

Sierra Vista City Council
Work Session Minutes
December 6, 2022

1. Call to Order

Mayor Mueller called the December 6, 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 (telephonically)
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
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Jill Adams, City Clerk
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst
David Felix, Chief Financial Officer
Jennifer Dillaha, Budget Officer

1. Presentation and Discussion:

A. December 8, 2022 Council Meeting Agenda Items ([agenda attached](#))

Mayor Mueller stated that the Council Meeting for Thursday, December 8, 2022, starts at 5:00 p.m. with the call to order, roll call, invocation, pledge, the acceptance of the agenda, and a presentation from the Historical Society, followed by the City Manager Report.

In response to Mayor Mueller, Mr. Potucek stated that he is waiting for the new sales tax number and hopefully he will have those by Thursday, December 8, 2022. If not, he will let Council know when they come in. He added that there is SEACOM Board Meeting scheduled; but they are focused on staffing and standing up the Dispatch Academy at Cochise College, which will begin in the middle of January. There has been a lot of success recruiting police officers recently, five at least in the next Academy in January. There is a lag time with the Academy and field training before they will be able to be deployed on the street. This is the best employees recruiting for quite some time and hopefully that will bleed over into dispatch. There is also a lot of success with the Civilian Police positions that the Council approved in this year's budget. Council budgeted for two and five made it through; therefore, he authorized all five to be hired, which will be put through the Dispatch Academy as well as part of their training. He will have the normal project updates on Thursday, December 8, 2022.

In response to Council Member Umphrey, Mr. Potucek explained that they are going to overfill the Civilian Police position. There is a potential of one of them becoming an officer and because they have been down so much in terms of officer strength, there is plenty of room in the personnel budget

to accommodate them.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of Regular Meeting Council Meeting Minutes of November 10, 2022 – There was no discussion.

[Item 2.2](#) Discussion and Possible Action of Special Meeting Council Meeting Minutes of November 22, 2022 – There was no discussion.

[Item 2.3](#) Discussion and Possible Action of Resolution 2022-077, Appointment of Randy Wilcox and Re-appointment of Daman P. Malone to the Planning and Zoning Commission, said terms to expire December 31, 2024 – There was no discussion.

[Item 2.4](#) Discussion and Possible Action of Resolution 2022-078, Re-appointments of Joseph Hayes and Jessica Kunkel to the Park and Recreation Commission, said terms to expire December 31, 2024 – There was no discussion.

Public Hearings

[Item 3](#) Discussion and Possible Action of Resolution 2022-079, new In-state Microbrewery, Series 3 Liquor License for Matthew Onthank Brown on behalf of the Tombstone Brewing Company, 332 N Garden Avenue, Sierra Vista, Arizona – Ms. Adams stated that items three and four are related, both are applications that have been submitted by Matthew Brown on behalf of Tombstone Brewery. Item 3 is an application for a Series 3 which is an in-state microbrewery license, and item 4 is his restaurant liquor license application. This is a process known as stacking licenses. Business owners must acquire the different licenses that govern the different activities. Mr. Brown will be doing both activities, running the restaurant as well as running a microbrewery in the facility at 332 N Garden. The posting of the public hearing was placed on the facility and no comments from the public have been received, pro or con. The Police Department has done their background check on Mr. Brown and has no objection to this moving forward and if approved by Council on Thursday, they will be returned to the State on Friday via e-mail for final action.

[Item 4](#) Discussion and Possible Action of Resolution 2022-080, new restaurant license, Series 12 Liquor License for Matthew Onthank Brown on behalf of the Tombstone Brewing Company, 332 N Garden Avenue, Sierra Vista, Arizona – discussed above.

New Business

[Item 5](#) 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 – Mayor Mueller stated that they must have a motion to bring the item off the table first and then Council may discuss the item.

Mr. Potucek stated that there are several entities that the City is providing service to and now, as Council Member Johnson pointed out, this new IGA. In discussions with the City Attorney, it has been determined that we do not need the IGAs and can instead simply run a class like in other areas for training, charge appropriate fees to recover costs and avoid the need for any IGAs. Therefore, he is recommending that Council take the item off the table and agenda.

In response to Mayor Mueller, Ms. Adams stated that it is her understanding that because it was voted to be placed on the table, that it will have to be brought off the table and then removed at the meeting.

Council Member Johnson stated that his main concern was the small amount that the City is receiving for the training. He is not aware of Mr. Butterworth's position with the City, whether he was doing the training during City time, and there are a few things are still cloudy. These questions have not yet been answered. Ms. Flissar stated that there was a misunderstanding at the last meeting,

and staff apologizes for that. The fee that is charged for the CDLs is for testing only and does not include training. Since it is testing only, the numbers look a lot better for cost recovery. The average test will take Mr. Butterworth about three hours. Therefore, the City is getting cost recovery back out of this process.

Council Member Johnson stated that he had spoken to JD Rottweiler and just this last spring, they incorporated a CDL Licensing at the Douglas campus that has been very successful. They have been taking five trainees per session and they are not providing the testing. This may be a good marriage all around.

Council Member Benning stated that part of the reason is that they cannot administer the class and be the one that tests them, so they must have a different tester; therefore, the City's service will be a good service for the community.

Council Member Umphrey stated that this way of doing it makes a lot more sense than approving all the intergovernmental agreements that would come before Council.

Item 6 Discussion and Possible Action of Resolution 2022-081, Transfer of Funds from the General Fund to the Highway User Revenue, Capital Improvements and Health & Accident Funds – Mr. Potucek stated the transfer between funds based on the year end audit and the amount of money that the City looked to be revenues over expenditures for the last fiscal year was some \$2.8 million. Per Council policy, staff is recommending the use of that generated fund balance from the previous fiscal year. The recommendation is to have a million of that amount to go towards the Capital Improvements Fund, which should assist in funding the Animal Control Facility next fiscal year, \$1,000,000 to go to HURF to help with the street maintenance budget next fiscal year, about \$600,000 to \$700,000 going to General Fund Reserve, which will provide a five to ten percent boost in General Fund Reserves and put the City over the \$6 million mark. A small amount, \$50,000 to \$80,000 to go towards making the City's Health and Accident Fund whole with regards to a proposal to reduce the employee dependent care coverage for their health insurance for the coming, about \$70.00 or so per month that will benefit the employees with the current state of inflation, etcetera, the City's Health and Accident Fund is doing quite well and has over \$6 million of reserves. This will be evaluated to see if this can continue in the future.

Council Member Rodriguez asked about the insurance premiums. Mr. Potucek stated that the City provides health insurance to its employees. Many employees have families, and they must pay a premium for dependent care coverage. The proposal is to apply these funds to help with a 10 percent decrease in dependent care coverage, which should help the employees targeted towards those with families.

Item 7 Discussion and Possible Action of Resolution 2022-082, Second Amendment to the Southeastern Arizona Communications (SEACOM) Intergovernmental Agreement – Ms. Yarbrough stated that about a year ago, the SEACOM Board asked her if she would lead a group in revising the SEACOM IGA's and bylaws. That is still ongoing because there are several things that need to be updated to reflect very outdated language and to change some things regarding operations. However, one thing specifically came up that the Board decided to vote on it and that was to recommend to City Council and the Board of Supervisors to make one change now and that is a change that affects the Operations Committee. The situation is that the current IGA states that the members of the Operations Committee are all the chiefs of the police departments and fire departments that are members of SEACOM; but it also includes several fire departments that the county had a statutory obligation to provide basic services to them - small fire districts like Portal, San Juan, and Bowie. Most of them are very far away and their chiefs rarely can make it to an Operations Committee Meeting. They are currently part of the quorum, which has made it difficult for the Operations Committee to meet. This has become more and more of a problem; therefore, this is just a change at this time to address that Operations Committee issue to establish a Tier System where subscribers who pay a full amount to receive full dispatching service from SEACOM would be in a Tier One. Those organizations that receive basic service through statutory obligation would be in a Tier 2 and they would still be welcome to participate in the Operations Committee, but they

would no longer count towards the quorum.

Item 8 Discussion and Possible Action of Resolution 2022-083, Amendment to Judicial Services Contract with Kenneth J. Curfman, Justice of the Peace, Precinct V – Ms. Yarbrough stated that the current agreement with Judge Curfman as the City Magistrate was a two-year contract, and it expires on December 31, 2022. She noted that this item is a new employment contract with Judge Curfman since he was re-elected in November. The terms of the contract are mostly the same as his previous contract.

Ms. Yarbrough stated that the Mayor, Mr. Potucek, and she met with Judge Curfman and Judge Curfman requested a \$10,000 increase to what he is currently making. So that equates to about 50 percent of his current salary, and the current caseload of what the Sierra Vista Police Department cites into the Justice Court, approximately 50 percent. The numbers were reviewed for the past three years, and they have solid case count numbers. The year 2020 was 55 percent that the Sierra Vista Police Department cited, in 2021 it was 48 percent, and this past year it was 33.9 percent, which was an outlier in almost every case or every court in the State. Therefore, 50 percent stands up, plus a \$5,000 a year consideration for locking in that cost for four years.

Ms. Yarbrough stated that she met with the City Attorney, and it is not reflected in the current contract. Even though the City's Ordinance says two years, there can be a two-year extension if the Council would desire since the City Code would allow for that, or the City Council would have the opportunity to change the two years to four years in the City's Code of Ordinances.

Council Member Benning asked if the Council must accept Mr. Curfman as the City's magistrate before offering him a contract. Ms. Yarbrough stated that the Court Colocation Agreement, the City's agreement with the County, specifies that the Justice of the Peace for Precinct Five is the City's Magistrate. Then what must follow on is the employment contract and the appointment of him as a City Magistrate, even though technically it is done through the court agreement; but the court agreement automatically renews each year.

Council Member Johnson asked if the City is contributing to the cost of total expenses for Justice of the Peace Five outside of the agreement. Ms. Yarbrough stated yes and noted that the City pays the County in 2022, the current fiscal year. The City is paying \$283,650.

In response to Council Member Benning, Ms. Yarbrough stated that by the formula, each year the County recalculates the caseload percentage for each justice court in the County. The percentage last year of Sierra Vista Police Department cases cited into Justice of the Peace Five was 33.9 percent and that was calendar year 2021.

Council Member Johnson asked about the number of fines that the City gave up last year to Justice of the Peace Five. Ms. Yarbrough stated that it is assumed that 33.9 percent of the total amount of court revenue was the City's. The total amount of revenue that the Court took in was \$405,871.00, 33.9 percent of that is \$137,737.

Council Member Rodriguez asked if this is the total amount that the City forfeits as part of the agreement, which they get to keep because the City of Sierra Vista does not have a court system. He further stated that part of the agreement is that they get to keep the money that is made in fines. Mr. Potucek stated that he is correct.

Council Member Rodriguez stated that he understands the 50 percent out of those cases; but he wonders how many of those cases are sent to other judges. Ms. Yarbrough stated that she has those numbers, but not with her. Mr. Potucek stated that they are all generally cited into Justice of the Peace Five; but he has a Pro Tem that assists with some of those cases, and in fact, that is another idea that staff had for the future, which was that if the workload gets to be that there needs to be another judge Pro Tem, the City should consider doing that as well.

Council Member Johnson asked if it is true that Gary Raemaker, a real lawyer, was helping in most

of the Justice of the Peace Five cases. Mayor Mueller stated that he believes that he has cut back his hours. Mr. Potucek stated that he is cutting back his hours and there will be a new Judge Pro Tem.

In response to Council Member Johnson, Mr. Potucek stated that he believes the new Judge Pro Tem is Allred.

Council Member Rodriguez asked what the \$10,000 raise is for, other than Mr. Curfman coming before Council every year and asking for a raise, setting a precedence. This is not a good standard to set, and he does not see the workload involved for a \$10,000 raise, especially if he is getting help from other judges.

In response to Council Member Rodriguez, Ms. Yarbrough stated that the contract could be extended, and Judge Curfman has agreed that if, if Council is willing to pay the \$62,000, it would be \$645.00 that he will accept that for four years and the contract can be made four years per current City Ordinance.

Council Member Rodriguez stated that this is nice of him to want to accept that. Council Member Benning concurred. Council Member Rodriguez stated that a Supreme Court Justice of Arizona, State of Arizona, makes about \$164,000. This would put him at about \$177,000 almost \$178,000 a year in what he will be making. Council Member Johnson stated that he will be making more than a licensed attorney, which he is not.

Council Member Benning asked how much it would be approximately for the startup if the City ran its own municipal court. Mr. Potucek stated that he has some rough numbers; but the City does not have a facility and the City would either lease or build. The cost would be somewhere on the order of probably \$5 to \$10 million. The City just built a fire station that has less square footage than what a court would need for \$3.3 million. Leasing would be something to be looked at and renovating existing space; but there is still a cost in rental fees associated with that. If the City did lease, just to stand up, and adding in the revenue that the City would get back, it is approximately \$1.8 million. However, staff needs to do some more refinement of this. The annual loss even with the revenue coming back to the City would be somewhere between \$786,000 to \$876,000 per year over the next four years projected.

Council Member Umphrey asked if this number includes jail cost. Mr. Potucek stated that it does not; but the City would be potentially subject to that.

Council Member Johnson noted that the City would not be subject to that if the jail district goes into effect. Mr. Potucek stated that it would depend on the vote of the public.

Council Member Benning asked about the annual deficit or surplus of the transit system. Mr. Potucek stated that the City is probably subsidizing on the order of probably \$400,000 to 500,000 a year. Mr. Felix stated that the current budget is \$330,000 for operating the transit. It is down from the \$370,000 that the City used to be doing. The capital grant matches come out of the Capital Improvements Fund or the General Fund, which depends on the projects. Capital is usually a 20 percent match. That is not the 50 percent of one match. Mr. Potucek stated that it is \$330,000 for operating costs, plus whatever the City needs to come up with for matches for buses and that kind of thing annually.

Council Member Benning asked if the City could hire a part-time judge for the City of Sierra Vista to work in the Justice of Peace Five office with a contract with the County. Ms. Yarbrough stated that the answer is no. The terms of the court agreement specify Justice of the Peace Precinct Five as the City Magistrate; therefore, the City would not be able to circumvent that.

Council Member Benning stated that no matter what, the Council's hands are still tied. Mr. Potucek stated that it is a difficult situation. The City has no leverage with regards to negotiations either with the County or the Justice of the Peace. Staff is trying to give Council the best numbers that they can.

The comparison is, does the City do this, or does the City proceed with trying to stand up its own court recognizing the significant cost increase associated with running a court. This is the only option to get out from under the current situation that the City is in. Staff tried its best to give Council the best numbers that they could, and at least they got a cost locked in. It is ultimately the major change between the last agreement and this one - \$10,000 more a year for the next four years.

Mayor Mueller stated that it is a valid thing for the Council to consider when they do their strategic planning next year, and it is going to be a several year process before the City would be able to stand up a court, if that was the desire of the Council. There are good questions for the future, but he is not sure how much the City will be able to do in today's world to change things; but if the Council wants to discuss that at a future time, particularly the strategic planning meeting, he encourages that. This is something that needs to be discussed in a thorough manner and staff needs to come up with more firm numbers so that Council can look at it over a two-year, four-year, or six-year period.

Council Member concurred and stated that he is sure that Mr Curfman is watching, and he would love for him to be present on Thursday, December 8, 2022 to explain why he is worth \$10,000 more. Mayor Mueller stated that it is a public meeting, and he is welcome.

Council Member Johnson stated that one of the things that troubles him about the contract is that it is an additional \$5,000 a year and it is almost like the mob walking into a bodega and saying that they are going to burn the place down unless they pay the guaranteed money. He further stated that this is how he feels about this and noted that when this came up a year ago, when Council originally approved this contract, he voted against it, as did a couple of his partners on the dais, because he felt that Council was being held hostage by a very greedy individual. At that meeting, he laid out his arguments about his salary being more than a licensed superior court judge, in that the agreement was one sided against the City, basically holding a gun to Council's heads, and he objected to that. Lastly, he stated that he was quoted in the Sierra Vista Herald, stating that this was an OK Corral Showdown moment for the City. He noted that he plans on voting against this contract because he warned against this last January during a work session, proposed a municipal court, and nothing has been done about it. If there is a majority that says no, it is going to be one of those things. Additionally, he would like to table this issue and bring it up at an executive session next year with a new mayor and relatively new council so that this can be hashed out because there are several people that were not on Council when this was originally talked about.

Council Member Rodriguez stated that he believes that the IGA should be changed to IHS, which stands for intergovernmental hostage situation because that is what this is. In an IGA, the A is for agreement, and there is no agreement here, so that should be nonvoid. He added that he does not agree with a \$10,000 raise and he does not understand why this continues to happen; but he is sure that he would be fine if he comes on Thursday, December 8, 2022 to say we can extend and just keep getting what he is getting now. He added that he looked at his website and he ran unopposed because he challenged his opponent and got those signatures thrown out. On his website, he talks about identifying issues regarding caseload management, fiscal responsibility, so he should understand why Council is trying to be fiscally responsible with the money of the people when it comes to paying him \$10,000 more, which Council does not agree with.

Council Member Messmer stated that the agreement states that the City provides benefits if those benefits have not been provided by the County, and so she wonders if the City provides him with any other benefits? Ms. Yarbrough stated that the only benefits that the agreement refers to, since he is a full-time employee of the County, is health insurance through the County. The City must provide workers comp, FICA, and MICA.

Council Member Landry asked about the deadline. Ms. Yarbrough state that the current contract expires on December 31, 2022.

Council Member Landry stated that based on knowing what happened last year, she feels that Council is currently SOL; but, it does really bother her and a lot of other people as well, and Council

is definitely being backed into a corner. However, at the same time, how many days has the Council had since that day until now? She stated that any Council Member could have come in every single day, the squeaky wheel gets the grease type of thing, and that did not happen. Now it is at the end, last minute type of thing, and what is Council going to do? There are certain places or memberships where one pays to have a locked in fee. She added that she feels, pros and cons, to have a locked in fee for a little bit of time would be great. It would be great if the City could have its own court system and if the City could support its own court system; but that is something that would take many years of planning. For example, it took many years for some of the different things that have happened around the City, for the West End. She asked how many years are going to be needed for the City to have its own court and she wonders if there are grants available; but sometimes one must make the best decision for the people of Sierra Vista. Lastly, she stated that she is sure that they are not very happy with what is going on with this, and hopefully everybody tells Judge Curfman how they feel. Also, would the people be ok with the amount that will be paid in this agreement, or would they think it is wise to be in the hole, millions of dollars. In closing, she stated that she would be very upset, and if no one learned last time, they could learn from this now and then plan. There is a strategic plan and General Plan coming up, and this is the time for Council to put out those feelers, and plan. This is something that is going to take a long time and it is going to take time to put the wheels in motion.

Council Member Benning concurred with Council Member Landry on some of the issues she stated; but a lot falls on Council for not pushing for their own municipal court. Council Member Johnson pushed it and brought it forward, and it should have been something that Council should have been looking at for the last two years. He apologized to the Council and constituents for not doing that. He added that he voted no last time for the same reasons as Council Member Johnson. The Council's backs are put up against the wall, and it went from \$52,000 to \$62,000. At least this one is locked in for four years; but what is to say in a year end, he has a clause where he can resign if he wants to resign with a 30-day notice. If Council wants to get rid of him, it is a 30-day with cause. Council must have cause to get rid of him. It is a Justice of the Peace Five friendly contract to begin with. Lastly, he stated that he is unsure where he is at; but he will be voting no again because he does not like being held against the wall with a gun to his head, telling him that he is going to do this, and it is going to be increased just because he can. He further stated that he would like to start working with the Council and staff on looking at the City's own municipal court, the only way to free the City from this.

Council Member Umphrey stated that with the increase to \$57,000 in the formula, \$57,645 before adding in that \$5,000 per year, matches with inflation over the last year and it is not what he wants, and it is not what Council wants. However, it is a good in between. Mayor Mueller stated that one of the reasons this did not work last time during the week was because staff tried to negotiate with the committee, and it did not work. Doing that again will probably not work. Trying to resolve the formula without a negotiator or without talking in an executive session to figure out what the Council's true position is, is not going to work.

Council Member Johnson stated that he still thinks that this item should be tabled until next year, have an executive session so that Council can hash this out, and maybe make a counteroffer and if he does not accept it, then Council can vote against it. He added that he truly feels that bringing this up at the last session and basically Mayor Mueller's last City Council meeting is unfair. In closing, he stated that his stance is to move to table it from the agenda and if that does not pass, he will be voting against it.

Mr. Potucek stated that he is going to try and explain where Judge Curfman is coming from. This also applies to the agreement with the County as well. By statute, the City can stand up its own court and by Statute, the City must provide the service. The City can do that either through a consolidated court agreement or standing up a court. They view this as having the responsibility for Justice Peace Five. The County has responsibility for the Justice Peace Five. The judge is elected to work for the Justice of the Peace Five, and they get compensated for that. He gets compensated \$115,000 for next year. They view the magistrate services as being totally separate from what is going on in their normal work with the Justice of the Peace Five. The expectation is that since the

City can do its own; therefore, the City should pay a share of the costs associated with the magistrate. The City may agree or disagree with it; but this is where they are coming from. It was brought up that Oro Valley has their own magistrate court, and the reason is because the county court systems and justice of the peace are all set up downtown in Tucson. Therefore, the outlying municipalities have magistrate courts. They pay \$160,000 for their magistrate and they have staff, 100 police officers and the City of Sierra Vista has 2/3 of that even though the town is the same size. They are not performing with fines either. At, first, he thought that they could get \$115,000 as a justice of the peace per state law, and \$160,000 for the magistrate as well; but he wonders what this number is going to be, and he had a hard time getting a number. Finally at the end of the conversation, he came up with \$62,500, which he did not necessarily like; but based on where the City is going or where the City could have ended up, he determined that this was probably the best that could be done at the time. He further stated that in looking at the numbers for what it would take to stand up a court, the potential of jail costs, et cetera, the issues not only with overhead, staff, attorneys, translators, police costs associated with transport, and maybe the potential jail costs down the road if the jail district does not go through, even if Judge Curfman asked for \$160,000, regrettably, he would have to recommend that Council take that deal because when he looks at these costs and what Council has planned for the future, without wanting to raise taxes on the good citizens of Sierra Vista, taking away from other things that Council has planned, it is still a better deal to take it. He lastly, stated that he does not like any of that, but regrettably he has to say that this is what he would have to recommend.

Mayor Mueller stated that a skunk is not going to smell any sweeter, whether it is in December or January, and this is how he feels about tabling the issue.

Council Member Umphrey asked if this would be for four years. Mayor Mueller stated that those are the terms of the contract, that is his term. Mr. Potucek apologized that this is coming to Council now; but staff did not know who was going to be the new justice of the peace; although, he was running unopposed, but it was not certified until last week.

B. Council Executive Report

Mr. Potucek stated that he already talked about a few of the items with regards to SEACOM and hiring. Currently, the City has its Christmas program going on, so Ms. Wilson's staff is very busy with that. He mentioned that there are quite a few things going on in the water arena and staff is working very closely with the Fort, Upper San Pedro Partnership, CCRN, and sentinel landscapes. There has been funding received once for sentinel landscapes and it is hoped to get good news with regards to more funding for water projects at Riverstone moving forward through that source, but those people are now working very closely with the City. There are some things going on with the adjudication and nothing that is really impacting the City and there will probably need to be an executive session with the water attorney so the Council can be briefed in terms of what is going on. The Fort proceeds with its biological assessment, biological opinion process, and that should be coming to a head next year too, which is something that the City needs to keep an eye on as well. He reported that the City will have the legislators at City Hall, and staff is setting up a meeting for Council to address the coming legislative session. Staff will also be working to set up relationships and meetings with the congressional delegation as well.

Council Member Rodriguez stated that as always, this is a great report with very valuable information. He voiced his concern about the construction of State Route 90 being pushed back to the summer, when Council was told that work was going to start in January, it was on Cool FM, there was a live post, and the state representatives talked it up, and now it is getting pushed to the summer. He is aware that the SVMPO met with ADOT; but he hears that all the time, and he never sees anything coming back from ADOT. He noted that refuse dates will be changing, and people should notice, because it is going to affect a lot of people, but it is good that this is being done to keep the routes more efficient and trucks since it has not been done in 25 years, and the City has grown a lot. Lastly, he stated that the Youth Commission will meet every fourth Tuesday of the month because the kids are in school. Their first project is on January 7, 2023, an area cleanup.

Mayor Mueller asked Council Member Rodriguez if he reached out to the other high schools. Council Member Rodriguez stated that he did, and he is getting more participation the more he reaches out. He asked about the definition of the Commission on Disabilities. He also asked what the Commission includes. Mayor Mueller stated that the definition is a federal definition.

Council Member Rodriguez stated that he was told that there is miscommunication on what the Commission is for. He asked if it is for everybody in the area that has a disability, and can they have their voice heard or is it strictly for a workforce type discipline. Mr. Potucek stated that it is for everybody. Mayor Mueller noted that if they have an issue that is not being met by the City, they can show up to voice their concerns, and they will work to address it.

Council Member Rodriguez stated that there are a lot of businesses in town that are trying to be more inclusive and hire more people with disabilities, which he would like to be involved and know that they can be part of that Commission and have their voice heard.

Council Member Umphrey stated that staff did a wonderful job on the executive report and noted that she likes starting off with Marketing and Communications on the front. She stated that staff is doing a great a great job all around, she is looking forward to the street pole banners, loves the short videos, newsletters, and the Adventure Guide App; but would like to see under the fun facts tab stuff about the City being the Hummingbird Capital. She also likes the tour app because it stops and describes each location. Lastly, she stated that she recently saw the post for the book vending machine in the mall, a great way to reach more readers and make that available for everyone that is unable to drive over to a library, shared that she and her family after the Christmas Parade went ice skating at the ice rink at Veterans Memorial Park, is looking forward for the West End Historic Exhibit at the Museum, congratulated Ms. Cameron in the Economic Development Department for her certification that she is already applying toward her work on business retention and expansion in Sierra Vista, and noted that she is very impressed with the numbers that Station Four has reported, voiced her concern about the shortage of personnel at the Police Department, and the idea of the civilian officers, which is a good plan.

Council Member Rodriguez announced that the plans under review at the Building and Inspection Services are public; therefore, people inquiring about what is going on with Popeyes and Freddy's can look at this information. Plans that are approved by the City mean that it is in the business' court. They need to start doing something on their end. The team does a great job of going out there and poking them and asking them to do something. He also announced that on Wednesday, December 7, 2022 is another toy drive for the Fire Department in the parking lot of Ace Hardware from 4:00 to 6:00 p.m. However, anyone can drop off toys, gifts, or money at any of the fire stations.

C. Report on Recent Trips, Meetings and Future Meetings

Mayor Mueller reported that last week he went to a retirement ceremony for Mr Jennings, a retired Army Colonel who went to the Senior Executive Service and has been the Deputy Commanding General for the last nine/ten years, whom will certainly be missed as he was a good friend of the City, and he was involved with the Huachuca 50 and will stay involved with them.

Council Member Rodriguez stated that he attended a few meetings and reported on the African American Leadership Institute's tour of the City and noted that most of them are from the Phoenix and Tucson area, reported on his meeting with the Avengers Inclusion Organization that associates with any child with special needs that wants to play sports, who wants to marry up with a lot of business owners in town and are looking forward to attending a commission meeting or doing a presentation to Council. Lastly, he announced that the Thunderbirds are coming back and encouraged people with sensory issues to be prepared for flying jets.

D. Future Discussion Items and Council Requests

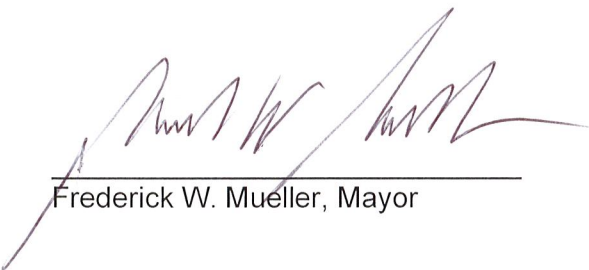
In response to Mayor Mueller, Ms. Yarbrough stated that the item on commissions will be

forthcoming. She stated that staff is planning an admin retreat for Council sometime in January as well as a reception before the first Council Meeting. Mr. Potucek that also in the works if the annual legal review as well as a meeting with the water attorney.

In response to Mayor Mueller, Ms. Yarbrough stated that suggested dates in December have been set aside for the meeting with the state legislators and Triadvocates.

3. Adjourn

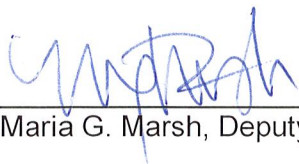
Mayor Mueller adjourned the December 6, 2022, work session of the Sierra Vista City Council at 4:00 p.m.



Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk