

Sierra Vista City Council  
Meeting Minutes  
[June 24, 2021](#)

Mayor Mueller called the June 24, 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 Mark Rodriguez- present (virtual)  
Council Member Carolyn Umphrey - present

Others Present:

Victoria Yarbrough, Assistant City Manager  
Adam Thrasher, Police Chief  
Brian Jones, Fire Chief  
Matt McLachlan, Community Development Director  
Laura Killberg, Parks, Recreation and Special Events Manager  
David Felix, Chief Finance Officer  
Jennifer Osburn, Budget Officer  
Tony Boone, Economic Development Manager  
Judy Hector, Marketing and Communications Manager  
Nathan J. Williams, City Attorney

Invocation – Reverend Greg Adolf, St. Andrews Catholic Church, conducted the invocation.

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

[Item 1](#) Acceptance of the Agenda

Council Member Johnson moved that the agenda for the Regular City Council Meeting of June 24, 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, Rodriguez, and Umphrey voting in favor.

City Manager's Report: Ms. Yarbrough, Assistant City Manager, stated that since the end of the fiscal year is upon the city, there are currently no procurements published, posted nor in review. She reported that the rebid for the North Garden Avenue/Fry Boulevard Improvements Phase I was very successful and was awarded to KE&G Construction. The contract is pending while the final cost is worked out and construction will start as soon as possible, which is expected to last six months. She added that staff will work on notifying the affected businesses. She further added that the next regular City Council Work Session is scheduled at 3:00 p.m. on July 6, 2021, in Council Chambers and the next regularly scheduled Council Meeting is on July 8, 2021, at 5:00 p.m. also in Council Chambers. Also, the offices will be closed in observance of Independence Day on July 5, 2021; therefore, trash pickup on Monday will be Tuesday, Tuesday trash pickup will be on Wednesday and there will be no special pickups during this week. Trash pickups at the end of the week will not be affected. Lastly, she wished everyone a

happy and safe Independence Day and asked the community to please refrain from using fireworks.

Mayor Mueller noted that Chuck Potucek, City Manager, is on well-deserved leave, but Ms. Yarbrough is present.

#### Item 2 Consent Agenda

[Item 2.1](#) Approval of the Special City Council Meeting Minutes of June 7, 2021

[Item 2.2](#) Approval of the Special City Council Meeting Minutes of June 8, 2021

[Item 2.3](#) Approval of the Regular City Council Meeting Minutes of June 10, 2021

[Item 2.4](#) Resolution 2021-045, Approval of a Pre-Annexation Agreement with Veritas Christian Community School, 3992 S. Highway 92, Sierra Vista, AZ

Mayor Pro Tem Gray moved that the Consent Agenda consisting of the Special City Council Meeting Minutes of June 7, 2021, and June 8, 2021, Regular City Council Meeting Minutes of June 10, 2021, and Resolution 2021-045, a Pre-Annexation Agreement with Veritas Christian Community School, be approved. Council Member Umphrey seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

Mayor Mueller thanked Council Member Rodriguez for phoning into the Council Meeting. He had a family commitment that he was not able to change and so he is executing his duties through the internet, which is greatly appreciated.

#### Public Hearing

[Item 3](#) Resolution 2021-046, Amendment to City Code, Chapter 33, City Departments, and declaring a 30-day public comment period

Council Member Rodriguez moved that Resolution 2021-046, amendment to City Code, Chapter 33, City Departments, and declaring a 30-day public comment period, be approved. Council Member Umphrey seconded the motion.

Ms. Yarbrough stated that Chapter 33 of the City Code defined numerous specifics/details about various city departments and over the years there has been several administrative changes that make the chapter now obsolete. The most obvious one is that 10 years ago the departments of Parks and Leisure and Library Services were combined and those were still listed individually in the chapter. These updates will generalize the scope of service performed by each department and that should reduce the need for future changes.

This is a public hearing, which will be followed by a 30-day public comment period after which it will come back before Council for consideration in the form of an ordinance.

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

#### New Business

[Item 4](#) Resolution 2021-047, Declaration of Intent for the Increase of Sewer Connection Fees

Council Member Umphrey moved that Resolution 2021-047, declaration of intent for the increase of sewer connection fees, be approved. Mayor Pro Tem Gray seconded the motion.

Mr. Felix stated that the sewer fund is setup as an enterprise fund. All business type activities, rates, charges, and fees within that fund support the fund. City tax dollars do not support the fund. One of the items that the city does charge for is the connection fee, which is to buy capacity into the system, the current built plant. It is like an impact fee, but it is not, and it does not fall into the impact fee regulations, and it is regulated under Section 9.500 of the Arizona State Statutes. Staff is proposing increasing the connection fee only.

A study was done in 2009 to update the fees and since then, the city has not adjusted them for any construction costs. Recently, the construction costs have taken off quite a bit in the last year, year and a half. There is programmed in there, expansion to the current capacity at the plant. As Tribute develops, the city at some point is going to have to expand the capacity at the plant. Originally, it was being looked at a package plant, but it has been changed to expanding the current plant that is better for the city long-term. The study included \$10 million of plant expansion, but that is in 2009 dollars. Staff is proposing adjusting the rates up 20 percent a year based off the Phoenix Construction Cost Index to bring it in line to where it should be.

This is just the connection fee and no other rates or charges that the system does. The Arizona Revised Statutes are also very specific on the steps that the city must take to increase any rate, fee, or charge on the system. This is the first step and declares a public notice for 60 days, records and details are included in the City Clerk's Office if anyone wants to view them. There is the cash flow statement showing the rate increase over the next three years and if anyone wishes to comment, they may do so during the August 26, 2021 Council Meeting when Council will vote on the proposed rate increase. Council may vote up to, but not over the proposed rate increase and any member of the public that wishes to speak between now and then or at that meeting can send in a comment to the City Clerk or they can show up at the meeting.

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

#### Item 5 Resolution 2021-048 Approval of the Tentative Budget for Fiscal Year 2021-2022

Council Member Benning moved that Resolution 2021-048, Tentative Budget for Fiscal Year 2021-2022, be approved. Council Member Umphrey seconded the motion.

Ms. Yarbrough stated that this item will adopt the Tentative Budget for Fiscal Year 21-22 in the amount of \$115,711,558. This sets the cap on the budget and by State Statute the final budget can be less than or equal to the Tentative Budget, but it cannot exceed it.

Changes were described at the work session and as a final note, Ms. Yarbrough stated that a special note was put into the resolution about a potential land purchase with the School District since the title company has been requiring a specific approval by the governing body when such land is purchased.

Mayor Mueller noted that there was a lot of discussion about this item during the work session. He added that this item only sets the cap and there can still be some adjustments downward, but not upward.

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

Item 6 Ordinance 2021-005, Adoption of Development Code Text Amendment to Section 151.22.026, Recreational Vehicle Park (RVP) Overlay District

Council Member Johnson moved that Ordinance 2021-005, Development Code Text Amendment to Section 151.22.026, Recreational Vehicle Park Overlay District, be approved. Council Member Umphrey seconded the motion.

Mr. McLachlan stated that staff is recommending adoption of the amendments contained in Resolution 2021-031, which have gone through two public hearings and a 30-day public review period. Four individuals provided comments in support, which are included in staff's memo to Council. At the work session, staff conveyed a couple of concerns regarding the regulating of length of stay and the historical infrastructure challenges associated with Garden Canyon Mobile Home Park. Also clarified was the distinction between a manufactured home park and a manufactured home subdivision for the record.

The amendments establishing a new zoning overlay provide a regulatory pathway for manufactured home park owners to increase the number of spaces set aside for recreation vehicles beyond the current 30 percent cap and to provide flexibility to respond to changes in the market. The overlay is accompanied by a set of development standards that were crafted with input and guidance from the Planning and Zoning Commission, who unanimously voted to recommend approval. The West End Commission also indicated support of the amendments.

A recommendation of approval is based on the findings enumerated in staff's memo:

- The city and its partners are promoting the area for recreational tourists, tournament goers and snowbirds.
- There is no bona fide recreation vehicle park in the city limits.
- They wide scale demolition and removal of old and deteriorated manufactured homes has created an oversupply of nonrevenue producing spaces.
- Manufactured home parks that are 10 acres or greater in size with the appropriate buffering in which they are owned and operated by a single entity can be adapted into appropriate locations for recreational vehicle parks on a primary or secondary basis with additional requirements being met.
- Establishing a zoning option that offers market flexibility for short-term rental opportunities to help improve the economic viability of large, manufactured home parks, facilitate the reuse and redevelopment, and increase tourism, which is in the public interest.

If approved, the overlay would be assigned through the rezoning process, which involves an application, staff review, a neighborhood meeting, and public hearing before the Planning and Zoning Commission and a decision by Council. The property would be posted, and notices would be mailed out to property owners within 500 feet.

This is not an automatic entitlement and any owner wishing to take advantage of the overlay would have to go through the regular rezoning process.

Council Member Umphrey thanked Mr. McLachlan and everyone that helped to put this together.

Mayor Mueller stated that this is one more step in cleaning up the city, improving the West End, and making it a more economical and viable location, while enhancing living conditions. He thanked Mr. McLachlan and his department for their hard work.

Council Member Rodriguez gave kudos to Mr. McLachlan and noted that he drives down BST every day and it is looking so much nicer. He voiced his appreciation for the city's hard work because it stands out, and a lot of people take this route coming through the city and it is important to have a nice view.

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

#### Call to the Public

Ms. Miranda Young voiced her concerns about Vista Transit's Orange B-line, which the city wants to delete. She stated that she is aware that this is a money situation, but the city should not consider money in this situation and consider the passengers that have greatly benefited from the second line with the orange busses. Nobody who has been riding them wants to see them gone.

#### Comments and Requests of the Council

Council Member Benning thanked Ms. Young, Father Greg, and stated that he looks forward to the construction to start and finish with KE&G. He cautioned people about fireworks while celebrating Independence Day because it is fire season. He shared that he was stuck in the middle of the Walnut Fire on I-10, which was scary. He encouraged everyone to come to Veterans Memorial Park or the field to watch the fireworks on July 4, 2021 and where there will be great events, chili cookoff, ceremony, a fun time. Lastly, he wished a happy birthday to all his fellow Cancers.

Council Member Johnson had nothing to report.

Council Member Landry thanked Ms. Young for her comments and announced that next weekend is going to be great because there are a lot of things going on, everybody is excited to get back out and celebrate together. She announced that on July 3, 2021, there will be a 5k red, white, and blue glow run around the Cove and ballfield during the evening. The runners/participants will be splattered with fluorescent paint, and the paths will be lit up with red, white, and blue. Afterwards, people can stay at the park for the festivities going on and the fireworks, or at the Cove, which will remain open until 10:30 p.m. She announced the Pets and People Promenade will be held at the park on July 4, 2021, at 7:00 a.m. Lastly, she announced that the Animal Shelter is near capacity and encouraged people to find their new best friend and if unable to adopt, people can foster or help in walking the dogs. The goal is to get every dog out every day. In closing she wished everyone a safe and happy holiday weekend.

Council Member Rodriguez welcomed Dr. Landry back and thanked the IT Department and Ms. Westbrook for making it possible for him to attend the meeting online. He added that it was good to see all the traffic that got diverted to the city when they closed I-10 and noted that there are a lot of 18 wheelers in the town and hopefully they got a nice view of Sierra Vista.

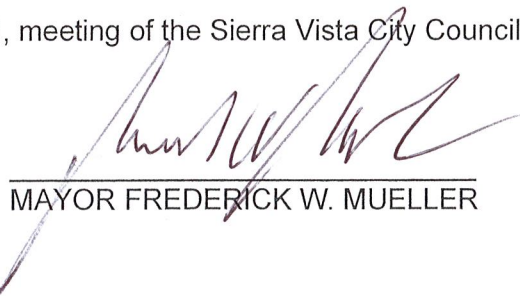
Council Member Umphrey welcomed Dr. Landry back and wished everyone a safe and Happy Fourth of July.

Mayor Pro Tem Gray welcomed Dr. Landry back and reported that the House and State passed the budget and maybe not everything that was wanted is included, but there is a budget. She wished her husband, Thomas a happy birthday.

Mayor Mueller announced that there are a lot of activities going on at the park on July 4, 2021 and encouraged people to be safe. He added that fireworks are only allowed within the city limits to be used on private property with the property owner's permission. They are not allowed on the streets nor the parks except for the authorized fireworks display on July 4, 2021. He encouraged people to be safe while traveling.

#### Adjournment

Mayor Mueller adjourned the June 24, 2021, meeting of the Sierra Vista City Council at 5:25 p.m.



MAYOR FREDERICK W. MUELLER

MINUTES PREPARED BY:

ATTEST:



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Maria G. Marsh, Deputy Clerk



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Jill Adams, City Clerk