



Sierra Vista City Council
Meeting Summary
[February 27, 2020](#)

Mayor Mueller called the February 27, 2020 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 Rick Mueller – present
Mayor Pro Tem Rachel Gray – present
Council Member William Benning – present
Council Member Gwen Calhoun – present
Council Member Sarah Pacheco – present (arrived 5:03 p.m.)
Council Member Carolyn Umphrey - present
Council Member Kristine Wolfe – present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Jon Kosmider, Deputy Police Chief
Brian Jones, Fire Chief
Laura Wilson, Leisure and Library Services Director
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Jeff Pregler, Planner
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Tony Boone, Economic Development Manager

Invocation - Pastor Chuck Carlson, Sierra Vista Community Church, lead everyone at the Council Meeting in prayer.

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

Item 1 Acceptance of the Agenda

Council Member Calhoun moved that the Agenda for the Regular City Council Meeting of February 27, 2020 be approved as written. seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, Umphrey and Wolfe.

City Manager's Report: Mr. Potucek announced that the next regularly scheduled City Council Work Session will be held on March 10, 2020 at 3:00 p.m. in Council Chambers to discuss regular updates and development fees study. He reported that the following two projects are being advertised:

- City Hall Remodel Project with bids closing on March 27, 2020
- Nancy Brua Animal Care Center Improvement and Expansion Project with bids closing on February 27, 2020.

He further reported that the Community Development Block Grant Projects for the First Street alleyway and Fifth Street improvement projects have been tentatively awarded to KE&G. The Big O driveway that was a part of the annexation, and the sign for the Sierra Vista Airport are under way. Lastly, he reported on his meeting with Cochise County and fellow city managers regarding the different cooperative agreements:

- Rate Review Board, which makes recommendations regarding tipping fees to the Cochise County Board of Supervisors, decided that there will not be any recommendations for increases in tipping fees for this year nor the foreseeable future.
- Cochise County Tourism and Economic Council presented and provided advertising and marketing materials, which will be forthcoming to the Council during a work session.
- Consolidated Court Agreement was addressed as Superior Court Presiding Judge Conlogue has put forward a proposal for a new agreement, which would automatically name, per State Law, the elected Justice of the Peace Five to be the City Magistrate.

Under this proposal, the City Council would no longer need to appoint a magistrate. The provisions for having an attorney be the pro temp and consulting with the Council would remain in place. The cost was not addressed; however, the County Administrator assured that they did have numbers available. Therefore, the City will be sending its budget staff over to work with his to bring those numbers to the Council as part of the new agreement that will need to be addressed before the start of next fiscal year.

In response to Council Members Pacheco, Mr. Potucek stated that the proposed agreement would be brought forth to Council for approval. Mayor Mueller noted that any joint agreement with the County must be approved by the Council.

In response to Council Member Benning, Mr. Potucek stated that the Council would need to address changes to the current ordinance addressing the magistrate. The issue identified and addressed last year in the agreement were the side agreements that the communities have with their magistrates as Judge Conlogue does not feel that it is appropriate.

Council Member Benning stated that the Council voted for the intergovernmental agreement because they added to that agreement the ability to be able to provide input on the selection of the justice of the peace due to the events that took place during the nomination of Judge Pat Call. Mr. Potucek stated that it would still be a part of the proposed agreement.

Item 2 Consent Agenda

[Item 2.1](#) Approval of the City Council Special Meeting Minutes of February 13, 2020

[Item 2.2](#) Approval of the City Council Regular Meeting Minutes of February 13, 2020

Mayor Pro Tem Gray moved that the Consent Agenda consisting of the Special Meeting Minutes and Regular Meeting Minutes of February 13, 2020, be approved. Council Member Umphrey seconded the motion. The motion passed by a vote of six, Mayor Mueller, Mayor Pro

Tem Gray, Council Members Benning, Pacheco, Umphrey and Wolfe. Council Member Calhoun abstained.

New Business

Item 3 Ordinance 2020-002, Adoption of Development Code Amendments to Section 151.22.006, Matrix of Use Permissions by Zoning District (Private schools of General Education)

Council Member Pacheco moved that Ordinance 2020-002, adoption of Development Code Amendments to Section 151.22.006, Matrix of Use Permissions by Zoning District, be approved. Council Member Umphrey seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, Umphrey and Wolfe.

Item 4 Resolution 2020-012, Acceptance of Arizona Department of Homeland Security Grant Funding-Operation Stonegarden Grant Program (Agreement #190417-01)

Council Member Umphrey moved that Resolution 2020-012, acceptance of the Arizona Department of Homeland Security Grant Funding for Operation Stonegarden Grant Program, be approved. Mayor Pro Tem Gray seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, Umphrey and Wolfe.

Mr. DeCarlo cited parts of the Constitution, talked about the Public Safety Personnel Retirement System, and contributions. He added that the grant is funding an officer, and this subverts the will of the people.

In response to Council Member Pacheco, Deputy Police Chief Kosmider stated that the Department has been participating for years and the Department applies annually. The grant is specific to deployments that are scheduled.

Item 5 Resolution 2020-013, Approval of an Intergovernmental Agreement with the Town of Huachuca City for Intercity Route Services

Council Member Wolfe moved that Resolution 2020-013, an Intergovernmental Agreement with the Town of Huachuca City for Intercity Route Services, be approved. Council Member Umphrey seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, Umphrey and Wolfe.

Item 6 Resolution 2020-014, Amendment to the Intergovernmental Agreement with the Sierra Vista Unified School District

Council Member Benning moved that Resolution 2020-014, amendment to the Intergovernmental Agreement with the Sierra Vista Unified School District, be approved. Council Member Umphrey seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, Umphrey and Wolfe.

Item 7 Resolution 2020-015, Establishing a West End Entertainment District

Council Member Calhoun moved that Resolution 2020-015, establishing a West End Entertainment District, be approved. Mayor Pro Tem Gray seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, Umphrey and Wolfe.

Call to the Public

Michael DeCarlo voiced his concern about the Finance Manager not being able to account the amount of man hours that are involved in the refuse system and a government that is unaccountable in handling the refuse. He added that he respects the reformation that the City is attempting, but he believes that it would be appropriate for a referendum by the residents because the representative pattern is being changed by 28 percent, eliminating two out of seven of the voices of the people. There is no guarantee that government itself will be reduced by 28 percent.

Comments and Requests of the Council

Council Member Benning thanked Pastor Carlson for his invocation, everyone in the audience and Mr. DeCarlo for his comments. In closing, he announced the Open House for Fry Boulevard on March 4, 2020 at 1:00 p.m. and 5:00 p.m. at Sierra Suites.

Council Member Calhoun had nothing to report.

Council Member Pacheco had nothing to report.

Council Member Umphrey had nothing to report.

Council Member Wolfe stated that she and her Rotary Club toured the Nancy Brua Animal Care Center, a fantastic facility, thanked Ms. Garcia for her time out of her day to accommodate them. The Center is currently holding a Mardi Paws event with adoption incentives.

Mayor Pro Tem Gray stated that the Nancy Brua Animal Care Center does an incredible job in working with the resources that they have, thanked Ms. Gustafson from the Chamber of Commerce and staff on their hosting of Governor Ducey's State of the State. Lastly, she stated that Governor Ducey's message was positive for Cochise County and rural areas.

Mayor Mueller stated that the Chamber of Commerce was a great community partner to be able to execute a visit from Governor Ducey. He added that there was also great support by Cochise College, and it is great to have community partners that the City can depend on.

Adjournment

Mayor Mueller adjourned the February 27, 2020 meeting of the Sierra Vista City Council at 5:41 p.m.