



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

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 day of August, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 9th day of September 2021

SEAL

A handwritten signature in brown ink, appearing to read "Maria G. Marsh", written over a horizontal line.

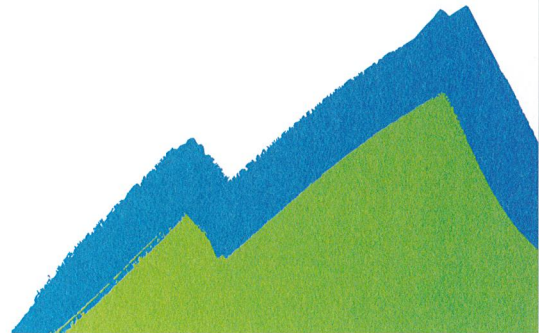
Maria G. Marsh
Deputy City Clerk

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

Jill Adams
City Clerk

CITY OF SIERRA VISTA
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Sierra Vista City Council
Meeting Minutes
[August 12, 2021](#)

Mayor Mueller called the August 12, 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
Council Member Carolyn Umphrey - present

Others Present:

Chuck Potucek, City Manager
Adam Thrasher, Police Chief
Brian Jones, Fire Chief
Emily Duchon, Library, Recreation and Cultural Services Manager
Matt McLachlan, Community Development Director
Sharon Flissar, Public Works Director
Jeff Pregler, Planner
Blake Fisher, Planner
David Felix, Chief Finance Officer
Jennifer Osburn, Budget Officer
Judy Hector, Communications and Marketing Manager
Jill Adams, City Clerk
Nathan J. Williams, City Attorney

Invocation – Reverend Greg Adolf, St. Andrews Catholic Church, led everyone present in prayer.

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 August 12, 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: Mr. Potucek reported that the RFP for the 100' aerial fire ladder truck was posted on July 25, 2021, with a due date of August 16, 2021; in progress is the North Garden Avenue/Fry Boulevard Improvements Phase I. Staff is working with the businesses to ensure that people can still make it into them and enjoy the services that they provide, and the project is still anticipated to be finished at the end of the year. Core Construction delivered their guaranteed maximum price on August 10, 2021 for the EMS Substation Design Build Project, which came in at \$2,972,364, slightly over, but the city is running a tight timeframe and the

project must get started by September. This project will start towards the end of August, 2021 with completion scheduled for late February 2022. He added that he received the year over year FY21 sales tax report, and the city is up 11 percent year over year, which is amazing given COVID. Lastly, her reported on the SEACOM JPA Board Meeting where staffing issues were discussed along with the review of the intergovernmental agreement with Cochise County and the Bylaws, which will come before Council for amendment in the future.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Special City Council Meeting Minutes of July 20, 2021

[Item 2.2](#) Discussion and Possible Action of the Special City Council Meeting Minutes of July 26, 2021

Council Member Landry moved that the Consent Agenda consisting of the Special City Council Meeting Minutes of July 20, 2021, and July 26, 2021, 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.

Public Hearing

[Item 3](#) Discussion and Possible Action of Resolution 2021-054, New License, Interim Permit, Limited Liability-type of ownership for a Series 12 Liquor License for Jung He Matranga on behalf of the Tasty Wok and Asian Market

Council Member Rodriguez moved that Resolution 2021-054, a new License, interim permit, limited liability-type of ownership for a series 12 liquor license for Jung He Matranga on behalf of the Tasty Wok and Asian Market, be approved. Council Member Benning seconded the motion.

Ms. Adams stated that this is an application for a new Series 12 Restaurant Liquor License for Jung Matranga for the Tasty Wok Restaurant and Asian Market. The posting of the public hearing has been on the facility for the required amount of time and no comments have been received from the public pro or con. The Police Department has done their required background check and has no objection to this license going forward. If approved, it will be returned to the State for final action and issuance.

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](#) Discussion and Possible Action of Ordinance 2021-006, Fiscal Year 2021/2022 Property Tax Levy

Council Member Umphrey moved that Ordinance 2021-006, Fiscal Year 2021/2022 Property Tax Levy, be approved. Mayor Pro Tem Gray seconded the motion.

Ms. Osburn stated that this is the final step in the budgeting process. The ordinance before Council is for the approval of the primary property tax levy. The proposed rate at \$0.1108 per 100 dollars of assessed value. The tax levy rate and the total collection amount was provided by the Arizona Department of Revenue and public truth and taxation notices are not required for

the new proposed rate. There has not been any public comments nor questions regarding the levy.

Council Member Johnson clarified that the tax rate although it appears that it has gone up, people will be paying the same that they did last year.

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](#) Discussion and Possible Action of Ordinance 2021-007, Amendment to City Code, Chapter 33, City Departments

Mayor Pro Tem Gray moved that Ordinance 2021-007, amendment to City Code, Chapter 33, City Departments, be approved. Council Member Benning seconded the motion.

Mr. Potucek stated that Chapter 33 of the City Code is a section that defines the specifics about the city departments that are authorized. This is largely an administrative cleanup item given that over the years changes occur in the departments, i.e., name of the department, i.e., the Fire Department to Fire and Medical Services, or consolidation/change the organization, i.e., Library and Parks and Leisure. This updates all this and makes it easier to make changes or not too many in the future.

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](#) Discussion and Possible Action of Resolution 2021-055, Adoption of the Parks Master Plan

Council Member Benning moved that Resolution 2021-055, Parks Master Plan, be approved. Mayor Pro Tem Gray seconded the motion.

Mr. McLachlan stated that this is the final draft of the Parks and Recreation Master Plan that represents a year-long effort that involved extensive public input and collaboration with the city's stakeholders. He thanked everyone that took the time to participate and helped staff to arrive at a set of recommendations that they believe reflects the needs and priorities of the community.

The purpose of the Master Plan is to provide a guide in developing and maintaining the city's parks and recreation facilities over the next 12 years. The priorities in the Plan will be evaluated in connection with the annual Capital Improvement Program budget process, and to a large extent implementation will be driven by the continued success in leveraging partnerships and seizing upon grant opportunities that Ms. Wilson's team has built up an impressive track record in that regard. The department is transitioning from reactive to proactive maintenance and making investments that are going to lead to long term savings, which Mr. Mills was instrumental in helping to build the repair and replacement list by providing current cost estimates.

Mayor Mueller asked if savings is not just money, but also saving water, time, electricity, etc. Mr. McLachlan stated that he is correct, it is across the board efficiency improvements.

The Plan is not only designed to enhance the quality of life and sense of the community for current and future residents, but also to leverage sports tourism as an economic driver as

explained during the Spotlight Breakfast. Ms. Wilson's vision for seamlessly integrating Veterans Park and creating an indoor/outdoor campus environment that serves as a hub for the diverse array of recreational offerings that is provided to the community. Per the Mayor's suggestion, staff added a restroom facility to increase accessibility during major events to the capital's project list.

The public has had more than 60 days to review the complete document which was posted on the city's engage platform promoted through social media and other news outlets. The comments received are provided as an attachment to the department's memo, which were summarized on Tuesday, August 10, 2021.

Mr. McLachlan reiterated that the public involvement process that was gone through in the development of this Plan will continue as the city works through the implementation. The Master Plan provides the broad strokes, and the details will be filled out on a project-by-project basis in consultation with the area residents as the mayor mentioned as a standard operating procedure.

The Parks and Recreation Commission met in April and unanimously voted to recommend approval. Staff is recommending approval of the Plan, and if approved, it will cross off the Strategic Plan goal of staff developing a comprehensive Parks and Recreation Master Plan.

Mayor Mueller thanked staff and noted that it has been a long process with a lot of folks involved. He reminded everyone that it is FY2024 when the General Plan is reviewed, every 10 years, and once the public process is gone through to get public input from the public, there needs to be time to review this to make sure that all points are hit that will come up in the next General Plan. Mr. Potucek stated that this provides a guideline and identifies the improvements that are needed as well as the maintenance items that will greatly enhance the operation. It will probably not be in any order because there will be grant opportunities, i.e., the ones being looked at in FY2021-2022. There are targets of opportunities and as the city can knock things out and get other funding, the Plan will have to be updated and report on the progress to Council.

Mayor Pro Tem Gray thanked all city departments that worked on the Plan. She knows that it was a lot of hard working in putting it together, but it is a well thought out Plan that has looked at various issues, i.e., savings on water, electricity that are not necessarily tied to money. This is being good stewards of the resources.

Council Member Benning thanked Ms. Wilson, Mr. McLachlan, Mr. Fisher and the Parks and Recreation Commission. There were a lot of field trips out to the parks and different facilities to help put all the pieces together. This was a huge team effort in the community.

Council Member Landry stated that she enjoyed looking through the Parks Master Plan, seeing all the resources, analysis, feedback, all the different parks being broken down and recommendations of the maintenance. She gave a shout out to everyone who put it together and she looks forward to seeing things happen and making Sierra Vista better.

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 7 Discussion and Possible Action of Resolution 2021-056, Development Code Amendments to: Section 151.02.004-Definitions; Section 151.06.008-Communications

Facilities; and Section 151.20.002- Architectural and Design Review Applicability, and Declaring a 30-day public comment period

Council Member Johnson moved that Resolution 2021-056, amendments to the Development Code Section 151.02.004, Definitions; Section 151.06.008, Communications Facilities; and Section 151.20.002, Architectural and Design Review Applicability, and declaring a 30-day public comment period, be approved. Council Member Umphrey seconded the motion.

Mr. Pregler stated that staff is recommending three separate Development Code amendments. The Community Development Department regularly reviews Code provisions and procedures to identify ways in which the city can improve efficiencies, clarify requirements, and help residents and business owners move through the review process more easily which is consistent with City Council Strategic Plan initiatives. The proposed text amendments will be consistent with these policies.

The first proposed amendment relates to the definition of building height and finished grade. The proposed definition of building height states, "the vertical distance to the highest point of the roof for a flat roof and to the average height between the eaves and ridge for gable, hip, and gambrel roofs measured from finished grade." The current definition of building height is measured from lowest grade to the highest point of the building rather than average height. Therefore, the actual height of the building may exceed the defined building height.

The building height definition states that the buildings would be measured from finished grade. The proposed definition of finished grade as revised based on the comments from the work session will state, "the final elevation of the ground surface after alteration at the highest point adjoining the building structure."

Mr. Pregler showed a diagram in terms of the changes to the Development Code. He explained that the current language measures building height from the lowest grade to the highest point of a building.

Mayor Mueller stated that there are still issues with the television system, screens and putting diagrams out to the public based on the recent hit by lightning.

Mr. Pregler showed the diagram again of the existing language for building height. The second diagram reflective of the new Code language, which is measured from the highest grade to the medium point between the ridge line and eve to the top of the ridge line. He added that the reasons for the amendments to this specific section are to provide building height flexibility and to be more consistent with the measurement of walls, fences, and signs which also use highest grade to determine overall height.

The next proposed amendment relates to communication facilities. Staff is recommending an amendment that would exempt essential communication facilities, for emergency, police, and medical service dispatch, located on public property, from the development requirements in the communication facilities section of the Code.

One example is where an exemption is necessary that relates to architectural standards. The Development Code currently requires all communication towers to use stealth design, which includes concealing attached antennas and prohibiting the use of lattice-type towers.

Communication towers used for cellular service are only using cell phone antenna arrays which can easily be concealed in a monopole or other stealth design. Emergency service towers require additional arrays, dishes, and antennas that cannot practically be concealed. Therefore, the lattice-type tower is more functional for emergency service towers. In addition, there are reduced maintenance costs and repair times with lattice towers as opposed to monopoles. An example would be that monopoles require the city to order a lift truck from Tucson causing delays in the repair work and ultimately delays to emergency responses. Repairs to lattice towers only require local personnel to climb the structure and make the necessary repairs. Finally, lattice structures are the industry standard for emergency service towers, as can be seen from the various Cochise County lattice towers used for emergency services.

The amendments would expedite the review and construction of emergency communication facilities, which ultimately allow for quicker response times and the city will make all attempts and efforts to meet all Development Code requirements where practicable.

The final amendment being proposed relates to the architecture and design review applicability. Although the architectural and design requirements are applicable to commercial, industrial, and apartment developments, the Code does not specify if these requirements are applicable to sheds or accessory buildings associated with these developments. To clarify this issue, staff is proposing Code amendments which would exempt certain accessory structures from meeting the architectural and design review criteria. Specifically, accessory structures that have a wall or walls that can be viewed from a public right-of-way, 30 linear feet or less, would be exempt from the architectural and design standards. Staff reviewed all the commercial and industrial sheds issued in the past six years and none had a wall which was greater than 30 linear feet.

The Planning and Zoning Commission heard the amendments on August 3, 2021 and unanimously recommended them to City Council. The city posted the Code amendments on the city's website, and to-date, the city has not received any public comments.

Mayor Pro Tem Gray stated that she is aware that Mr. McLachlan, Mr. Pregler, and the Planning and Zoning Commission are going through the Code and doing what Council asked them to do, which is to make them more simple, less ambiguous so that they are clearly defined. She further stated that she appreciates this and believes that this meets that goal.

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 8 Discussion and Possible Action of Resolution 2021-057, Accepting a Grant from the Federal Aviation Administration (FAA) for the American Rescue Plan Act (ARPA) Funding

Council Member Landry moved that Resolution 2021-057, accepting a grant from the Federal Aviation Administration for the American Rescue Plan Act funding, be approved. Council Member Benning seconded the motion.

Ms. Flissar stated that this agenda item will accept a \$32,000 grant from the Federal Aviation Administration (FAA). The grant is the third in a series of federal grants intended to address the operational impacts of COVID-19 on airports. Fund can be used for operational and maintenance expenses or debt service payments but cannot be used for new construction. The terms are identical to previous COVID grants offered by the FAA and accepted by the city.

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 – There was no response.

Comments and Requests of the Council

Council Member Benning thanked Father Greg for his blessing and stated that it is good to see people out doing things and going to more events. He announced that the Real Wishes Foundation's Dancing like the Stars will take place on Saturday, August 14, 2021 at 4:30 p.m. at the Thunder Mountain Activity Center on Fort Huachuca and the Sierra Vista Symphony's Men Who Cook event is on September 18, 2021 at 5:00 p.m. at the Columbia Hall.

Council Member Johnson stated that he had the honor of attending the memorial service for Nacho Valenzuela, who was truly Mr. Sierra Vista. He thanked him and noted that his contributions to the city will live forever. He announced that the Huachuca Area Republican Women (HARW) are hosting an art gala on September 10, 2021 at the Tandem Lounge in the Windemere Hotel. Tickets are available at We Frame It, Windemere, and Dillards. Admission is \$10 per person, and it is from 5:00 p.m. until 7:00 p.m. with hosted hors d'oeuvre, a cash bar and piano music by one of the famous musicians that always plays for the Forgach House. On September 11, 2021 the Warrior Healing Center and the Keepers of Liberty, an organization that teaches civics within the community, are hosting an event at Veterans' Memorial Park. The headliner will be Don McLean, famous for American Pie, the Gatlin Brothers, Keith Anderson, and Trey Taylor, youngest African American in Country Music History. Tickets are \$40 and can be purchased on cochisefreedomfest.com.

Mayor Mueller stated that the Warrior Healing Center does a lot to support veterans in the community and they work with veteran organizations. Council Member Johnson added that they have over 50 organizations within the Warrior Healing Center to help veterans.

Council Member Landry stated that everyone has noticed that there is work going on Fry Boulevard in the West End, but once it is finished it is going to be great; however, in the meantime, the businesses are still open and even if people must do a u turn, she encourages people to go and support them. She announced that on Saturday, August 14, 2021 at the Sierra Vista Mall, there is the Home and Business Expo at 10:00 a.m. where people can go out and meet various businesses and organizations, a Shred Athon where it is \$5 per banker's box, and some raffles.

Council Member Rodriguez thanked Fire Station 201 who came out at a very last-minute notice to fill up the dunk tank for the Rec and Roll and the IT Department for all their hard work in trying to get everyone back online. He announced the Medical Responder and Public Safety Hiring Fair on August 27, 2021 at the Sierra Vista Mall. Lastly, he encouraged people to purchase from the Buena High School Football Team one of their gold cards for \$20 to support the youth athletes.

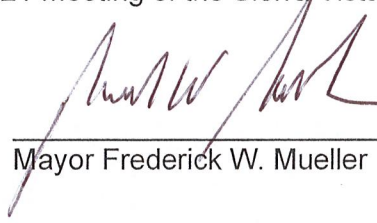
Council Member Umphrey had nothing to report.

Mayor Pro Tem Gray thanked Father Greg for his invocation and the community for supporting the businesses located on the Fry Boulevard area where the construction is taking place.

Mayor Mueller announced that Bert Purcellio, pianist, will be playing at the concert at Veterans' Memorial Park taking place at 6:30 p.m. on August 12, 2021; the Tip a Cop at Vinny's to help support the Special Olympics is on Monday, August 16, 2021; the Veterans Resources Fair is on August 20, 2021 starting at 9:00 a.m. at the Sierra Vista Mall; the Miss Sierra Vista Pageant is on August 21, 2021 at 7:00 p.m. in the Kline Center at Buena High School. In closing, he thanked staff for a great Spotlight Breakfast, where they represented the city very well.

Adjournment

Mayor Mueller adjourned the August 12, 2021 meeting of the Sierra Vista City Council at 5:37 p.m.



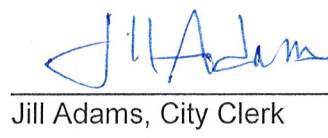
Mayor Frederick W. Mueller

MINUTES PREPARED BY:

ATTEST:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk