

Sierra Vista City Council
Work Session Minutes
November 8, 2022

1. Call to Order

Mayor Mueller called the November 8, 2022, 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
Council Member William Benning – present
Council Member Gregory Johnson – present
Council Member Angelica Landry – absent
Council Member Marta Messmer – present
Council Member Mark Rodriguez – present
Council Member Carolyn Umphrey – present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Adam Thrasher, Police Chief
Brian Jones, Fire Chief
Laura Wilson, Parks, Leisure, and Library Services Director
Chanel Kirkpatrick, Public Works External Service Manager
Matt McLachlan, Community Development Director
Jill Adams, City Clerk
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst
Jennifer Dillaha, Budget Officer

1. Presentation and Discussion:

A. November 10, 2022 Council Meeting Agenda Items ([agenda attached](#))

Mayor Mueller stated that the Council Meeting for Thursday, November 10, 2022, starts at 4:00 p.m. with the call to order, roll call, invocation, pledge, the acceptance of the agenda, and the City Manager Report.

In response to Mayor Mueller, Mr. Potucek stated that on Thursday, November 10, 2022, he will provide an update on the SEACOM JPA where the focus is still on staffing. He reported that he received the September sales tax numbers, and the City is running 9.9 percent above. The numbers are still running very strong, about 8.8 year to date over and above. Retail sales are up 8.24 along with a lot of strength in the other categories.

Item 2 Discussion and Possible Action of Regular Meeting Council Meeting Minutes of October 27, 2022 – There was no discussion.

Item 3 Discussion and Possible Action of Resolution 2022-074, Authorization to Accept Arizona Department of Emergency and Military Affairs Funding- (Agreement #M22-0039) – Police Chief Thrasher stated that the resolution before Council is to accept funding from Arizona Department of Emergency Military Affairs in the amount of \$350,000 to upgrade our VHF radio system. This is part of border security funds. The VHF system is the backup radio system for the Police Department and the primary radio system for the Fire Department. This allows the Departments to have critical redundancy in the Police Department in terms of dealing with communicating with the Sheriff's Office and the Fire Department during critical incidences and certain instances like the pursuits that the

City has been having more recently.

Council Member Benning commented that this is a good thing, any time the City gets back money is always a good thing.

Item 4 Discussion and Possible Action of Resolution 2022-075, Intergovernmental Agreement with Patagonia Union High School to provide Commercial Driver's License (CDL) Training and Exam Licensure – Ms. Kirkpatrick stated that the City has on staff a gentleman, Bob Butterworth, who is certified with the Department of Transportation (DOT) to provide the licensure of the CDL Class A and B. He meets all the requirements for the State Department of Motor Vehicle (MVD); therefore, this has been practiced internally since 2013 that has given the City a phenomenal advantage to hire. A couple of years back the Department started offering the service to external agencies. The certification is not specific to the City. It is specific to the individual and Mr. Butterworth has been providing that service to other government agencies. This intergovernmental agreement allows for this service to be provided to Patagonia. The Department is currently doing this for five other external agencies.

Council Member Johnson stated that he did some research with regards to testing fees outside in the commercial area, and the Department's fee is in line with the initial fee of \$450; however, allowing an employee three attempts at no additional charge seems him to be a bit off to me.

Mayor Mueller asked what is being done for the City's employees. Ms. Kirkpatrick stated that it generally is the same. The Department does not administer the written test. This is \$25 fee paid to the MVD and the employee is responsible for that fee. Internally, the Department provides the CDL DOT physical. Recently DOT mandated that there be sixteen hours minimum of classroom training and the Department is providing that to the employees. This is something that will be provided to the external agencies because there are requirements and mandates as to who can do that and who cannot do that. There is also training and tutoring on the pre and the post trip, how they go about getting inside the vehicle, or go about legally doing the inspections. The Department has been helping teach the teacher so that the City is not on the hook all the time. The Department is opening the sixteen hours of classroom time; however, the road test is where they get their CDL endorsement on their license. She further stated that internally, the Department does it until they pass. It is easier for the Department to know where the shortcomings are with staff because the Department is intimately involved day to day with their staff. The Department has not had anybody abuse the three strikes type of situation. Lastly, she noted that she is not stating that it would not happen; but for an external agency to pay that money, she imagines that they would want to make sure that their person is properly able to pass that test.

Council Member Rodriguez commented that by Mr. Butterworth training the trainer for the external agencies is good so that the external agencies can start their own programs. He asked if Mr. Butterworth trains the School District as well. Ms. Kirkpatrick stated that he is correct.

Council Member Rodriguez thanked Mr. Butterworth for spreading the love on CDLs, which are very few around and very much needed.

Council Member Benning asked if Mr. Butterworth is only providing training, or is he providing the exam? Ms. Kirkpatrick stated that as of this year, Mr. Butterworth is providing 16 hours of classroom training, a new mandate that was passed by DOT. The training is now being provided, which is new; but he is also providing training to the trainer on the inspection process. Therefore, when the individual applicant is doing their pre and post trip, the Department is not doing that. This is something that is being done at the individual agency. Currently, they are only coming in for the sixteen hours and the testing. The Department has been flexible in allowing Mr. Butterworth to go to those agencies and train the trainer, but a fee has not been attached to that. It has been more of a community outreach type of thing.

Council Member Benning stated that sixteen hours of training costs more than \$150 dollars for testing because the City is paying Mr. Butterworth's salary while he is going to Patagonia or other

agencies. He asked what the City is getting out of this; although, he understands what he is providing. However, the City is paying for those agencies to have that training and he wonders what the City is getting in return. Ms. Kirkpatrick stated that the City is reinforcing the local workforce and putting people to work. Mayor Mueller noted that even though it may not be a monetary return, there is something to be said for helping the smaller communities. The fact that the City can help small communities, which has been done in the past, i.e., sharing fire and police training. This is not a onetime shot.

Council Member Johnson stated that during his research he found that these were commercial enterprises that merely did testing on the road and the written test for \$150, and if they failed it the first time, they had to pay another \$150; but he did not know that the City was providing sixteen hours of training in addition to the testing. Therefore, they are getting a deal. He further stated that Council Member Benning brought up that the City is still paying Mr. Butterworth to do his job while bringing in very little revenue. Mr. Potucek stated that he believes this is a loss leader and asked how many people are being trained over the course of a year. Ms. Kirkpatrick stated that she would have to go back to the Department and research that number, but she can have that information to Council by Thursday, November 10, 2022.

Mr. Potucek asked if it has been ten or twenty? Ms. Kirkpatrick stated that she would not even say it is that much. Mr. Butterworth has trained a couple of hundred people since 2013, but the majority of those have been with the City. She added that of the six people including Patagonia, the six agencies that are utilizing the service, five are school districts. The other may be Cochise County.

B. [Discussion on Boards and Commissions](#)

Mr. Potucek stated that Council recently discussed during a work session the boards and commissions with an eye towards potential changes. Staff brainstormed as to how they might be able to organize that for Council and provide a proposal to talk about. He noted that the memo dated November 4, 2022 is a proposal and open to any changes that Council wishes to make. Staff used the framework of the General Plan as discussed at the work session. The memo contains two columns, the proposed commissions and then the General Plan areas that they cover. There are two commissions that do not fit neatly into this model and that includes the Commission on Disability Issues and the Youth Commission, since they are highly specialized in terms of their nature; therefore, it was determined to leave those alone as they stand.

The Economic Development Commission and Tourism Commission have three General Plan areas and staff is proposing to combine those two into one.

A Transportation Commission is being proposed which includes the current Airport Commission; but added are streets, bicycle, pedestrian transportation, and transit that is in the General Plan Area Three for transportation and circulation.

A Neighborhood Commission is being proposed which would be an expansion of the current West End Commission given that the community has grown, and that the City has several neighborhoods that probably would like some attention or at least a closer look and participation. This is an eye towards looking into the future and is in the General Plan Areas 12 and 13 for housing, neighborhoods, redevelopment, and infill development.

The environmental stewardship pretty much speaks for itself and that is currently the Environmental Affairs Commission that is in three General Plan Areas.

The Parks and Recreation Commission will remain the same and that addresses the public facilities and services General Plan Areas.

The arts, humanities and cultural diversity would include both the current Arts and Humanities Commission and the Commission on Cultural Diversity that heads General Plan Areas 16.

There may be a total of eight commissions proposed if those are included with the Commission on Disability Issues and the Youth Commission. The missions might be more relevant to those who might want to volunteer and participate. The commissions would be making recommendations to Council on the General Plan Process, Strategic Planning Goals and Objectives, major projects and initiatives related to commissions, conducting research on proposals relative to the commission's focus areas, staff updates on progress regarding relative General Plan and Strategic Plan Goals.

Mr. Potucek stated that he forgot to add gaining public input on specific projects or objectives within specific plan areas. However, if there are others those can be provided to Council for discussion, and if staff is way off in terms of what is being done, staff will go back to the drawing board.

Mayor Mueller noted that the Planning and Zoning Commission is not listed because that is a regulatory commission that the City is required to have by law. However, the Commission looks at the General Plan elements, i.e., constant development, redevelopment/development of housing, housing and neighborhoods that are all a part of the Planning and Zoning Commission's mission; but the Commission would probably be more focused on the regulatory parts of that mission rather than the more General Plan. Mr. Potucek concurred and stated that he would be looking at safety and property maintenance.

Mayor Mueller stated that safety is listed for Park and Recreation, which is important for parks and recreation; but safety is something that all the commissions should be really focused on as well as citizen participation. Mr. Potucek stated that he envisions people from different neighborhoods participating that that could bring or look specifically at neighborhoods and what neighborhood issues there might be. It could range from infrastructure to safety, access, property maintenance, and a wide variety of things.

Council Member Umphrey asked if the commissions would report to Council and not the staff. Mr. Potucek stated that she is correct, it would revert to council appointment.

Council Member Umphrey stated that this makes more sense because after the last work session, a comment was made in that staff is responsible for what is happening in operations and Council is more on the vision side of things. Mr. Potucek stated that he believes that this would give them a better feeling that the Council too was more involved and there would be Council liaisons.

Council Member Umphrey asked if the transportation commission would include the Transportation Advisory Committee that used to meet quarterly. Mr. Potucek stated that the Committee could fold into that Commission.

Council Member Umphrey asked if the Park and Recreation Commission was changing. Mr. Potucek stated that staff does not envision that changing. The interesting part is that there are four areas, public facilities, and services, and that is a broad thing. This involves buildings, ballfields, parks, and a lot of different things; therefore, staff felt it was better to leave it as Parks and Recreation because Council is going to make any decisions regarding new facilities and those kind of things because of the costs involved. However, that does not preclude them from making recommendations.

In response to Council Member Umphrey, Mr. Potucek stated that CoDI and Youth are going to be regular commissions like the rest of them.

Council Member Johnson shared that he was in the hotel business for over thirty years, and he also served on an economic development commission in Des Plaines, Illinois. He stated that combining the two does not make sense to him because he looks at tourism, and on what they are focusing on, which is mountain climbing, biking, hiking, all the outdoor recreational things as far as tourism. However, he does not see the purpose of combining the Economic Development Commission which was recently launched with the Tourism Commission. He further stated that they should be separate or in the alternative because Parks and Recreation have such a great impact financially as far as activities in the City, they possibly could be part of that tourism piece. He further stated that he does not serve on the Tourism Commission and he does not know what they do, if they even meet, and

what items are they focused on; but it does not seem to him that it would be compatible with economic development because to him, economic development and the efforts that Mr. Boone makes is in trying to get businesses to come to the City of Sierra Vista, not to create a bike path or something of that nature.

Council Member Johnson noted that regarding transportation, there are two Council Members on the dais that are Board Members of the Sierra Vista MPO that has to do with transportation, transit, and the meetings are public. Therefore, he can see where the transportation commission could possibly work with the Sierra Vista MPO because they have a time for public input during those meetings. The transportation commission could attend and make recommendations. Mayor Mueller noted that their purpose is to make recommendations to City Council as a City and the City's staff then goes to the MPO and relays the City's plan based on input from the other group. He stated that he sees a different structure and steps where things are recommended. However, they should be playing a role. Mr. Potucek stated that there is difficulty getting volunteers for the Tourism Commission. Staff is looking for a home for them.

Council Member Benning stated that he does not mind taking the Tourism Commission and combining it with the Parks and Recreation Commission. He added that tourism falls in with transportation because if there are no good streets, then people are not going to come to Sierra Vista. However, his concern is going back to the current structure of five members. He wonders if the number of commissioners is going to be looked per commission. He would also like to look at how long a commissioner can serve because the City is losing good commissioners because they are terming out and there is no backfill. He added that if the Council went from the West End Commission to a Neighborhoods Commission, he would like to increase the membership. The Airport Commission is packed, but now there is a proposal to bring people in that understands streets; however, he is concerned where these members would fit in that established five-membership that focuses on the airport. If commissions are going to be combined, then he suggests bringing in more commissioners on the on each commission to facilitate the combined commissions and get more community members involved. Lastly, he stated that he knows that currently it is hard to fill commissions, but he thinks that the steps that Council is taking by combining commissions and joining them to the General Plan helps. Now it is up to Council to take back the commissions as liaisons, recruit and get those bodies in the seats that are needed to hear from the community.

Mayor Mueller stated that the Airport Commission has done a great job. However, the time that they are needed is when the City does the ten-year plan. The folks involved on the ten-year plan need to be from the pilot's association that are already out at the airport. There can be people that are responsible to the users while they are sitting on the board talking about the ten-year plan. Therefore, he does not see a need for five members for the Airport Commission, even though they are enthusiastic, to be on the Transportation Commission. There needs to be more than pilots and there are people involved in transportation already as Council Member Johnson mentioned.

Mr. Potucek stated that if these commissions are more meaningful to the people who want to volunteer to serve on them, expanding it to seven or whatever makes sense. However, the term limit needs to be looked at because that was implemented back a way mostly because there were folks that were lifetime appointees on a commission, and they were interested specifically in that area; but he does not see that as a big issue anymore and maybe term limits are ok.

Mayor Mueller stated that they can have three two-year appointments before they must sit out a year, which he thinks is reasonable.

Council Member Johnson asked if part of the suggestion is to have a designated Council Member for each one of the commissions. Mr. Potucek stated that he is correct.

Council Member Johnson stated that it is important, and it gives the commissions more credibility, a direct link to a Council Member.

Council Member Messmer suggested adding cultural diversity to the General Plan elements for the

Arts and Humanities Commission because currently this only speaks about the arts. She asked if tying commissions to the General Plan going to help the commissions get funding. Mr. Potucek stated that there has been discussion regarding special events. There are a few numbers of events that are sanctioned by the Council as a whole. A lot of the commissions in the past have been trying to do events or have been associated with events. However, those events are budgeted for, i.e., October Fest, July 4th events, etc. The commission themselves do not have a budget per say and that is totally up to the Council whether they want to see a commission to have a budget. This would probably depend on the type of activity that they are involved in. Mayor Mueller stated that it is a key point. He added that he would be very uncomfortable if Council were to state that the Planning and Zoning Commission would get "x" amount of dollars to operate themselves, or this commission, or that commission because the best way to do it is the way that it is currently done. As an example, it there as going to be the Mayor's Arts Awards, the Parks and Leisure Director knows that it is going to cost so much, and she can manage the money and make sure that it is available to buy whatever they need, and it would be the same for scheduling of other events for other commissions. Council would need to come up with a budget and have it in the budget, and it needs to be professionally managed by whatever department is the sponsor for each one of those because that way there is better fiscal control over the funds, and any profits would come back to the City if there were profits. The management of that money should not be in the hands of a potentially volunteer board. Council Member Benning concurred.

Mr. Potucek stated that he also agrees and noted that a commissioner is not a bonded person. He is not opposed if Council wants to allocate funding for commission projects or things that they are engaged in; but it should be found within a department under a department head's stewardship as part of the budget process.

Council Member Rodriguez stated that the City is losing people that are getting termed out and if there is room for them and nobody is chomping at the bit to get their position, then they should be allowed to stay longer, especially if the City is losing their expertise. He added that he has been trying to get the Youth Commission together and he is not opposed to holding the Youth Commission Meetings once every month. He noted that this commission is different due to the school year and based on feedback, the Commission would meet on the fourth Tuesday of the month in the evening time at a public meeting location, which Ms. Penny and Ms. Chatham are working on. Most of the youth activities that are envisioned are a lot of projects, i.e., a youth car show, and they would want to hand out prizes and gift cards. Currently, these events and prizes are not budgeted, and he wonders where the money would come from. Mayor Mueller stated that since the Youth Commission is a unique commission, if they wanted to do certain projects, whether it is for charity or for other reasons to get more youth involved in the community, there are a lot of ways that they can help fund their events. The City can certainly help fund those events, but there needs to be communication with the Parks and Leisure Director to make sure that things are being done legally and that public funds are being used properly. The other expenses will be when the League of Cities has their youth day.

Mayor Mueller noted that it seems to him that Council is ok with Mr. Potucek's suggestions.

In response to Mayor Mueller, Mr. Potucek stated that staff will incorporate this discussion in a policy document and memo for Council to adopt. Staff will also fill in the particulars concerning terms, expanding the size of the commissions, and all the other relevant things that council discussed. Mayor Mueller asked if this would include a review of what is already on the books for each one of the commissions, to include their missions. He noted that the way that they have been authorized in the past, is one authorization document that says this is the Library commission and here are the things that the Library Commissioners are authorized, and they are going to meet on the third Tuesday or whatever it is. There is a whole litany of that and there is one that the City Clerk prepares for each one of the commissions that is in their commission books so that they know what their mission is.

Mr. Potucek stated that staff will have to review that and then probably attach them as appendix, and he imagines that this would find its way into the Council Handbook.

Council Member Benning stated that he does not mind term limits, but he would like a stipulation where a per case waiver could be voted on by Council for commissioners that want to stay on, even though they termed out. Mayor Mueller stated that he does not believe that this would be a problem on a case-by-case basis for term limits. Council Member Umphrey suggested having current members recommend that because they are usually wishing that person would stay.

Mr. Potucek stated that Council Member Messmer made a good point regarding the Cultural Diversity Commission; therefore, staff will need to change that language. There are cultural activities but that is not cultural diversity.

C. Report on Recent Trips, Meetings and Future Meetings

Council Member Rodriguez announced that the MAC luncheon went well. Mayor Mueller announced the Veterans' Day events.

D. Future Discussion Items and Council Requests

In response to Mayor Mueller, Ms. Yarbrough stated that besides the Boards and Commissions resolution/update, she is not tracking anything for the Council's work sessions; but there are two things that are upcoming regarding future meetings, staff is tentatively scheduling the canvassing for November 17, 2022, and a meeting through Triadvocates with State Legislators in December to talk about the upcoming session.

Council Member Benning reiterated the discussion he brought up during the last the last work session about starting back up the presentations by 501C3s during the work sessions as well as having a business the month.

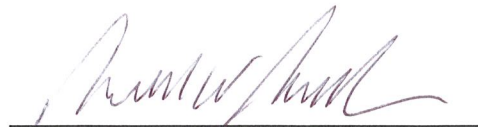
Mayor Mueller noted that these topics need to be put on the next work session agenda because there are some inherent issues with these topics. He asked who would manage the programs and noted that these are two separate programs. He also asked who would make the recommendation for a business of the month and stressed that he does not think that it is appropriate for a Council Member or the Mayor to make such a recommendation unless somebody has done something outstanding. He added that if Council wants to do this, then a system needs to be put in place so that it comes from the people, commission, or staff, and then it must be on a consistent basis.

Council Member Umphrey stated that a few of the commissions used to have applicants and reward businesses and Council would highlight them for their achievements. She added that the Commission on Disability Issues and the Environmental Affairs Commission used to do this, and maybe the commissions could be tasked with this, if this is something that Council wants to do.

Council Member Rodriguez suggested for everyone on Council to nominate a business and then have all Council Members look at them and decide, but he also likes the idea of having the commissions making the nomination. However, it must come from the people, but from talking to people, Council Members have their own people that they would like to nominate based on what they have heard out on the street and talk about it before it gets any further.

3. Adjourn


Mayor Mueller adjourned the November 8, 2022, work session of the Sierra Vista City Council at 3:42 p.m.


Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:


Maria G. Marsh, Deputy Clerk


Jill Adams, City Clerk