

Sierra Vista City Council
Work Session Minutes
July 25, 2023

1. Call to Order

Mayor McCaa called the July 25, 2023, City Council Work Session to order at 3:00 p.m., Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Mayor Clea McCaa – 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
Gabriel Squires, Public Works Internal Operations Manager
Matt McLachlan, Community Development Director
Jeff Pregler, Planner
Jennifer Dillaha, Budget Officer
Adam Curtis, Marketing and Communications Manager
Tony Boone, Economic Development Manager
Barbara Fleming, Human Resources Manager
Mike Cline, Management Analyst

2. Presentation and Discussion:

A. July 27, 2023 Council Meeting Agenda Items ([agenda attached](#))

Mayor McCaa stated that the Agenda starts with the call to order, roll call, invocation led by Pastor Rowles, followed by the Pledge Allegiance led by Council Member Johnson.

Item 1 Acceptance of the agenda – There were no changes needed.

In response to Mayor McCaa, Mr. Potucek stated that some of what he would report would duplicate what has been included in the executive report, with the exception of the dedication of the training track of Cochise College by Fire Station III that will be occurring on Monday, July 31, 2023, at 5:00 p.m., a great thing and partnership that the City has with Cochise College, which everyone looks forward to some others in the future.

Mayor McCaa noted that there will also be the ambulance simulator showcase on that day at 6:00 p.m.

Consent Agenda Item 2.1 Approval of the City Council Special Meeting Minutes of July 11, 2023; and 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 – There was no discussion.

Item 3 Discussion and Possible Action of Resolution 2023-058, Granting of Public Utility

Easements Alleyways between North Avenue and Cyr Center – Mr. McLachlan stated that the public utility easements are a predicate to the next item on the agenda concerning the abandonments of the alleyways in the vicinity of Sierra North Avenue. It is part of the notification process. The Department learned that there are existing utility lines within the alleys which necessitate the need for a public utility easement being put in place. The easement areas coincide with the boundaries of the alleyways, and essentially grant utility companies permission to install, maintain, operate their lines within the easement areas that will be recorded.

Public Hearing Item 4 Discussion and Possible Action of Resolution 2023-059, Alleyway Abandonments located between North Avenue and Cyr Center – Mr. McLachlan stated that the Department is continuing the process that was started last May, when Council gave the go ahead to proceed with the abandonment of the two segments connecting Cyr to North Avenue. The request has been routed to all parties. The public has been notified, and a hearing was held last Tuesday before the Planning and Zoning Commission, where they voted unanimously to recommend approval of the application. The alleyways have never improved or maintained by the City, at least in recent memory. Prior abandonments have effectively caught off the potential for circulation beyond the three parcels that abut the alleyways. The Department has facilitated a separate reciprocal access easement agreement on how the properties will be maintained in the future for private access. That agreement will be fully executed prior to the meeting on Thursday, July 27, 2023, two of the three signatures, but he is expecting the pastor to come in later in the afternoon to sign the agreement.

Public Hearing Item 5 Discussion of Fiscal Year 2023-2024 Property Tax Levy – Ms. Dillaha stated that in accordance with State Statute, the City's public hearing on the property tax levy will occur on Thursday, July 27, 2023. The Arizona Department of Revenue provides the Fiscal Year 24 primary property tax levy rate and total collection amount to the City. For Fiscal Year 24, the rate is proposed at 1.1056 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 years is due to new construction. The rate was adjusted slightly lower in Fiscal Year 24 due to an increase in valuation of taxable property. Therefore, the actual dollar amount paid by citizens in 24 remains the same as the dollar amount paid in Fiscal Year 23. For this proposed new rate, the City is not required to publish truth and taxation notices for the property tax levy.

Public Hearing Item 6 Discussion and Possible Action of Resolution 2023-060, Final Budget for FY 2023–2024 – Ms. Dillaha stated that the resolution is for the adoption of the Fiscal Year 23/24 operating budget for the City for a final amount being \$175,145,445. There were two changes since the Tentative Budget vote. The first is the safety contract for streets that did not arrive by the end of fiscal year as expected. The carryover amount was added to HURF. Also, staff learned of a new grant opportunity through State Parks for restrooms at Garden Canyon Linear Park. The revenue and expenditure for this was added to the Grants Fund. Since, staff knows that the City will not receive the RAISE grant in Fiscal Year 24, HURF was reduced by the amount of these two projects to keep the total budget equal to the cap set by the Tentative Budget vote. The Tentative Budget and all updated state budget forms have been posted on the City's website, and to date there have not been any public comments received. Council will meet on August 10, 2023 at 5:00 p.m. to vote on the primary property tax levy for Fiscal Year 2023-2024, which will conclude the budgeting process.

Public Hearing 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) - Mr. Pregler stated that this is a request for rezoning on property currently zoned as Neighborhood Convenience which allows for light commercial uses. The proposed rezoning district will be Manufactured Home Residence that is a residential zoning district that allows for the setting of manufactured homes. The site is .36 acres and is located on the southeast corner of Kayetan Drive and Elledge, South of AAA Fort Storage, with the Walnut Grove Mobile Home Park directly to the West.

The property was part of the original City limits and was previously zoned Mobile Home Residence until 1983, when the property owner requested a rezoning to C1, which was an equivalent to Neighborhood Business. At that time, the owner intended to operate a treatment facility for drug and alcohol abuse, but no permits were ever issued, and the site remained vacant ever since. In 1986 the City assigned an equivalent zoning designation of Neighbor Convenience, which remains on the site today. The reason that it was redesignated was because the Development Code was adopted at that point and that was when a lot of the existing zoning districts were reclassified, redesignated.

Mr. Pregler displayed a picture of the area looking East with Kayetan to the North, Elledge to the South, a small local street.

In terms of the future land use, Vista 2030 designates the property as high density residential, which permits Manufactured Home Residential Zoning Districts. This is consistent with the land use designation. The existing zoning map has Manufactured Home Residence directly to the South and to the West. Also, there is a manufactured home park directly to the West of the property.

The request is more consistent with the City's future land use element and compatible with the surrounding zoning pattern. The traffic impact resulting from one dwelling unit being added to the property will be de minimis. There is an 8-inch sewer line adjacent to the property that is adequate for the proposed use and the down zoning of the property from a more intensive commercial use to manufactured home residential will reduce potential impacts to surrounding residential uses.

As required by the Development Code, the applicant held a neighborhood meeting on July 7, 2023. However, there was no input received at that meeting. The applicant received a message in support of the request from the owner of AAA Fort Storage. The Planning Zoning Commission heard the request on July 18, 2023, and voted unanimously to recommend approval to the Mayor and City Council. Staff has not had any public comments regarding the rezoning as well.

Council Member Rodriguez commented that nobody showed up to the neighborhood meeting, and noted that AAA Fort Storage does not have a problem, the nearest neighbors.

B. [Council Executive Report](#)

Mr. Potucek noted that on the first page of the executive report is the City Manager's message and he is highlighting the changes that are occurring in the Police Department. There has been some retirements and several promotions that have occurred as the result of that, beginning with Police Chief Hiser and Deputy Police Chief Boutte A. There will be a ceremony held on either Friday, August 18, 2023, or August 25, 2023.

The Fire Department just had Captain Dave Wilcox retire after 33 years of service, which has precipitated a couple of promotions in the Fire Department.

City staff had applied for a RASIE Grant for the Garden Avenue Project and more of Fry Boulevard to be done; however, staff was notified that the City did not receive that grant, which was not that surprising. On top of that, the engineer's estimates came in rather high, and staff is still looking at probably over \$4 million for that project, but there is currently \$2.9 million set aside for it. Therefore, staff is looking to find a way, or ways to make sure that the project can be done. On Friday, July 21, 2023, staff received an e-mail message saying that the project was of merit, even though the grant was not awarded, which means that the City is in line for an excellent chance to get the grant in the next go around, next year. This would be a good thing because then the City would not have to use the \$2.9 million that has been set aside and be able to use the RAISE grant. However, the downside to it is that the City would have to wait until next fiscal year to do the Garden Avenue Project. There are a lot of other grant projects that Ms. Flissar has put in there.

Mayor Pro Tem Umphrey asked if this is different than when they initially gave feedback. Mr. Potucek stated that the City will still get feedback, but it this means that the City is really in line, a good shot next year. Ms. Yarbrough stated that if the City does not proceed and apply for the RAISE

Grant, whether it is awarded or not. The City could also propose budgeting more money towards North Garden next year as well. This will provide the opportunity to both wait and see if the City is successful in the RAISE Grant next time, and to budget more for the project. This could proceed either way, with the hope that the City gets the grant and saves that money. Mr. Potucek added that the \$2.9 million will be fenced off.

Mayor Pro Tem Umphrey noted that they expect the City to try again, which is a good idea. She added that it is good to hear that they provided better feedback this time around, a little closer.

Mr. Potucek stated that the City is still waiting for almost \$4,000,000 that Representative Ciscomani put in for the City, which we will put towards Buffalo Soldier Trail. He noted that he feels pretty good about this considering he sits on the Appropriations Committee, but staff does not know about it yet.

Council Member Messmer asked about an update on the sprinklers in Veterans Park. Ms. Wilson stated that the valve that staff has been waiting for was received on site, and the team is coming down from Tucson to install that on Friday, July 28, 2023. They are also working on Saturday, July 29, 2023. Therefore, the City should have a fully operational park on Monday, July 31, 2023, all things going well. The plan after that is growth and green grass. If the irrigation system holds up and can take efficient powerful water going through, it will be good to go; but staff anticipates some issues with the aging system. This is the price of progress, but every day staff is getting a little closer, and it is exposing some things that need to be handled on the maintenance side of the house.

Mayor Pro Tem Umphrey asked about Soldier Creek Park. Ms. Wilson stated that Schneider Electric and the subcontractor looked at the system, but the issue was not a warranty issue. It was a separate valve issue on one of the zones, and the fix for that was to close off the main valve. Everybody mobilized and discovered that it was an operator error situation. They were able to open the main valve, which exposed the zone valve issue that was replaced. The system was tested, and the new smart irrigation system is working; therefore, staff has been watering since last Friday, July 21, 2023.

Council Member Rodriguez stated that as always, this is an awesome report, and he encourages everybody to read through it because many questions are answered in the report that Council gets asked about. He added that as he read through it, he noticed some good things and things that need to be worked on. He then gave a shout out to Animal Control and stated that he enjoyed watching the full house video of the dogs. He commented that he was not aware that some of these animals have been at the shelter for 456 days, and it is good to see how they do what they can for animals that need a home.

Council Member Rodriguez stated that in looking at the numbers regarding social media, he noticed that only 24 people completed the Vista 2040 survey. Therefore, he would like to know what can be done to help. He added that perhaps the Council could pass out literature during their meet and greets, as they go around talking to the public, ribbon cuttings, business of twilights, and interact with everybody. He asked if staff could do something simple with a few QR codes that will take the public to the things that they need to look at. Mayor Pro Tem Umphrey noted that staff has put a lot of effort into it, six videos. Mr. Curtis stated that this was before the Department did some concerted promotion of that. He tested the Vistas to see what that does on its own. This was the push with putting it on the front page of Vistas. To-date, they have 55 because they just started their social media push. They are also going to be doing other paid advertising now that the new fiscal year has started.

Mayor Pro Tem Umphrey asked if Council could get something that Council can hand out at the meet and greets to promote more input. Mr. Curtis stated that the Department can do that and if there are particular issues that Council is interested in, they can always theme a meet and greet or give notice to the Department so that staff can prepare information for Council to distribute a particular topic.

Council Member Rodriguez thanked Ms. Wilson for the update on the parks, thanked Mr. Potucek for the update on the grants, and asked about the compost fire, latest strategy to mitigate fire in that area. Ms. Flissar stated that a meeting has been set up for next Wednesday, August 2, 2023 with the Fire Department to discuss that very subject. Staff will be diving into that because they certainly do not want to get into the same situation. However, the site looks nice.

Council Member Rodriguez voiced his appreciation at the reaction to that situation, which was amazing all around. He thanked the people that responded that got their boots melted, pieces of vehicles melted off, etc. that are not budgeted for in their clothing allowance. However, he spoke to Mr. Potucek and Ms. Yarbrough about compensating people that are not first responders nor wildland guys and girls. However, things like that happen and their vehicles are not suited for that, but they put the fire out and protected the City. Therefore, he wants to make sure that there is something that can be looked at to compensate them because it is a big hit to pay \$400 for boots.

Mayor McCaa thanked Fire Chief Jones and gave a shout out to the first responders that responded. He noted that he talked to staff, and there is not a water source out there; therefore, they had to pack the hoses, take them out, take the truck back to the water source, fill back the tank and then go back out there. It was an amazing job. Fire Chief Jones stated that they were very fortunate. They had one of the Fry tenders come, a 2,000-, or 3,000-gallon tank that came out, which was also out there for 12 hours.

Council Member Rodriguez voiced his appreciation at the list of the plans that are under review, approved, or under construction because it answers a lot of questions that Council gets asked. He then asked for feedback, anything that Council can provide to people that explains the holdup. Mr. Boone stated that the reality is that some business owners have moved very quickly. Plans were approved and gone. Staff has connected Freddy's to the local contractors, the last update. Mr. McLachlan added that staff needs to get confirmation. The Department just changed the building codes and that is going to be the avenue for contacting them and alerting them that if they do not proceed within a reasonable period, they will need to reapply for a building permit. The same applies to Popeyes, they are way overdue in terms of picking up their permit. The last staff heard was that they are working on other stores in the state, but Sierra Vista is in line.

Council Member Rodriguez asked about the Dollar General out on Giulio Cesare and the hospital. Mr. McLachlan stated that an address has been assigned.

Council Member Rodriguez asked about the Circle K by Cloud 9. Mr. McLachlan stated that they are going to redevelop as it is a new store like the one out by Golden Acres.

In response to Council Member Rodriguez, Mr. McLachlan stated that the tenant improvements are for Michaels Store because Beales is closing.

Mr. McLachlan stated that he checked on the former Z bar and they are still working on the demo, but they should be coming through with the tenant improvement products.

In response to Council Member Messmer, Ms. Flissar stated that the compost reopened on July 17, 2023 and they are back to regular business hours, Monday, Tuesday, Thursday, Friday, Saturday.

Council Member Landry thanked everyone who made the executive report. She stated that it is a very comprehensive report with great information in it. She brought to attention a couple points in the report, one of them was the museum's attendance that was up over 600%. The Jurassic wonders was a huge hit with a lot of new visitors and people that would come back. It was great to see, and the kids loved it. If new visitors are coming, then for future exhibits, they will probably be coming back. Second, the employee highlight for the Cove.

Mayor Pro Tem Umphrey stated that she is aware that staff had to cancel the West End Arts, Beats, and Eats. She stated that she is unsure if it was due to the heat wave, but she would like to know what the Department has decided moving forward. Ms. Wilson stated that Mr. Boone's section and

she have been talking about this for a couple of years now and it was important that her department step up and attempt to do something on a regular basis to see if there was an appetite for an event space at the West End that the public wanted to drive without having all the things that come with a big event, i.e., the West Fest where there are staff-led activities because they can definitely bring a crowd when they want to throw a party. Something like this, that would be more of an organic type of a thing, where the Department is setting up a situation to where people can, for very little money, come and set up, sell their wares, offer some music options, and some eating options throughout that area. However, it has not taken off. There seems to be no appetite from the vendor community to participate in this and it is unknown why they have hesitated.

Mayor Pro Tem Humphrey stated that last year there were about four and there were no issues. Ms. Wilson stated that they had some. There was a food truck that purchased all four and then just showed up to one and had better offers in other places. They did not ask for their money back that they that they paid. They went to other things that they thought that they could get more sales in. She added that she speculates that some of the food truck establishments and vendors are looking for high traffic areas to participate in and there are some other really great things happening around the community that are organically grown. The events that Doc's Watering Hole is doing seems to be a very organic community-led kind of a thing. Gunny's is working on some things out at his place as well. It would be wonderful to see something like that take root in the West End from an organic place. The City could create an event permit for those types of activities in that space to where the community could just lead the whole thing. The Department's attempts are trying to get the community to move in that direction. The Landmark has been extremely awesome at each one, but the City is not getting a foothold in that area with the businesses and perhaps she and Mr. Boone need to have some more conversations about other attempts on how to do that. The program failed, and there have been no interest on weeks, none.

Council Member Johnson asked if the situation would resolve itself once the parcel on Fab Avenue is up to speed and made welcoming because currently it is a dirt lot and there is not a whole lot to do there. Ms. Wilson stated that she thinks that it would be a much more attractive option than what the City currently has. Maybe this is a type of event that the City is doing a little early in the improvements because there is still a lot of vacant storefronts in that area. There are not a lot of businesses open during the evening time in that area. As the Department starts to see some success in those efforts, she is completely up for trying it again. The Department tried something, and it did not work, and she is okay with that. They all learned something from it, but it does not mean that they will give up on the efforts. The Department will go back to the drawing board and keep trying.

Mayor Pro Tem Umphrey wonders if something was done differently last year that was not done this year because they were well attended. However, she was not aware of the food truck issues, but it seemed like it was still a good turn out and people look forward to it. However, there are always disappointing comments every time the event was cancelled. There is an appetite and people want it. Lastly, she thanked Ms. Wilson and her team for doing what they could.

Ms. Wilson stated that she feels bad that it did not work, but she is also excited because it is saying something and she does not think the public does not have an appetite for it, it must be all those things. The vendor community must make that a priority as well and show up because sometimes people will say they want something and then it is offered and then maybe they are doing something else or maybe it is a wrong day of the week. It could be all kinds of things. Therefore, staff can try a bunch of different things and continue to try, but if there is no one signing up to sell anything, it is not going to bring people out.

Council Member Rodriguez commented on code enforcement, noting that they get a lot of comments and calls about anything from barking dogs to fences. He further noted that grocery stores are running out of shopping because people are taking them, and it is not just in Sierra Vista. This is on the business owner to come up with ways to keep that down. He shared that he has seen other cities where people are capitalizing on this by starting a shopping cart recovery company. They have big trucks, go out to collect them, and they then sell them back to the company that owns

them for a small fee. Code enforcement takes calls for overgrowth, and there are 35 overgrowth situations that they are handling along with sidewalk obstructions. A lot of work is being done on North 1st Street when it comes to things getting demolished to include a lot of police work in the area. Hats off to the Police Department.

In response to Council Member Rodriguez, Mr. McLachlan stated that the City does not have jurisdictional authority over state land. The Department does not go through the code enforcement process; therefore, they are using the Better Work volunteers to clean those sites. The Department would only initiate the process on private property.

Council Member Johnson stated that the Sierra Vista Police Department volunteers go out on a regular basis to retrieve shopping carts that are left, hither and yon, and are returning them to their owners. Hats off to the SVPD volunteers for doing that.

C. Report on Recent Trips, Meetings and Future Meetings

Mayor Pro Tem Umphrey announced that upcoming is the first Neighborhood Commission meeting, scheduled for Monday, July 31, 2023, at 4:30 p.m. in the City Manager's Conference Room.

Council Member Messmer reported that last Wednesday, July 19, 2023, the Arts, Humanity, and Cultural Diversity Commission met and elected their Chair, Radford Hyde, and their Vice Chair, Carolyn Cruz. Therefore, the Commission is ready to move forward.

D. Future Discussion Items and Council Requests

Ms. Yarbrough stated that there are a couple things staff is tracking for future presentations, a Code enforcement presentations forthcoming in August, the special event policy that is currently under review, and then a presentation by the Sierra Vista Veterans Memorial Foundation at Council's request about their progress and where they are with fundraising for that memorial.

3. Adjourn

Mayor McCaa adjourned the July 27, 2023, work session of the Sierra Vista City Council at 3:44 p.m.

Clea McCaa, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk