



## CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minute summary of the regular meeting of the City Council of Sierra Vista held on the 24<sup>TH</sup> of August 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 14<sup>TH</sup> day of September 2023

SEAL

A handwritten signature in black ink, appearing to read "M. Marsh", written over a horizontal line.

Maria G. Marsh  
Deputy City Clerk

A handwritten signature in blue ink, appearing to read "Jill Adams", written over a horizontal line.

Jill Adams  
City Clerk

Sierra Vista City Council  
Meeting Minutes  
August 24, 2023

Mayor McCaa called the August 24, 2023, City Council Regular Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Roll Call:

Mayor 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  
Johnathan Kramer, Building Official  
Jill Adams, City Clerk  
Nathan J. Williams, City Attorney  
Tony Boone, Economic Development Manager  
Barbara Fleming, Human Resources Manager  
Mike Cline, Management Analyst  
Boy Scouts Troops 455 and 464

Invocation – Michael Sanders, Village Meadows Church, conducted the invocation.

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 Regular City Council Meeting of August 24, 2023, be approved. Council Member Johnson 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, September 12, 2023, at 3:00 p.m. in the Council Chambers, the next regularly scheduled Council Meeting is on September 14, 2023, at 5:00 p.m. also in the Council Chambers, and on Monday, September 4, 2023, in observance of Labor Day, the City's offices will be closed. Therefore, the Monday refuse pickup will move to Tuesday and Tuesday's pickup will move to Wednesday, with no special pickups on Wednesday. He reported that the Airport



fuel and refueler supplier contract was awarded to the firm of AVFuel Corporation and that contract should be executed soon. The pool resurfacing at the Cove, Cove Wave Pool, has been awarded to Superior Pool Plastering Management and work is expected to start in mid-November that will probably take about six to eight weeks into the new year to complete. The audio-visual upgrades at the Police Department should be done by Friday, August 25, 2023, and Police Chief Hiser is available to take Council on tours if they want to see the project. Lastly, he announced that the promotion ceremony at the Police Department will be on Friday, August 25, 2023, at 3:00 p.m.

## Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of August 8, 2023

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of August 10, 2023

[Item 2.3](#) Discussion and Possible Action of Resolution 2023-065, Acceptance of the Resignation of Aubrey Travis from the Sierra Vista Youth Commission

[Item 2.4](#) Discussion and Possible Action of Resolution 2023-066, Appointment of William Indelicato to the Sierra Vista Transportation Commission, said term to expire April 30, 2025

Council Member Rodriguez moved that the Consent Agenda consisting of the Work Session Minutes of August 8, 2023, the Regular City Council Meeting Minutes of August 10, 2023, Resolution 2023-065, acceptance of the resignation of Aubrey Travis from the Sierra Vista Youth Commission, and Resolution 2023-066, appointment of William Indelicato to the Sierra Vista Transportation Commission, said term to expire April 30, 2025, be approved. Council Member Johnson seconded the motion.

Mayor Pro Tem Umphrey noted that there is now a vacancy on the Youth Commission and encouraged the youth in the audience to apply. Council Member Rodriguez added that if they hang out after the meeting, he will talk to them about the Youth Commission.

Council Member Benning noted that Mr. Williams was in the audience, who was also present at the last Council meeting. He thanked him for his willingness to join the Transportation Commission after speaking to Ms. Flissar.

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 3](#) Discussion and Possible Action of Resolution 2023-067, Codification of Code of Ordinances and declaring a 30-day Public Record

Council Member Landry moved that Resolution 2023-067, codification of Code of Ordinances and declaring a 30-day Public Record, be approved. Council Member Benning seconded the motion.



Ms. Adams stated that this is a housekeeping item and the final step for ordinances that the Council passes. These are built into the City Code, and they go through this process to become designated as a permanent public record for the City of Sierra Vista. All the ordinances that are being codified with this action have been passed over the last 12 to 18 months, and ordinances go into effect at the time of passage, not at the time of codification. Literally, this is a housekeeping publication process that Statute requires. After this action, staff will bring back the item in 30 days as an ordinance, Once approved it will be sent off to American legal Publishing that keeps the City's books up to date.

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

**Item 4** Discussion and Possible Action of Resolution 2023-068, Request for a Conditional Use Permit, Chabad of Sierra Vista, 597 E Fry Boulevard

Mayor Pro Tem Umphrey moved that Resolution 2023-068, a request for a Conditional Use Permit, Chabad of Sierra Vista, 597 E Fry Boulevard, be approved. Council Member Johnson seconded the motion.

Mr. Pregler stated that this is a request for a conditional use permit for property located at 597 E Fry Boulevard and the applicant is Chabad of Sierra Vista. They are proposing a place of worship and a Community Center. The site consists of two parcels, one is used specifically for parking, the other one will contain the building, and the total area is roughly 9,000 square feet. The applicant's rationale for moving into this facility is that they want to expand their offerings and services to the community.

An aerial of the property was displayed that depicted the property located at the northwest corner of Fry Boulevard and 5th Street. The property was annexed in 2016 and the building was previously used as a place of worship but vacated in 2019. Therefore, since it has been four years that the previous church occupied the building, that the church use is currently a nonconforming use and is no longer vested. Therefore, a conditional use permit for the place of worship is required per the Development Code.

A Google street view of the of the property was also displayed that depicts access from 5th Street and Fry Boulevard. Parking is available along 5th Street and Fry Boulevard.

The requested use is consistent with the adjacent commercial properties. Activities will primarily be on Saturdays which will have minimal impacts on the adjacent properties. The parking is adequate for the proposed used per some of the flexible parking standards in the Development Code. The applicant has stated they will be about three to eight individuals per service. There is an 8-inch sewer line adjacent to the property that is adequate for the proposed use. Per the traffic manual, 25 vehicle trips on Saturday are projected to be generated which can be accommodated by both Fry Boulevard and 5th Street.

The Planning and Zoning Commission heard the request on August 15, 2023 and unanimously recommended approval. The City did notify all property owners within 500 feet of the property and no comments have been received.

Rabbi Benzion Shemtov thanked Council and noted that he is the only Jewish faith leader/rabbi in the County. He stated that the idea is that after being in Sierra Vista since 2016, they want to



expand their services as to be able to grow and offer additional opportunities of engagement for the Jewish community and for the wider community.

Council Member Rodriguez thanked Rabbi Shemtov for expanding his operations in Sierra Vista and noted that he looks forward to him doing the invocation for the City Council meetings.

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 reported that Wednesday, August 23, 2023, was the Environmental Stewardship Commission's first meeting and he was encouraged by not only the attendance of people who are not on the Commission, but also the people that were interested in what the Commission is going to do. In attendance were seven visitors. He added that there is still one vacancy on the Commission, but two applications are pending and that will be up to the chairman and the vice chairman as well as the commissioners to vote on the fifth member of their Commission. The commissioners discussed the role of the Commission and about possible programs, project ideas moving forward in the future. Lastly, he announced that he will continue to maintain his hold as the oldest person on the Sierra Vista City Council as he will be 77 next week.

Council Member Messmer thanked Mayor Pro Tem Umphrey and Council Member Landry for participating along with her in the Hummingbird Triathlon, where they placed fourth. In closing, she stated that she is proud of them and herself.

Council Member Rodriguez thanked the year of 1946 because that brought the Council, Council Member Gregory Johnson. He then stated that he would appreciate seeing data on SWAT's equipment to ensure that it is the latest and greatest stuff that they have because to him, it looks like the City can probably do better. He added that he would also like to see data on the medical side and the Police Department's side as well because their gear looks like it is probably due for an upgrade. He also noted that there have been issues in recruiting and filling some positions; therefore, he would like to see the latest policy regarding leave due to people losing leave because they are unable to take vacation. He shared that being in the military, he hated that part of the year, towards the end where he had to use his leave or lose it; but if leave cannot be used or sold back, then one is stuck, and that is a horrible place to be. He then announced that currently from 4:00 to 7:00 p.m., at the Rothery Center there is a band instrument rental for all elementary school children that are in band and want to rent an instrument. He encouraged the children to make a whole bunch of noise and music on Saturday, August 26, 2023, because it is International Play Music on the Porch Day. He then reported that he attended the Cochise County Stand Down on Friday, August 18, 2023, at the Ethel Berger Center that was put on by the CSV Cochise Serving Veterans where there were 42 providers that helped 66 veterans. Also, some of the providers that were there are veterans themselves and about 20 of them received help; therefore, almost 90 people got some kind of veteran help that day. He noted that it is a good start, but a lot more can be done in the community and County because having those conversations with the veterans and with medical personnel that was in attendance, the County needs a lot of help with veterans. There is still a lot to do and there is a reason why the community has a Veterans' Memorial Ceremony Cemetery. There are a lot of veterans in the area. Lastly, he stated that as Council talks to the State Representatives it would be prudent to



remind them about all the veterans that are in the area and the resources that that they could use, especially on the mental health front. In closing, he thanked the Boy Scouts for attending the meeting and stated that he looks forward to them coming back and speaking to the Council, sharing information about their organization, and leading the Pledge of Allegiance.

Council Member Landry thanked everyone in attendance and noted that it is always great to see people out in the audience and she hopes that they will all come again to future meetings. She shared that if people want to gather aluminum cans for the Animal Shelter, they should take off the tab on the soda cans. The Animal Shelter takes them to the recycling center in Tucson and that helps them with funds to take care of the animals in the facility. She thanked the other Council Mamas and stated that it was a great time participating in the 22<sup>nd</sup> Annual Hummingbird Triathlon together. She noted that there were a lot of people at the event, and some were doing the whole triathlon by themselves, the swimming, the biking, and the running. Lastly, she thanked all the people that put that together and helped facilitate the event. People were out there early in the morning to pick up their packets, people were setting things up and taking things down, there were a lot of volunteers helping with the swimming and the road closures. She encouraged people to participate next year, either on their own, in teams, or to support the event as it is a great event.

Council Member Benning congratulated the Council Mamas because they are all moms and on Council. It is an outstanding job coming in fourth place. He was inspired; therefore, there will be Council Daddys for the next one. He thanked Pastor Sanders from the Village Meadows Church for the invocation, thanked the Boy Scouts for their attendance and stated that if they want to do more, get a tour, etc., they can let Council know. Lastly, he wished everyone a Happy Labor Day.

Mayor Pro Tem Umphrey shared that she complained a lot during the triathlon because she had no desire to do a triathlon, but she is very grateful to her team as they are the real MVP's. She added that she was trying not to bring shame upon the City; therefore, she survived the swim and if anyone has not done one before and they are interested, this is a good first timer because it is not a full triathlon. It is half of that and there are no rules; therefore, people can doggy paddle if they need to do so. In closing, she shared that State Representatives were in Sierra Vista a couple nights ago and there was mention about the work on State Route 90 from Moson to the Checkpoint that might not have been correct. She clarified that at the Sierra Vista Metropolitan Planning Organization Meeting held on Wednesday, August 23, 2023, the ADOT representative said that the projects are still going out to bid next month and the work is still scheduled to start in November.

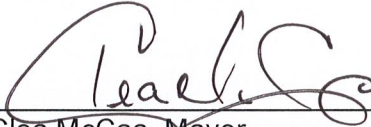
Council Member Landry announced that the Animal Shelter is at capacity and encouraged people to adopt or foster if anybody is looking to make a new furry friend because the shelter has great animals, the best dogs, and cats. People can also help with dog walking, cleaning, etc. They also have foster options through the shelter or other organizations.

Mayor McCaa wished the best of luck to Team Huachuca competing in the TRADOC Best Squad and Best Warrior competition that is convening on Fort Huachuca and noted that Team Huachuca looks good and hopefully they will bring home the trophy. He stated that on Wednesday, August 23, 2023, Council had the opportunity to connect with Senator David Gowan, Representatives Lupe Diaz, and Gail Griffin to ask questions about policies that they are introducing at the State, and during the morning, Council had the opportunity to sit at the table with the Sixth Congressional District Veterans Council hosted by Juan Ciscomani. It was a privilege to represent Southern Arizona and to look at veterans' issues, suicide, homelessness,

etc. that are occurring in Cochise County. Friday, August 25, 2023, is Football Friday, and the Buena Fighting Colts will compete and take on the Betty H. Fairfax High School Team from Phoenix that will start at 7:00 at the Buena High School Field, where featured is the new scoreboard. Lastly, he announced that Jemm will be performing during the evening from 6:30 until 7:30 p.m. at Veterans' Memorial Park. In closing, he thanked the Boy Scouts and everyone in attendance.

Adjournment

Mayor McCaa adjourned the August 24, 2023, meeting of the Sierra Vista City Council at 5:24 p.m.



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Clea McCaa, Mayor

Minutes prepared by:

Attest:



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Maria G. Marsh, Deputy Clerk



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Jill Adams, City Clerk