Mayor Pro Tem Umphrey.

Council Member Landry congratulated Urban Axe Yard, encouraged people to visit the business, and noted that Urban Axe yard does different fundraising activities. She announced that on Saturday, October 26, 2024, from 11:00 a.m. until 3:00 p.m., the Pit Stop Gourmet Burgers is sponsoring an adoption fundraiser for the Animal Shelter. Also on Saturday, October 26, 2024, from 9:00 a.m. until 3:00 p.m., Grateful Goods, a vendor market, is also accepting donations for the Animal Shelter. She gave a shout out to Coach Megan Evans of the Girl's Golf Team, who put together a banquet for the girls. In closing, she stated that Halloween is upcoming and cautioned people to be on the lookout for kids running around in the streets looking for candy. She reminded everyone that Halloween is for all ages and encourage people that see older kids to support them and keep in mind that they are out there having a good time as well, holding on to their childhood longer. Lastly, she gave a special shout out to Mr. Keith Landry, a Halloween birthday boy, and wished him a very Happy Birthday.

Council Member Messmer reported that the museum's Dusk with the Dead at the Fry Pioneer Cemetery had over 130 people that came out to learn the history of the pioneers that built Sierra Vista. She further reported that she went to Saw, a nonprofit, that builds ramps for people who cannot afford them. She announced that she has asked the organization to present to Council because they are always looking for people to build ramps. Lastly, she announced that on November 2, 2024 at noon, Father Greg will be blessing the Fry Pioneer Cemetery to honor the people that have passed, especially those that built Sierra Vista. In closing she reminded everyone to vote on November 5, 2024.

Council Member Rodriguez congratulated Urban Axe Yard who do a lot of great things in the community; announced that 143 Street Tacos has reopened; announced that Carmichael Elementary will host its Red Ribbon Ceremony at 2:00 p.m. on Friday, October 25, 2024; reported that the local Fire Union 4422 received donations from PetSmart for the Nancy J Brua Animal Shelter; reported that the sign at the skate park was vandalized and stated that he would like to get more security cameras for the park. He congratulated Corporal Tuggle on his promotion, who he saw running with Police Chief Hiser and Sergeant Eaton; thanked Public Works' employees for trimming trees on Fry Boulevard and MLK; requested weeding over by the Fort's gate because the weeds are blocking the view of the mural done by Ms. Joanne Berry in 2017. He reported on the Youth Commission's work in the park, the mock interviews, and a potential youth job fair that they have been working with Arizona At Work. He thanked Fire Union 4422 for the food that they provided to the youth during the mock interviews, thanked Rhegan Derfus from the U of A Cooperative Extension, Elizabeth Tyndall from Be Healthy, Kelly and Mike Hyman from Synergy HomeCare, Sabrina Wiggins from La Frontera SEBAHS, Eric Grisham from Arizona At Work, Rebekah Tilley from Vision IT, Engineer Mike Derfus and Battalion Chief Matt Irlmeier from SVMS for their assistance with the mock interviews. Lastly, he wished everyone a Happy Veterans' Day and gave a special shout out to his favorite veterans, his wife, Nancy, a Marine Veteran, and his daughter, Alicia, an active Marine in Hawaii.

Mayor Pro Tem Umphrey echoed Council Member Benning's comments about Council Member Johnson because he is greatly missed on the dais, congratulated Council Member Benning, and encouraged people to go the parade on November 11, 2024.

Mayor McCaa gave a shout out to Fire Chief Jones and Police Chief Hiser for their participation in the presidential motorcade, the Speaker of the House, Madam Vice President Harris, past President Trump, and Senator Vance. He announced the dedication of the Oletski Center Border Building, new Sheriff's building, on Monday, October 28, 2024, at 9:30 a.m., where the Governor will be present and the October 25, 2024, game where Buena High School will be

playing against Marana High School. Lastly, he gave a shout out to Elizabeth Wrozek, PIO, an excellent speech writer, who writes all the speeches that he delivers.

Mayor McCaa adjourned the October 24, 2024, meeting of the Sierra Vista City Council at 5:46 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