



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 12TH of October 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 26TH day of October 2023

SEAL

A handwritten signature in black ink, appearing to read "Maria G. 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
October 12, 2023

Mayor McCaa called the October 12, 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 – absent

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Chris Hiser, Police Chief
Sharon Flissar, Public Works Director
Nathan J. Williams, City Attorney
Adam Curtis, Public Affairs and Communications Manager
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst
Jennifer Dillaha, Budget Officer
Maria Marsh, Deputy City Clerk

Invocation – Michael Sanders, Village Meadows Church, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Landry move that the agenda for the Regular City Council Meeting of October 12, 2023, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, and Messmer voted in favor.

Presentations and Awards

Mayor McCaa and Council presented the Achievement of Excellence in Procurement Award to Ms. Downing and her team in Procurement. Ms. Downing explained that the Achievement of Excellence and Procurement Award is a national award that is given to government procurement offices who present excellence in their procurement process and procedures. She noted that she has been in procurement for 35 years and for the last 10 years in her other agencies, she has been trying to get this award, but it has a lot of criteria to get enough points to be able to get the award, i.e., correct software, certified procurement professionals, a budget that is dedicated to continuous learning. She stated that she was fortunate that when she came to the City of Sierra Vista, and she mentioned it to Ms. Yarbrough that she wanted to achieve

this award, that she said to try and requested a dedicated budget. Therefore, the Procurement staff got certified, got the software, and dedicated the funding. Ms. Lee and herself got their certifications in December and Ms. Felix got her certification about six months ago. She applied for the award in January 2023, and it took five months to get all the paperwork and documentation to get the points we needed. In July, she was notified that the City of Sierra Vista's Procurement Department had received its first achievement and excellent award, the highest award for government procurement people. She thanked her staff, Ms. Yarbrough, Mr. Potucek, Mayor, and Council.

A Proclamation declaring October as National Domestic Violence Awareness Month was presented to Police Chief Hiser and Sergeant Boltinghouse. Police Chief Hiser thanked the Mayor and Council for issuing the proclamation and explained that October is National Domestic Violence Awareness Month. Domestic violence unfortunately is an everyday call for the Sierra Vista Police Department officers. Research states that domestic violence is a cycle and difficult to break and it takes collaboration and cohesion with multiple entities in the community to break the cycle of violence. The police cannot do it alone. The officers do their part, but they must work cohesively with the advocates, the court system, and mental health. There are so many components to really stand up against domestic violence.

Sergeant Boltinghouse with the Sierra Vista Police Department, one of the team leads for the Cochise County Family and Community Coalition (CCFCC) as well as the Cochise County Service to Regional Domestic Violence Fatality Review Team, stated that the CCFCC is a task force that meets monthly with various advocacy groups, medical facilities, counseling services as well as representatives from both Phoenix and Tucson for the statewide coalition, where they can try to ultimately do prevention, awareness, and try to stop domestic violence, sexual assault, and human trafficking in the community. In addition to that, they select one case every year in the County that is either a fatal or near lethal case. They study that for a full year and then provide recommendations to the Attorney General's office. He noted that Cochise County was the only county in the entire State of Arizona that continued to do its best to safely meet regularly and still submit a report during the pandemic. In closing, he reiterated the fact that they are available to everyone. There are a lot of resources and tools available for someone who might fall into a domestic relationship, they can be empowered and turn into a survivor of domestic violence. Lastly, he stated that the Police Department is illuminated in purple, color that represents DV awareness, and there is also an informational display table in their lobby.

Ms. Tompkins-Stutzman with Sexual Harassment Assault Response Prevention (SHARP) on Fort Huachuca thanked the Mayor, Council, and Police Chief for their support and proclamation. She stated that she has been in the community since 1967 and it is nice to see Sierra Vista, Cochise County embrace Domestic Violence Month. However, they all work throughout the year and not just during the month of October in bringing awareness to domestic violence. She then stated that everyone should have this number, 988, especially if they cannot remember the national hotline number or the local hotline number.

Mr. Walto, MA., Chief of external Affairs Officer at Chiricahua, stated that they were fortunate and proud to be a part of this coalition and hosting an information table in their clinic on Calle Portal all month. Although, as was said, this is something that they do all year. They work on both the services side, taking care of people who have become victims of domestic violence, and increasingly they are working on breaking this cycle. They are working in high schools, working with young people to know that domestic violence is not normative behavior, and giving them the tools to recognize when they are in a bad relationship and know that they are there to help them get out of it.

A Proclamation declaring the week of October 15 through 21, 2023 as Women in Business Week in Sierra Vista was presented to Mr. Boone, Economic Development Manager.

Mr. Boone stated that this is the second business recognition this year. There are two more to go; therefore, he will keep everyone in suspense. He stated that according to the Small Business Association, as of 1972, there were only a mere 400,000 women-owned businesses in the United States. It is hard to believe that until just 35 years ago, women still needed a male relative to cosign for a business loan. There were more than 13 million women-owned businesses in the United States, representing over 42 percent of the American businesses and generating an astounding \$1.9 trillion for the economy. Sierra Vista is proud to be home for many inspiring women-owned businesses and entrepreneurs and recognizes the positive impact they have on our economy. Therefore, the City seeks to join in the nationwide recognition of women in business.

Dr. Gary Packard presented the Economic Development Commission Award for Women-Owned Business of the Year to Eileen Marty, owner of Peaceful Paws Pet Spa, and her team.

Dr. Packard, Chairman of the Economic Development Commission and Part-time Dean at the University of Arizona College Applied Science, stated that the City of Sierra Vista and the members of the Economic Development Commission join in this celebration of the contributions of our local women-owned businesses. After careful consideration of all business recognition nominees, Peaceful Paws Pet Spa has been selected as the Sierra Vista Women-owned Business of the Year for their unique role, impact and dedication to the community as expressed by their clients and their employees. Ms. Marty has been serving pets for many years in various locations as a military spouse, but officially opened Peaceful Paws Pet Spa in February of 2022 after her husband retired and they decided to make Sierra Vista their permanent home. She is committed to providing peaceful, top-quality services to her furry clients and their paw parents and boast the only AKC safe certified salon in Cochise County.

Ms. Marty thanked the community, the City of Sierra Vista for opening its arms when her husband decided to retire from the military and allowing them to make this their home. She added that what she does is truly a passion because she loves working with animals and there is not a day that goes by that she does not love going to work. Lastly, she stated that she loves being there and encouraged people to stop by and just say hi. She thanked her staff, Maria for everything that she does, thanked her clients, especially little Zelda, and her husband.

City Manager's Report: Mr. Potucek announced that next regularly scheduled work session is on Tuesday, October 24, 2023, at 3:00 p.m. in the Council Chambers, and the regularly scheduled Council Meeting is on Thursday, October 26, 2023, at 5:00 p.m., also in the Council Chambers. He reported that the SEACOM JPA Board Meeting was cancelled, the purchase and Installation of three commercial generator replacements' bids are due on October 27, 2023; the metal roof repairs at Fire Station's bids are due on October 20, 2023; and once again, staff had to re-bid the construction of ADA paths at Garden Canyon Wash and St. Andrews Drive because the bids came in over budget. Lastly, he reported that the August sales tax report came in and unfortunately that was only up just shy of two percent for the month of August. The numbers are bouncing back around, up, and down, but this one was down. A particular concern is that the actual retail sales were down .37 percent for the month. Food is performing very well,

is up 9 ½ percent, which stall will need to watch that as the Legislature eyes that as a potential tax cut probably in an upcoming session.

Mayor McCaa asked if this is due to a nonreporting agency. Mr. Potucek stated that he does not think that this is the case this time, last time it was and that was caught up with last month. This reflects what the economy currently looks like in town.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of September 26, 2023

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of September 28, 2023

[Item 2.3](#) Discussion and Possible Action of Resolution 2023-075, Donation of police equipment to Cochise College in support of SEALETA

Council Member Benning moved that the Consent Agenda consisting of the minutes of the Work Session Meeting of September 26, 2023, the Regular City Council Meeting Minutes of September 28, 2023, and Resolution 2023-075, donation of police equipment to Cochise College in support of SEALETA, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, and Messmer voted in favor.

New Business

[Item 3](#) Discussion and Possible Action of Resolution 2023-076, Authorization to Take Legal Action Against Jetty Ware

Council Member Johnson moved to approve Resolution 2023-076, authorizing, and directing the City Attorney to file such actions in the court (s) of competent jurisdiction on behalf of the City of Sierra vista to judicially foreclose its abatement lien against Jetty Ware, be approved. Council Member Benning seconded the motion.

Mr. Williams stated that the City is required to take abatement action against properties that fall below the City's applicable maintenance standards. In this case, the property at 11 Whitton Drive burned in late 2018, early 2019. The property owner was not able to demolish the remainder of the structure at that time; therefore, the City was required to go in and take that action at a cost of \$15,088.80. When the City expends any money on behalf of a property owner, a lien is placed against the property. In this case, the cost required that the owner of the property repay the lien within 10 years in equal annual installments. However, no payments have been made to the City; therefore, the City Attorney's Office is requesting authorization to foreclose its lien under Sierra Vista City Code. If liens are not paid in a timely manner, they can be foreclosed on, and the City can seek to recoup its cost through a judicial sale of the property. By approving this item, Council is authorizing the City Attorney's office to take that action.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, and Messmer voted in favor.

Item 4 Discussion and Possible Action of Resolution 2023-077, Authorization to Take Legal Action Against Lane Balmer

Mayor Pro Tem Umphrey moved that Resolution 2023-077, authorizing, and directing the City Attorney to file such actions in the court (s) of competent jurisdiction on behalf of the City of Sierra Vista to judicially foreclose its abatement lien against Lane Balmer, be approved. Council Member Johnson seconded the motion.

Mr. Williams stated that this resolution seeks authorization for the City Attorney's Office to pursue legal action against the owner of the property located at 132 Peterson. Currently, the owner of that property is Lane Balmer. From 2017 to 2020, the City incurred \$4652.08 in abatement costs for securing the property, cleaning up litter, trash and debris, and other things from this property. In this case, the lien that was imposed against the property should have been paid no later than earlier this year. It has not been paid. Therefore, to recoup the City's cost, the City Attorney's Office is asking for authorization to foreclose the lien and have the property be put up for judicial sales to recoup the costs.

The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, and Messmer voted in favor.

Call to the Public

Paul Varble, Sierra Vista resident, stated that Sierra Vista is not a sanctuary city. Residents do not want these criminals in town, nor invaders in our town, and if the Mayor and Council do not block this and say no, the people will. The people are taking back their country from the corrupt, treasonous Democrat and Rhino politicians who created this show. It is time to remove Biden, Harris, Hobbs, and Fontes from the country. He suggested sending them all to Ukraine or Iran, places where they send all the citizens' money to. The people have had enough of this, America first, families and children first, God, the constitution, flag, and veterans first. He further stated to close the borders, build the wall, and destroy any who attempt to cross over. Lastly, he stated that if all the office holders do not stop this, they will be removed from office with election integrity, and voted out. The City does not need people coming in to be supported when the City cannot support its own nor take care of the people in town. These people came here illegally, and they are not migrants because migrants are seasonal workers that go back to Mexico. They are also not asylum seekers because asylum seekers go to the first country and seek asylum from the country they just left.

Mr. Jones, Sierra Vista resident, stated that he has been a resident of Cochise County since 2005 and became a city resident last summer. He shared that he moved from San Diego and fell in love with the area; therefore, he decided to become more aware of how the city government worked, which involved looking at the General Plan, Strategic Plan, Parks, and Recreation Plan, etc. He stated that in reviewing the Strategic Plan update he would like to find out more about the goal to effectively plan for and manage water resources. This got him to thinking about water resources and he thinks that if the City is to grow as a city, the city needs to be headful of the availability of abundant and clean water. It would be great if sometime in the future Sierra Vista could be touted as having the cleanest and most abundant water in the state. He was unable to tell from the ongoing comments and the Staging Plan update whether the City's water reserves are expected to grow or diminish. Lastly, he asked if the City evaluated Castle and Cooke's claim, now canceled, that the Tribute development would not deplete the

water reservoirs because Castle and Cooke states that the Pueblo Del Sol water requirements would increase the annual grand water pumping.

Mr. Reine, Sierra Vista resident, stated that he has been in the City for almost three years and was formerly working for the State of California as a Highway Patrol. He stated that he supports the City Police Department and is an alumnus of the Citizens Police Department and would have been more active, but he has been in chemo treatments for the last nine months. He requested of Council not to California the citizens' Arizona. He shared that he lived in California and request that the City of Sierra Vista not be made into a sanctuary city. He is very active with his church and many churches in the City want to have a sanctuary or a place for the illegals, but they are not vetted and most of them have health problems. He noted that when he was working with the Highway Patrol, they ended up having TB tests annually. He also worked with the ministerial association with three counties, and they thought they were doing something good, but four churches caught on fire, churches were broken into, and he has personally had his own family hurt. His father was a federal employee and was beaten up, and two of his relatives were killed by illegals. Lastly, he stated, law and order - keep it in Arizona, do not make it law and no order. In closing he voiced his support for the Mayor and Council and stated that they may not like what he is saying, but the City and County are great. He has prayed for the sheriff deputy that was injured on the highway, prayed for the Council, and suggested keeping Arizona safe, a non-sanctuary City and County. Three years ago, the State of Arizona voted not to be a sanctuary State - keep it that way.

Comments and Requests of the Council

Council Member Benning voiced his appreciation at everybody that came and talked to Council; although, while people are talking at the Call to the Public, Council may not talk back nor ask questions. He thanked Pastor Michael Sanders from Village Meadows for his blessing, and shared that Council gets to join their prayer breakfast and the stuff that he and his congregation are doing is amazing for the City. He congratulated Ms. Downing and her team on their award, kind of a Super Bowl, NFL, or national championship, the highest award that procurement can earn. He congratulated Ms. Marty, Peaceful Paws, who does great, and stated that the City is blessed to have people like her in the community. In closing he wished everyone a blessed night and a Happy Birthday to his rock, love, and support, Christy.

Council Member Johnson gave a shout out to Ms. Downing for getting the procurement award and stated that when people are as dedicated as she is in trying to get that award, she is saving the taxpayers a lot of money with her skills and her team. He shared that as a former prosecutor in Cochise County, he dealt with domestic violence cases and encouraged people to talk to Sergeant Boltinghouse and his team, reach out to the resources that are available because they are there to help. In closing, he congratulated Peaceful Paws and stated that he is very proud of the Economic Development Commission, Mr. Boone, Ms. Cameron, and Dean Packard.

Council Member Landry wished Christy a Happy Birthday, congratulated Ms. Downing, and the Sierra Vista Procurement Division for their award, thanked Sergeant Boltinghouse and his team, Ms. Tompkins-Stutzman, Mr. Walto, and everybody who is making sure that the awareness is spread on domestic violence, providing resources, and working with the young people by going in the schools because it is important for young people to know as much as they can about prevention. She also thanked the community for supporting the victims of domestic violence, congratulated Ms. Marty, Peaceful Paws Pet Spa, on her Women-owned Business of the Year Award, voiced her gratitude at the proclamation declaring October 15 through the 21, 2023, as

Women in Business Week because it is great to recognize the women in business – thank you Queens for all that you do.

Council Member Landry announced that October is also Adopt A Shelter Dog Month and relayed that there are a lot of great dogs at the Nancy J. Brua Animal Shelter. She encouraged people to check them out, see if they have a new best friend, or to go out there to help with walking the dogs or by providing a donation. She reported on the Transportation Commission that met for the first time and will be looking for input on the next General Plan, announced that 2024 is an election year and encouraged people looking to run for office, which includes council, to be registered to vote and live in the City's limits for at least a year, and get in touch with Jill Adams, City Clerk to learn about the process. In closing, she announced that there is a rock-climbing gym, Ciba Climbing, along Highway 92, encouraged people to check that out, and lastly reported on the Sky Island Tour hosted by the National Alliance on Mental Health (NAMI) that was raising awareness for mental health and breaking the stigma.

Council Member Messmer congratulated the City's procurement team, Peaceful Paws Pet Spa, and announced that the Community Ofrenda at the Fry Cemetery still has room for anybody that would like to put up a photo of their families that have passed, and on Saturday, October 14, 2023, from 5:30 p.m. until 9:00 p.m., the museum is hosting its first annual Dusk with the Dead, a historical tour of the pioneer cemetery.


Mayor Pro Tem Umphrey thanked Mr. Walto for his invitation to the Chiricahua Campus, where they have a table set up for Domestic Violence Awareness Month in the primary care building, tour of the dental building, their newest building, and for the opportunity to get a flu shot from a vending machine with immunizations instead of candy. She stated that she learned a lot and was not aware of the additional resource for the County. She congratulated Ms. Downing and the procurement team, who make Council very proud. She announced that October is also National Pregnancy and Infant Loss Awareness Month and on October 15, 2023, at 6:00 p.m. there will be a Walk to Remember at Veterans' Memorial Park for people who lost a child and noted that every step taken is in honor of the steps that the baby would have taken. In closing, she wished Christy a Happy Birthday and to her favorite Ranger, her dad.

Council Member Johnson gave a shout out to the Diamondbacks.

Mayor McCaa also gave a shout to the Diamondbacks and included the Buena Football, which is going up against Cienega next week, a powerhouse and rival game. He encouraged people to cheer them on to another 71st season. He thanked and congratulated Mr. Walto for the tour and his hospitality, thanked Police Chief Hiser and Sergeant Boltinghouse for their service, the true heroes as mentioned on social media. In closing he stated to Mr. Reine that he will be praying for him through his cancer, thanked him for his service, and wished Christy a Happy Birthday.

Adjournment

Mayor McCaa adjourned the October 12, 2023, meeting of the Sierra Vista City Council at 5:48 p.m.



Clea McCaa, Mayor

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk

A recording of the Council Meeting is available at:

https://www.youtube.com/channel/UC8PtUplbkQsixlhSy-jeR_Q/videos