

Sierra Vista City Council
Meeting Minutes
July 27, 2023

Mayor McCaa called the July 27, 2023, City Council Special 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 - present
Council Member Angelica Landry – present
Council Member Marta Messmer - present
Council Member Mark Rodriguez – present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Chris Hiser, Police Chief
Brian Jones, Fire Chief
Laura Wilson, Leisure, Parks, and Library Director
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Jeff Pregler, Planner
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Adam Curtis, Marketing and Communications Manager
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst
Jennifer Dillaha, Budget Officer
Kennie Downing, Chief Procurement Officer

Invocation – Pastor Greg Rowles, God is Good Church, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Messmer moved that the agenda for the City Council Meeting of July 27, 2023, be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Rodriguez, and Messmer voted in favor.

City Manager's Report: Mr. Potucek announced that the next regularly scheduled work session is scheduled for Tuesday, August 8, 2023, at 3:00 p.m. in the Council Chambers and staff has asked the group working on the Veterans Memorial in Veterans Park to come and speak to Council. Also, the next regularly scheduled Council Meeting is on August 10, 2023, at 5:00 p.m. in the Council Chambers. He reported that a pre bid meeting is scheduled for Monday, July 31, 2023, for the commercial pool resurfacing at the Cove in the wave pool, with bids due on August

14, 2023, at 10:00 a.m.; the Roadrunner Park Design Contract with Wheat Design is pending and should be executed shortly; the contract for the land purchase behind the fire station immediately to the north is under review, and expected to close in mid-August time frame; and then the Sierra Vista Municipal Metropolitan Planning Organization-Sierra Vista Pavement Condition Survey has been awarded to the firm of IMS Infrastructure and staff is developing the work schedule. He also reported the promotion of Lawrence Boutte to Police Deputy Chief and noted that there have been other promotions; therefore, the pinning ceremony will be on Friday, August 18, 2023. In closing, he announced that Former Mayor Jay Raschke passed away. He had moved to the Valley and he was mayor from March 1973 to July 1974, and served as mayor a second time from March of 1977 to March of 1979.

Item 2 Consent Agenda

[Item 2.1](#) Approval of the City Council Regular Meeting Minutes of July 13, 2023

[Item 2.2](#) Discussion and Possible Action of Resolution 2023-057, Donation of four surplus Ford Crown Victoria Vehicles to Sister City Cananea, Sonora, Mexico

Council Member Rodriguez moved that the Consent Agenda consisting of the Special Meeting Minutes of July 11, 2023, and Resolution 2023-057, donation of four surplus Ford Crown Victoria vehicles to Sister City, Cananea, Sonora, Mexico, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Potucek stated that from time to time the City can assist its Sister City, Cananea with various donations, the last time being equipment in the old police dispatch area that they are always very appreciative of, and this time the City is able to donate four surplus Crown Victorious.

Council Member Benning stated that he wants the public to understand that the City is donating older vehicles that maybe could draw \$1,000 to \$1,200 at an auction that the City would have to go through instead of donating them. By donating them to the City's Sister City keeps up good relations and it is simpler/easier.

Mayor Pro Tem Umphrey asked if City staff has reached out to Cananea and was concerned on the arrangement of having them pickup of the vehicles. Mr. Potucek stated that they will come and pick them up. Staff has made the arrangements and Ms. Adams must do some work with the titles.

Council Member Rodriguez voiced his appreciation and stated that it is nice to know that the vehicles are in good working condition and that the City is not giving them junk. He noted that the first thing he checked was whether they all have AC, a plus. Mr. Potucek stated that Cananea needs an ambulance and a refuse truck; but, hopefully at some point when the City has surplus of those, they will be able to be helped.

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

New Business

[Item 3](#) Discussion and Possible Action of Resolution 2023-058, Granting of Public Utility Easements Alleyways between North Avenue and Cyr Center

Council Member Landry moved that Resolution 2023-058, granting two, 20-foot-wide public utility easements between North Avenue and Cyr Center, to allow the utility companies to access and maintain their infrastructure in City-owned alleyways, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. McLachlan stated that the public utility easements under consideration are associated with the next item on the agenda dealing with the abandonment of two public alleyways in the vicinity of Cyr and North Avenue. There are existing utility lines within those alleyways which necessitate the need to put easements in place. The easement areas will essentially grant permission to the utility companies to continue to maintain, install and operate utilities within those easement areas.

Council Member Rodriguez commented that he happened to be in City Hall, the day that the church pastor was signing the agreement for the alley abandonment. He added that his son uses Cyr Park for soccer, and he gets to see people parking all the time in the now abandoned alley. The church stated that they will probably put-up signs alerting that the property is private, and that parking is at one's own risk. He noted that the other two business owners are in the audience and voice his hope in that they can work that out because there is a fence there.

Mr. Briseno stated that he worked with Mr. McLachlan on coming up with the solution on the easements and he believes that it is going to be perfect. He envisions working with Lifehouse Church and Jack Kattke to put up a gate as he has already looked at some, but he will present it to them first before going forward. He will be putting up new fencing around the property that he owns, and it will be seven feet high to secure the property. He is also looking at gates to go along with that. He further stated that he believes that they all came to a good agreement on how it is going to flow, and it alleviates the concerns that the other business to the north had with being able to access their property. With the 10-foot easement there he could have put up his fence, but that would have blocked the other business from being able to access the back of their building. As far as the utilities on his property, SSVEC already has a pole there, a metered light. They have access to the property and in the alleyways. Lastly, he stated that his concern was the storing of junk or anything in the alleyways, which has been addressed in the agreement to keep the area clean because they have hauled out 103 tons of material from that property that used to be the Old Sun Valley Roofing.

Council Member Rodriguez thanked the business owners in that corner in taking ownership of that property. He stated that he remembers the way that the property looked before all the work that has been done. He further stated that he is glad that they are all working together because the City is trying to revitalize that area, which was left alone for a long time. Lastly, he stated that he is hopeful in that people will start using the parking lot that was put out there because he is aware that vehicle parking affects the business if they are open and there are soccer parents parking there, a bit of a walk.

Mr. Briseno stated that this has been discussed, but maybe there is a possibility for the future for the City to look at putting in sidewalks because when there are events going on, there are a lot of people walking in the street because there is not a clear sidewalk going along there. He added that perhaps the West End could extend from Kayetan where it ends.

Mayor Pro Tem Umphrey clarified that he is in the West End and not in a redevelopment area.

Council Member Benning commented that this is what it is all about, community members and business owners coming together with the City and working together to solve the problem so that everyone can walk away happy and get what they need in the City and community. He thanked Mr. Briseno and Mr. McLachlan for their hard work.

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

Public Hearing

[Item 4](#) Discussion and Possible Action of Resolution 2023-059, Alleyway Abandonments located between North Avenue and Cyr Center

Mayor Pro Tem Umphrey moved that Resolution 2023-059, abandonment of public alleyways located in a portion of Section 34, Township 21 South, Range 20 East, of the Gila and Salt River Base and Meridian, be approved. Council Member Benning seconded the motion.

Mr. McLachlan stated that the agreement that Mr. Briseno mentioned is not a part of the agenda packet because it is a private reciprocal access easement agreement. It has been signed by all three property owners that have bought the alley and will take effect simultaneous with the passage of the resolution. The two alleyways connect with Cyr and North Avenue. There are three private property owners that had joined those alleyways. There is no current or foreseeable need for those alleyways to remain in public use. They have been effectively cut off by prior abandonments. Therefore, City staff is recommending, along with the Planning Zoning Commission, who held a public hearing last week and voted unanimously to express their recommendation for approval on this. It has been routed to outside utility companies, and no objections have been received.

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

[Item 5](#) Discussion of the Proposed Fiscal Year 2023-2024, Property Tax Levy

Ms. Dillaha stated that in accordance with State Statute, this is the City's public hearing on the property tax levy for Fiscal Year 2024. The rate is proposed at .1056 per \$100.00 of assessed value, which will generate an estimated \$382,261.00 this fiscal year. The slight increase in revenue from the previous fiscal year is due to new construction. The rate was adjusted slightly lower in 2024 due to an increased in valuation of taxable property. The actual dollar amount paid by citizens in fiscal year 2024 will be the same as in fiscal year 2023. For this proposed new rate, the City is not required to publish a truth and taxation notice for the property tax levy.

[Item 6](#) Discussion and Possible Action of Resolution 2023-060, Final Budget for Fiscal Year 2023–2024

Council Member Benning moved that the Final Budget for Fiscal Year 2023–2024, be approved. Council Member Johnson seconded the motion.

Ms. Dillaha stated that the resolution is for the adoption of the Fiscal Year 2023-2024 operating budget for the City, the final amount being \$175,145,445. The two changes since the Tentative Budget vote have been outlined in staff's memo. The tentative budget as well as all updated state budget forms have been posted on the City's website and to-date, there have not been

any public comments received. She noted that for the final step in the budgeting process, Council will meet on August 10, 2023 at 5:00 p.m. to vote on the primary property tax levy for Fiscal Year 2324.

Mr. Potucek voiced his appreciation at all the work that the Council, Ms. Dillaha, the staff have done on the budget process as it is very extensive, and staff meet quite a bit. He noted that one of the things that staff does, which he apologizes for, are last changes in the budget is. However, this is done on purpose because they know that every fiscal year there are going to be changes right up to the end and they try to envision everything and capture all those changes so that it alleviates problems during the year because things will come up. A lot of cities pass their budget early and they are doing that based a lot on estimates and certainly estimates are a part of the budgeting process, but the City's staff tries to nail as much down as they can before it is passed.

Mayor McCaa thanked Mr. Potucek and Ms. Dillaha for their hard work as he appreciates the team's diligent effort in getting this done.

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

[Item 7](#) Discussion and Possible Action of Ordinance 2023-006, Rezoning of Tax Parcel 106-62-056, located on the southeast corner of W. Kayetan Drive and Elledge Drive from Neighborhood Convenience (NC) to Manufactured Home Residence (MHR)

Council Member Johnson moved that Ordinance 2023-006, rezoning of Tax Parcel 106-62-056, located on the southeast corner of W. Kayetan Drive and Elledge Drive from Neighborhood Convenience to Manufactured Home Residence, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Pregler stated that this is a request to rezone a portion of property in the City from Neighborhood Convenience to Manufactured Home Residence. The owners are proposing to put a single-family manufactured home on the property. They do not have the current proper zoning for that. Going to Manufactured Home Residence will allow them to have their proper zoning to locate that manufactured home on the site. The current size of the property is .36 acres and on the southeast corner of Kayetan Drive and Elledge Drive with AAA Fort Storage to the north, the Walnut Grove Manufactured Home Park to the West, and a wash to the east.

This property was part of the original City's limits that was previously zoned Mobile Home Residence until 1983 when the property owner requested a rezoning to C1, the equivalent to Neighborhood Business. At that time, the owner intended to operate a treatment facility for a drug and alcohol abuse; however, no permits were ever issued, and the site remained vacant ever since. In 1986, the City assigned an equivalent zoning designation of Neighborhood Convenience, which remains on the site to-date. In terms of the future land use designation, it has a designation of High Density Residential which would be consistent with the High Density use as being proposed on the site. Also, the surrounding neighborhood zoning is zoned Manufactured Home Residence, which will be consistent with the neighboring properties in the area. In terms of staff evaluation, it will be more consistent with the General Plan and compatible with the surrounding zoning pattern. The traffic impact resulting from the one dwelling unit being added to the property will be minimal. There is an 8-inch sewer line adjacent to the property that is adequate for the proposed use. The down zoning of the property from a

more intensive commercial use to Manufactured Home Residence will reduce potential impacts to surrounding residential uses.

The applicant held a neighborhood meeting on July 7, 2023 and no input was received at that time. However, they did receive a text message in support of the proposed rezoning. The Planning Zoning Commission heard the request on July 18, 2023 and unanimously approved a recommendation of approval of the rezoning to the Mayor and City Council.

Council Member Rodriguez voiced his appreciation at the work that Mr. La Borin Rodriguez did for setting up the community meeting, which nobody attended. He commented on the history of the parcel that was supposed to be a treatment facility and is now going to have some life brought back into it by having a house there. He further stated that he hopes that they did not hear that the City will never change zoning because it is possible, but this shows that it is possible.

Council Member Johnson stated that he has been on zoning boards before in other states, but this is a prime example of spot zoning, where a tiny parcel has the zoning changed for a specific use. However, the City is turning it back to what it was originally intended for, good for the applicants.

In response to Mayor McCaa, Mr. La Borin Rodriguez stated that he is happy and thanked the Mayor and Council.

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

Call to the Public - There was no response.

Comments and Requests of the Council

Council Member Johnson announced that that the City's new Economic Development Commission is alive and working very hard. The Chairman is Dean Packard from the U of A, and he has done an excellent job. Additionally, with the help of staff, hats off to Tony Boone and Diana Cameron, there have been solicited awards and recognition for individual businesses during the Minority Enterprise Development Week, which takes place in September, the Women's Business Week that will take place in October, Veterans Small Business Week that will take place in November, and the National Small Business Week, an overall award that will take place in May 2024. There were quite a few different businesses that applied. Some were self-nominated; others were nominated with numerous nominations. Lastly, he stated that this was well thought out and in looking at the diversity of the businesses that are in town, makes him very proud to be part of the City of Sierra Vista.

Council Member Messmer announced that on Saturday, July 29, 2023, the Council will have a Meet and Greet at the Sierra Vista Mall in conjunction with the Back-to-School event from 9:00 a.m. until 10:30. The Back-to-School event is from 9:00 a.m. until 11:00 a.m. She also announced that the Sierra Vista Historical Society got their sign up on Fry and 7th Street, which looks great, and on August 5, 2023, there will be a Camp Naco Open House from 9:00 a.m. until 12:00 noon where Buffalo Soldiers Day will also be celebrated.

Council Member Rodriguez stated that it is back to school season and shared that educators are near and dear to him as his mother is an educator as well as his wife. He announced that

there are a lot of things going on during the weekend, the Back-to-School event that Council Member Messmer mentioned, but there is also another Back-to-School event on the same day at Julie and Sammy's from 3:00 p.m. until 6:00 p.m. followed by another Back-to-School event on Sunday, July 30, 2023, at the Salvation Army from 12:00 noon until 8:00 p.m. on Wilcox. Then on Tuesday, August 1, 2023, at Buena High School there is a Welcome Back Assembly with staff from 8:00 a.m. until 12:00 noon. He thanked everybody who donates to all these Back-to-School events, whether it is backpacks, clothes, shoes, etc. so that the kids get a good start off. He noted that last year there were people paying for lunches, a nationwide trend so that no kid can go hungry. He also announced that the Little League sports for Wilcox and Douglas, Arizona teams are out traveling doing big things right for the county. In closing, he stated that the Youth Commission had their meeting on Tuesday, July 25, 2023, and elected officers. They are planning on doing more, holding more meetings and work sessions. He thanked Ms. Wilson, Ms. Chatham, Ms. Adams, and staff at the Sports Division, who made it happen when the commissioners showed up.

Council Member Landry gave a shout out to all the teachers and state that it is always an exciting time when school starts for the teachers and the students. Teachers have such a positive effect; therefore, she has always been so appreciative of her teachers and what they have done for her. She cautioned everyone to be on the lookout in the morning and after school for all those students that are out there walking to or from school and not paying attention. She also encouraged people to give the teachers some extra love because even though it is an exciting time, it is also a very stressful time too for all that they do. Lastly, she announced that on Saturday, July 30, 2023, at the Nancy J Brewer Animal Care Center, there is a rummage sale. There are going to be a lot of different things for people and for pets from 8:00 a.m. until 12:00 noon, with the proceeds going to the Friends of the Animal Shelter, who do so many great things for the community and for the animals. Also, donations may be made, whether it is cash or supplies for the animals.

Council Member Benning thanked Pastor Rowles for the invocation, announced that the Miss Sierra Vista Pageant is on Saturday, July 29, 2023, starting at 6:00 p.m. with four contestants for Miss. Sierra Vista and four contestants for Miss Sierra Vista's Team. He encouraged people to buy tickets that may be purchased at the door to support the Miss Sierra Vista Pageant because about \$20,000 in scholarships are given out every year to help the young ladies from the community go to college. He thanked the ladies from the Women Army Corps that were in the audience and announced that they are going to be back to lead the Pledge. He then announced that one of the thousands that watch the Council Meeting on YouTube has come out to see the meeting live and proceeded to thank him. He voiced his appreciation at the Economic Development Commission and the Youth Commission.

Mayor Pro Tem Umphrey voiced her excitement for the parents because as a parent, she is very excited for the kids to go back to school. She stated that she too is grateful for the teachers and staff, announced that Buena High School is hosting the Colt Walkabout, which is for students who are going to Buena High School to get familiar with their schedules, their classrooms, and the school on Saturday, July 29, 2023, from 9:00 a.m. until 11:00 a.m., and lastly announced that this is the last weekend to catch the play, She Kills Monsters at the Sierra Vista Community Theater, and tickets are available online, google Sierra Vista Community Theaters presents.

Mayor McCaa thanked Police Chief Hiser for being at the Governor's Roundtable, who was on the big stage behind the Governor on TV. He announced that there is a Welcome Back-to-School event on Wednesday, August 2, 2023, at Buena High School, sponsoring 100 men in

suits at 6:45 a.m. to welcome the students back to another fantastic school year. He announced the concert in the park following the Council Meeting at 6:00 p.m., and in closing announced the Spotlight Breakfast on Tuesday, August 8, 2023, at 7:00 a.m. at Cochise College.

Adjournment

Mayor McCaa adjourned the July 27, 2023, meeting of the Sierra Vista City Council at 5:36 p.m.

Clea McCaa II, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk