

Sierra Vista City Council
Meeting Agenda
September 8, 2022

Mayor Mueller called the September 8, 2022, 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
Council Member William Benning – present
Council Member Gregory Johnson - present
Council Member Angelica Landry – present
Council Member Marta Messmer – present (telephonically)
Council Member Mark Rodriguez – present
Council Member Carolyn Umphrey – present

Others Present:

Chuck Potucek, City Manager
Adam Thrasher, Police Chief
Brian Jones, Fire Chief
Laura Wilson, Leisure, Library and Parks Director
Sharon Flissar, Public Works Director
Chanel Kirkpatrick, Public Works External Service Manager
Matt McLachlan, Community Development Director
Blake Fisher, Planner
Nathan Williams, City Attorney
Jill Adams, City Clerk
Judy Hector, Marketing and Communications Manager
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst
Mark Slania, Industrial Development Authority Attorney (telephonically)

Invocation – Michael Sanders, Village Meadows Church, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Johnson moved that the Agenda for the Regular City Council Meeting of September 8, 2022 be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Council Members Benning, Johnson, Messmer, Rodriguez, Landry, and Umphrey voted in favor.

City Manager's Report: Mr. Potucek stated that the next regularly scheduled work session is on Tuesday, September 20, 2022 at 3:00 p.m. in the Council Chambers, and the next regularly scheduled Council Meeting is on Thursday, September 22, 2022 at 5:00 p.m., also in the Council Chambers. He reported that the restrooms that are in the budget and supposed to be placed at the Sports Complex, which was discussed during the work session on Tuesday, September 6, 2022, under Council's strategic planning item, are being evaluated for options to take advantage of existing sewer lines in the area for replacement of the first two. It is hoped to budget another couple of restrooms in the next fiscal year once the sewer situation is

straightened out. The Cyr Park Project is underway that is being constructed by KE&G, which is to be completed on September 30, 2022. He also reported that overall sales taxes were up 7.4 or five percent, which is good in comparison with projections in the budget, but it does reflect a drift downward that the City had been experiencing over the last six/seven months. It is still an incredibly sizable number and higher than what the City normally got before COVID. He also reported on the Joint Powers Authority Board Meeting for SEACOM, where the main topic of discussion was staffing and a public service announcement on the radio for recruiting. The County and the Sheriff's Office are going to assist with this as well. However, there needs to be other means of backing up in case there are issues with staffing going forward. Currently, the Authority is going to work on an MOU and IGA with the City of Douglas for mutual aid back up, where the entities can help each other. There are technical things that need to be done with the State, but it is a good first step. Lastly, he announced that the ribbon cutting and open house for Station Four is scheduled for Friday, September 30, 2022 at 11:00 a.m.

In response to Mayor Mueller, Mr. Potucek stated that the next executive report will be available next month, probably the first meeting in October.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of August 11, 2022

[Item 2.2](#) Discussion and Possible Action of the Special City Council Meeting Minutes of August 25, 2022

Council Member Landry moved that the Consent Agenda consisting of the Regular City Council Meeting Minutes of August 11, 2022 and the Special City Council Meeting Minutes of August 25, 2022, be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Council Members Benning, Johnson, Messmer, Rodriguez, Landry, and Umphrey voted in favor.

New Business

[Item 3](#) Discussion and Possible Action of Ordinance 2022-004, South City Annexation

Council Member moved that Ordinance 2022-004, South City Annexation, be approved. Council Member Umphrey seconded the motion.

Mr. Fisher stated that this is step three of three of the formal annexation process for the South City Annexation area. This is the final required meeting to establish the annexation via ordinance and this is not a public hearing item. The South City Annexation area as defined in the legal map consists of 19 general business owned properties totaling approximately 67 acres. Of the 19 properties, five are undeveloped, one is for utility services, three are quasi-public religious services, two are industrial, two are mini-storage, and six are retail office space areas. Areas defined for annexation were largely depicted in the City's long term annexation map which was approved by City Council resolution in 2008. The City currently possesses eight pre-annexation agreements within the annexation area which are of sufficient quantity and value to effectuate the annexation via ordinance. Following approval by the Council and the required 30-day ordinance waiting period, the annexation officially takes effect. Staff will ensure the County Recorder and other relevant government agencies as well as affected property owners and businesses are notified of the change of jurisdiction.

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

[Item 4](#) Discussion and Possible Action of Resolution 2022-062, Amendments to SEALETA Intergovernmental Agreement

Council Member Rodriguez moved that Resolution 2022-062, amendments to SEALETA Intergovernmental Agreement, be approved. Council Member Umphrey seconded the motion.

Police Chief Thrasher stated that these are two amendments to the intergovernmental agreement that the Department signed, which was approved by the City Council in June 2022 to operate the Academy at Cochise College with the Cochise County Sheriff's Office. The first amendment allows the County to be reimbursed for providing an RTO like the City does. The second amendment reduces the program fee by \$2,500 per recruit due to the State providing funding to Arizona Post to reimburse the academies for each recruit trained.

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

[Item 5](#) Discussion and Possible Action of Resolution 2022-063, Authorization to Accept Arizona Governor's Office of Highway Safety Grant Funding (Contract #2023-AL-032)

Council Member Johnson moved that Resolution 2022-063, Authorization to Accept Arizona Governor's Office of Highway Safety Grant Funding (Contract #2023-AL-032), be approved. Council Member Umphrey seconded the motion.

Police Chief Thrasher stated that this is the annual grant that the City is awarded through the Arizona Governor's Office of Highway Safety for DUI enforcement/deployments. The grant pays for overtime for officers to work DUI department deployments as part of the DUI task force. This grant reimburses the City for overtime in the amount of \$21,586 and employee related expenses the amount of \$8,414. In addition, the grant will also reimburse the City for the purchase of a SOTOXA portable saliva drug test kit in the amount of \$6,237. The test kit is going to be rolled out as a test to see how accurate it is as the Department goes through the process. It is a six-panel drug test that uses saliva to test within five minutes at the scene. It tests for amphetamines, benzodiazepines, cannabis, cocaine, metabolite methamphetamine, and opiates. There is a specific cutoff minimum of the metabolites that it must register for it to register as positive and is able to provide a printout on scene for the officers. It will be used only as a field sobriety test on a voluntary basis to develop probable cause for impairment.

Mayor Mueller asked about the timeframe to be able to have enough data to decide if the testing is good. Police Chief Thrasher stated that it depends on the number of times the Department can use it and then get the results back from the Department of Public Safety Crime Lab to see how accurate it is. He added that he is unable to provide an exact period. He added that a huge portion of the DUIs are drug related.

Council Member Johnson stated that from his experience in volunteering in Evidence, a lot of this is going to be dependent on how quickly the lab can get the results back.

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

[Item 6](#) Discussion and Possible Action of Resolution 2022-064, Authorizing the Sierra Vista Industrial Development Authority's issuance of Education Facility Revenue Obligations (The Paideia Academies Project) Series 2022, in one or more series or subseries (the "Obligations"), in an aggregate amount are not to exceed \$7,000,000, and Declaring an Emergency

Council Member Umphrey moved that Resolution 2022-064, Authorizing the Sierra Vista Industrial Development Authority's issuance of Education Facility Revenue Obligations (The Paideia Academies Project) Series 2022, in one or more series or subseries (the "Obligations"), in an aggregate amount are not to exceed \$7,000,000, and Declaring an Emergency, be approved. Council Member Johnson seconded the motion.

Mr. Slania stated that this is a revenue obligation issue only because it is being sold directly to the bank. It is going to be for Paideia Academies, which already has two obligations outstanding. These obligations will be on parity with those prior obligations and neither the City credit nor the Sierra Vista Industrial Development Authority's credit is pledged for these bonds. It rests solely upon the credit worthiness of the borrower.

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

Call to the Public - There was no response.

Comments and Requests of Council

Council Member Benning announced the Cyr Ribbon Cutting Ceremony on Saturday, September 10, 2022, at 5:00 p.m. for the new scoreboard, the Berean Academy game at Arbenz Field at 7:30 a.m. on Saturday, September 11, 2022, and encouraged people to volunteer for Oktoberfest on September 16, 2022, 4:30 p.m. until 11:00 p.m., and September 17, 2022, 11:00 a.m. to 11:00 p.m. He added that anyone wishing to volunteer should contact Laura Killberg.

Council Member Johnson had nothing to report.

Council Member Landry announced that September 8, 2022 is National Walking Day and Appreciation Day. She thanked volunteers who walk the dogs at the animal shelter and noted that one of the goals is to get every dog walked at least every day. She stated that anyone interested in being a dog walker or cat cuddler should contact the animal shelter. Currently the animal shelter needs laundry detergent, any brand, which can be dropped off at the animal shelter on Tuesday through Friday from 10:00 a.m. until 05:00 p.m. or Saturday from 12:00 p.m. until 05:00 p.m. The animal shelter also takes other donations, monetary as well. Lastly, she shared that the animal shelter put out an announcement that they have a cat named Landry, who could become anyone's best friend because she cannot pick him up as she has met her three-cat quota.

Council Member Messmer had nothing to report.

Council Member Rodriguez shared that on his way to the Council Meeting, he took the New Avenida Escuela Bridge, which is a nice cut for access that is also great for first responders responding to a call. He stated that there were first responders from Engine 201, medics, out at the pickleball field playing pickleball, and noted that he enjoys seeing people out there using the courts and getting their exercise on. He reported that the Sierra Vista Police Department went to

Shepherd Folds Child Care on Lenzner Avenue and Corporal Borgstadt had the children put all their handprints all over the police car, which should be done to every police car for a week, a great community engagement. He announced the 9-1-1 Ceremony at Fire Station 203 on Sunday, September 11, 2022, at 6:00 p.m., Good Morning Sierra Vista on Tuesday, September 13, 2022, at 07:00 a.m. at Cochise College. Buena Sports, JV Game on Thursday, September 8, 2022, in Marana, but the Freshman will be playing locally on the same night, and on Friday, September 9, 2022, the Varsity's first home game will be taking place at Buena High School. Lastly, he shared that he stopped by the new dispensary, new business in the area, which looks like it is underway, posted on Facebook, who also got their permits in. He added that he saw at the dispensary a security company with the same security/cameras that get put in casinos. Lastly, he stated that this new business coming to the City might help with the tax revenue.

Council Member Umphrey announced that the Sky Island Tour is open for registration online at skyislandtour.com, which benefits NAMI on Saturday, October 1, 2022. They do a five-mile, 20-mile, and others starting at the Sierra Vista Mall, a perfect time of year to take the bike out with the family to tour Sierra Vista.

Mayor Mueller thanked Council Members for everything that they announced. He thanked the staff for all the excellent work in preparation for the Thursday, September 8, 2022 Council Meeting and the citizens who were listening and involved over the airwaves and internet.

Adjournment

Mayor Mueller adjourned the September 8, 2022 meeting of the Sierra Vista City Council at 5:23 p.m.

Mayor Frederick W. Mueller

MINUTES PREPARED BY:

ATTEST:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk