



Sierra Vista City Council
Meeting Minutes
January 14, 2021

Ceremonial Swearing in of Council - Ms. Adams, City Clerk, swore in Council Members Rachel Gray, Angelica Landry, and Gregory Johnson.

Mayor Mueller congratulated Rachel Gray, Angelica Landry, and Gregory Johnson, and stated that he is looking forward to working with them. He further stated that in normal circumstances, there would have been a get together ahead of time so that friends and family could join in celebrating the start of a new term, but due to COVID-19 it was not possible.

Mayor Mueller called the January 14, 2021 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 Rick Mueller – present
Mayor Pro Tem Rachel Gray – present
Council Member William Benning – present
Council Member Gregory Johnson - present
Council Member Angelica Landry – present
Council Member Sarah Pacheco – present
Council Member Carolyn Umphrey - present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Brian Jones, Fire Chief
Adam Thrasher, Police Chief
Sharon Flissar, Public Works Director
Jill Adams, City Clerk
Nathan J. Williams, City Attorney

Invocation – Reverend Chuck Carlson, Sierra Vista Community Church, lead the City Council Meeting in prayer.

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

[Item 1](#) Acceptance of the Agenda

Mayor Pro Tem Gray move that the agenda for the Regular City Council Meeting of January 14, 2021 be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

City Manager's Report: Mr. Potucek on behalf of staff congratulated Ms. Gray, Dr. Landry, and Mr. Johnson on their election to Council and everyone looks forward to meeting with them. He

further stated that the City's offices will be closed on Monday, January 18, 2021 in observance of Martin Luther King, Jr. Day. However, the offices are already closed due to COVID-19. Therefore, refuse pickup for Monday will be on Tuesday and Tuesday's pickup will be on Wednesday with Thursday and Friday pickups being fine the way that they are with no special pickups next week. He announced the City Council Administrative Retreat, which are held with new council members every two years, is scheduled for 8:30 a.m. on Friday, January 22, 2021 at Fire Station No. III. The next regularly scheduled City Council Work Session will be held at 3:00 p.m. in Council Chambers on January 26, 2021 and the next regularly scheduled City Council Meeting will be held at 5:00 p.m. in Council Chambers on January 28, 2021. He also reported that the EMS Substation Design-Build was awarded to the firm of Perlman Architects and Core Construction as a team, who have experience in building fire stations in neighborhoods trying to match the neighborhood, feel and look. The Police Department Locker Room Remodel Bids are scheduled to open on January 22, 2021 and the Garden Canyon Linear Park (St. Andrews Parking Lot) Contract was awarded to B-R Constructors, who began work on January 11, 2021.

Public Hearings

[Item 2](#) Resolution 2021-001, New Series 10 Liquor License for Andrea Dahlman Lewkowitz on behalf of Max Mini Mart LTD dba Fry Blvd Chevron located at 1796 E Fry Boulevard, Sierra Vista, Arizona

Council Member Johnson moved that Resolution 2021-001, New Series 10 Liquor License for Andrea Dahlman Lewkowitz on behalf of Max Mini Mart LTD dba Fry Blvd Chevron located at 1796 E Fry Boulevard, Sierra Vista, Arizona, be approved. Council Member Umphrey seconded the motion.

Ms. Adams stated that this application is for a Series 10 Liquor License for the Fry Blvd Chevron. A Series 10 is a beer and wine sales only and it is not a spirituous liquor license. The notice of the public hearing was posted on the facility for the required 20 plus days and no comments have been received from the public, pro, or con. The background check was performed by the Police Department of the applicant and there are no objections to this license moving forward.

Ms. Adams noted that she spoke to Ms. Lewkowitz after the Council Work Session on January 12, 2021, and as with everything else, COVID has slowed things down; but they are anticipating opening sometime in February. The City did receive their business license application and they are all squared away and ready to go, and if approved their license will go back to the State for final action.

Council Member Pacheco stated that she is glad to see a vacant business being reopened.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

New Business

[Item 3](#) Resolution 2021-002, Application for a Permanent Extension of Premises/Patio Permit for Christopher Guinter on behalf of Tight Spot Enterprises, LLC dba PC's Lounge Vista, Arizona

Council Member Landry moved that Resolution 2021-002, application for a permanent Extension of Premises/Patio Permit for Christopher Guinter on behalf of Tight Spot Enterprises, LLC dba PC's Lounge located at 4700 E. Highway 90, Sierra Vista, Arizona, be approved. Council Member Umphrey seconded the motion.

Ms. Adams stated that this is one of the first applications for an extension of premise to allow outside service of customers, whether it be a restaurant or bar. This is a bar, and this is not a public hearing so there were no posting requirements, but there have not been any comments from the public, pro, or con to the issuance of the permit. The Police Department did the background check of Mr. Guinter and have no objection to this moving forward. If approved, the application will be forwarded to the State for final approval.

Ms. Adams noted that the State has finally come into the 21st century and they are accepting electronic submissions and so this application will be emailed to the State versus slow postage mail. Everything will get to the State a lot faster. She added that what she understands from Mr. Guinter, he hopes to have this fenced area open sometime during the spring.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

Item 4 Approval of the Regular City Council Meeting Minutes of December 10, 2020

Council Member Pacheco moved that the Regular City Council Meeting Minutes of December 10, 2020, be approved as written. Council Member Umphrey seconded the motion. The motion carried, 5/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Pacheco, and Umphrey voted in favor. Council Members Landry and Johnson abstained.

Item 5 Resolution 2021-003, Planning and Zoning Commission Appointment

Mayor Pro Tem Gray moved that Resolution 2021-003, appointment of Daman P. Malone to the Planning and Zoning Commission, said term to expire December 31, 2022, be approved. Council Member Benning seconded the motion.

Council Member Pacheco stated that she is grateful for Mr. Malone's willingness to serve.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

Item 6 Resolution 2021-004, Park and Recreation Commission Appointments

Council Member Benning moved that Resolution 2021-004, appointment of Jessica Kunkel and Joseph Hayes to the Park and Recreation Commission, said terms to expire December 31, 2022, be approved. Council Member Umphrey seconded the motion.

Council Member Benning thanked Ms. Kunkel and Mr. Hayes for coming back to the Park and Recreation Commission, noted that they have done a lot for the City and he looks forward to working with them.

Mayor Mueller thanked Ms. Kunkel and Mr. Hayes for being present.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

[Item 7](#) Resolution 2021-005, Appointment of Rachel Gray as Mayor Pro Tem

Mayor Mueller moved that Resolution 2021-005, appointment of Rachel Gray as Mayor Pro Tem, be approved. Council Member Benning seconded the motion.

Council Member Pacheco noted that Ms. Gray is a great choice.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

[Item 8](#) Resolution 2021-006, Amending the Intergovernmental Agreement between Cochise County Community College District, and the City of Sierra Vista for a Joint Program to train Emergency Medical Services and Fire Science Students

Council Member Umphrey moved that Resolution 2021-006, amending the Intergovernmental Agreement between Cochise County Community College District and the City of Sierra Vista for a Joint Program to train Emergency Medical Services and Fire Science Students, be approved. Mayor Pro Tem Gray seconded the motion.

Fire Chief Jones stated that this resolution is to re-establish the intergovernmental agreement between Sierra Vista Fire Medical and Cochise College for the joint program between Sierra Vista Fire Medical and Cochise College to provide the highest quality training for all emergency medical services and the Fire Science students. The intergovernmental agreement was last submitted on June 28, 2018. This new agreement, which is essentially the same as the previous intergovernmental agreements will be in effect for the next five years. It is the intention of both the City and the College to continue this valuable program for many years.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

[Item 9](#) Resolution 2021-007, Memorandum of Understanding with Cochise College for Fleet Maintenance and Repair Services

Council Member Benning moved that Resolution 2021-007, Memorandum of Understanding with Cochise College for Fleet Maintenance and Repair Services, be approved. Mayor Pro Tem Gray seconded the motion.

Ms. Flissar stated that this new Memorandum of Understanding with Cochise College will establish a mechanism whereby the City is able to perform maintenance on a 1997 Pierce 1,000-gallon pumper truck owned by Cochise College. The truck was previously owned by the City of Sierra Vista and was donated to Cochise College for their Fire Science Technology Program. Since the City Fleet Department has background knowledge of the truck and its operations, it makes sense to continue having City mechanics perform the required maintenance. Labor and parts are billed at cost plus markup and therefore generate revenue for the General Fund. The initial dates of the agreement are designed to correspond with the City's fiscal year in the event of any future rate increases.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Pacheco, and Umphrey voting in favor.

Call to the Public – There was no response.

Comments and Requests of the Council

Council Member Benning stated that it is an honor being back on the Dias and working for the great people of Sierra Vista, congratulated, and welcomed Council Members Johnson and Landry, and Gray back on the Council. He further stated that he looks forward to working with all of Council. He thanked Daman Malone for stepping up and Jessica Kunkel and Joseph Hayes for coming back to serve on the Park and Recreation Commission. Lastly, he quoted Doctor Martin Luther King, Jr., "Hate cannot drive out hate; only love can do that."

Council Member Johnson stated that he has been honored and blessed to serve on the Council, noted that it was a write-in candidacy along with great candidates. He further stated that he is honored to serve with the rest of his fellow Council Members for the next couple of years for those that are serving two year and with Dr. Landry and Ms. Gray for four.

Council Member Landry thanked everyone in Sierra Vista for their support, encouragement, and in giving her this opportunity. She stated that it is a whole new world, but she feels that she has seen Sierra Vista through new eyes and different perspectives. She further stated that she has gone to some orientations with the departments and it has been amazing to see all the different people in Sierra Vista that work together and work very hard to make Sierra Vista what it is.

Council Member Pacheco welcomed Council Member Landry and Johnson, stated that she looks forward to working with them both. She welcomed back and congratulated Rachel Gray, and thanked her for her mentorship. She stated that during the Council Work Session, she asked Council to join her in a resolution, which was not put on the agenda. She further stated that she is disappointed and feels that there is a responsibility to stand up for what is right and speak when the time is right. She added that she does not agree with the precedent that Council is setting with not speaking up. Lastly, she shared a quote by Dr. Martin Luther King, Jr., "The time is always right to do what is right." She then proceeded to read the resolution that she had proposed (on file with the City Clerk).

Council Member Umphrey stated that she woke up with a heavy heart a week ago after watching the events that took place on January 6, 2021, which was disturbing and disgraceful. It is certainly not the fresh start that everyone was looking for in this year, but she is overly optimistic that things can improve, and very hopeful with the vaccines for COVID; however, it is going to take everyone that can get the vaccine to get this under control and simultaneously, everyone must stay vigilant and diligent in preventative measures – hand washing, masks and social distancing while also getting the vaccine. Lastly, she stated that not everyone is as enthusiastic as she is about this, but she looked at the data and it reassures her because there have been two large clinical studies/trials with 30,000 people and 44,000 showing that the two vaccines with two doses have a 95 percent efficacy rate, and 44,000 is almost the population of Sierra Vista. Lastly, she encouraged everyone to get the vaccine as soon as it is offered to them and welcomed and congratulated Dr. Landry, Mr. Johnson.

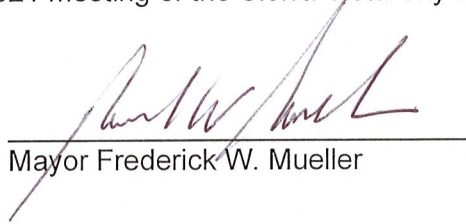
Mayor Pro Tem Gray thanked the returning commissioners on the Park and Recreation Commission, Mr. Malone – new appointee to the Planning and Zoning Commission, and as a liaison, she looks forward to working with him and the rest of the Commissioners. She also

thanked the voters for the honor re-electing her to Council as it is an honor, privilege, and something that she is proud of doing and loves to do. Lastly, she welcomed Dr. Landry and Mr. Johnson, and stated that she looks forward to working with everyone on Council and staff, whom she is proud to share a great relationship and working relationship. She then thanked Mayor Mueller for the honor of being appointed as Mayor Pro Tem for the next two years.

Mayor Mueller congratulated and welcomed Dr. Landry and Mr. Johnson. They are off to a great start and there needs to be more orientation, open discussions about the future next four years and thanked the people in the City who made good choices. He congratulated Mayor Pro Tem Gray for being selected again. Lastly, he thanked staff for their preparation and congratulated the reappointees to the Commissions.

Adjournment

Mayor Mueller adjourned the January 14, 2021 meeting of the Sierra Vista City Council at 5:29 p.m.



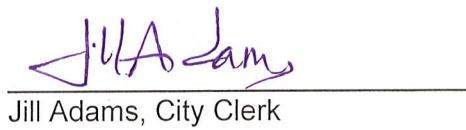
Mayor Frederick W. Mueller

MINUTES PREPARED BY:

ATTEST:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk