



## 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 14<sup>th</sup> day of May 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 28<sup>th</sup> day of May 2015

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 black ink, appearing to read "Jill Adams", written over a horizontal line.

Jill Adams  
City Clerk

Sierra Vista City Council  
Meeting Minutes  
May 14, 2015

Mayor Mueller called the May 14, 2015 City Council Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, AZ

Roll Call

Mayor Rick Mueller – present  
Mayor Pro Tem Bob Blanchard – present  
Council Member Alesia Ash – present  
Council Member Gwen Calhoun – present  
Council Member Rachel Gray – present  
Council Member Hank Huisking – present  
Council Member Craig Mount – absent

Others Present:

Mary Jacobs, Assistant City Manager  
Adam Thrasher, Deputy Police Chief  
Ron York, Fire Chief  
Scott Dooley, Public Works Director  
Sharon Flissar, Engineer  
Richard C. Cayer, P.E., Operations Manager  
Don Brush, Director Community Development  
Jenifer Thornton, Management Analyst  
Victoria Yarbrough, Leisure and Library Services Director  
Abe Rubio, IT Director  
Pam Weir, Management Analyst  
Judy Hector, PIO  
Jill Adams, City Clerk  
Nathan J. Williams, City Attorney

Invocation – Associate Pastor Kyle Schafer, Thunder Mountain Community Church, conducted the invocation.

Pledge of Allegiance – Mayor Pro Tem Blanchard led the pledge.

Item 1 Acceptance of the Agenda

Council Member Huisking moved that the agenda for the Regular City Council Meeting of May 14, 2015, be approved. Council Member Calhoun seconded the motion. The motion carried unanimously, 6/0.

Awards and Presentations

The Commission on Disability SierraVistability Business Award was presented to the Outback Steakhouse.

A Proclamation declaring the week of May 17th as National Public Works Week was presented to Scott Dooley, Public Works Director.

A Proclamation declaring the week of May 11-17, 2015, to be Salvation Army Week was presented to Captain Bob Schmig.

City Manager's Report - Ms. Jacobs made the following announcements:

- The City will be moving forward with the second part of Veterans' Memorial Park Parking Lot Overlay Project;
- Starting in June, the light at Pedestrian Crossing, Seventh Street and Railroad will also be moving forward;
- The Seventh Street Sidewalks for the Fry Boulevard to SR90 Bypass Project will also take place to make those connections;
- Movies in the park on May 27<sup>th</sup> at Veterans' Memorial Park;
- The wave machine at the Cove will be operational for open swim starting May 16<sup>th</sup>; and
- Updated Council on the progress on social media and electronic media:
  - o 2,000 subscribers to the City's weekly E-News;
  - o 3,700 people are connected to the Face book page;
  - o 15,000 connected to the Tourism Page; and
  - o 1,200 people are on the twitter accounts.

#### Item 2 Consent Agenda

Item 2.1 Approval of the Regular City Council Meeting Minutes of April 23, 2015

Item 2.2 Resolution 2015-040, Fair/Festival Liquor License for Lori Marie Reynolds on behalf of Sonoita Vineyards; Fair/Festival Liquor License for Eric Glomski on behalf of Page Springs Cellars and Vineyards; and Fair/Festival Liquor License for Karyl L. Wihelm on behalf of Wihelm Family Vineyards, LLC for the Elk's Blues, Brews, Barbeque and Wine Festival on May 23, 2015

Item 2.3 Resolution 2014-041, Special Event Liquor License for Mr. Stephen T. Hester on behalf of the Rotary Club of Sierra Vista for July 3 and 4, 2015 events at Veterans' Memorial Park

Council Member Ash moved that the Consent Agenda consisting of the Regular City Council Meeting Minutes of April 23, 2015, Resolution 2015-040, Fair/Festival Liquor Licenses for Lori Marie Reynolds on behalf of Sonoita Vineyards, Eric Glomski on behalf of Page Springs Cellars and Vineyards and for Karyl L. Wihelm on behalf of Wihelm Family Vineyards, LLC for the Elk's Blues, Brews, Barbeque and Wine Festival on May 23, 2015 and Resolution 2014-041, a Special Event Liquor License for Mr. Stephen T. Hester on behalf of the Rotary Club of Sierra Vista for July 3 and 4, 2015 events at Veterans' Memorial Park, be approved. Council Member Gray seconded the motion. The motion carried unanimously, 6/0.

#### Public Hearing

Item 3 Resolution 2015-042, Approval of an Application for Acquisition of Control for a Series 9 Liquor License No. 09020040 for Andrea Dahlman Lewkowitz on behalf of Safeway, Inc.

Council Member Gray moved that Resolution 2015-042, an Application for Acquisition of Control for a Series 9 Liquor License No. 09020040 for Andrea Dahlman Lewkowitz on behalf of Safeway, Inc., be approved. Mayor Pro Temp Blanchard seconded the motion.

Ms. Adams stated that this item and the following item are mirror images of each other. This is housekeeping for Safeway following the recent merger with Albertsons. State law requires that they redo all of the paperwork to reflect the actual ownership of the liquor licenses. Safeway held two

licenses which is not uncommon. These types of licenses are quota licenses (property) and when corporations are able to purchase an extra one, sometime they do. The notice of the public hearing for both was posted and no comments have been received pro or con. The Police Department did the background check of the applicant and has no objections and if approved by Council, the applications will be sent to the Liquor Board for final action.

The motion carried unanimously, 6/0.

Item 4 Resolution 2015-043, Approval of an Application for Acquisition of Control for a Series 9 Liquor License No. 09020041 for Andrea Dahlman Lewkowitz on behalf of Safeway, Inc.

Council Member Calhoun moved that Resolution 2015-043, an Application for Acquisition of Control for a Series 9 Liquor License No. 09020041 for Andrea Dahlman Lewkowitz on behalf of Safeway, Inc., be approved. Mayor Pro Tem Blanchard seconded the motion. The motion carried unanimously, 6/0.

Item 5 Resolution 2015-044, Adoption of the 2015 Projects for the Community Development Block Grant (CDBG) Annual Action Plan

Mayor Pro Tem Blanchard moved that Resolution 2015-044, adoption of the CDBG 2015 Annual Action Plan, be approved. Council Member Calhoun seconded the motion.

Ms. Thornton stated that this is the second Annual Action Plan going through HUD and the City is still working its way through it. Every year the Council will see these coming in so that they are approved and sent off to HUD by May 15<sup>th</sup>, the deadline.

For this year's 2015 money the only two types of projects that the City can do are infrastructure and owner-housing rehab and emergency repairs. The City cannot fund until next year the needs, provisions, social service needs that were approved through the Five-Year Consolidated Plan.

The first public meeting was held on April 3<sup>rd</sup> at which no one was present; but there were applications submitted for the very first time. Staff made them smaller than what was presented with the Consolidated Plan because those were cumbersome. Applications were accepted until April the 6<sup>th</sup>.

Ms. Thornton explained that this is all new because in the past it was required that everyone that wanted to put in a request had to attend the meeting(s). There were four requests from the outside besides what the City is requesting:

- Construct the new facility in Bisbee for the Women and Children's shelter

Ms. Thornton explained that the City cannot do this.

- House mentally ill individuals, which was put in by an individual not connected with a mental facility;

Ms. Thornton explained that the request has to be by a mental facility and the amount of the grant will not cover that much housing; but the applicant was directed to REBA;

- Assistance for the Neighborhood Food Bank, hygiene products and school-break program

Ms. Thornton stated that this could be applied for next year;

- Emergency owner-occupied rehab through Habitat for Humanity;

Ms. Thornton stated that currently the project would be eligible if the City knew how to work with sub-recipients; but HUD guidelines are different now than what was used before and so the City is recommending not doing it. However, it is worth keeping the project in mind for next year.

- City projects:
  - o Curb, gutter, sidewalks and light in the Sulger area;

Staff has recommended that since the Sulger area residents were currently connected to the City sewer to not fund the project in order to give them time to readjust. The project can only be street by street and it would be a half street in the area for \$170,000. There is also a sheet water flow problem that needs to be corrected in order to make the curb, gutter, sidewalks functional.

- Street lights for the northwest Sierra Vista – general vicinity of Nelson Drive and N. Carmichael and N Taylor;

There are a couple of streets without lights and staff is putting in the recommendation to put in a street light, (map was displayed of the area). The project was broken down into two ADA projects and then street light projects.

- Curb, gutter, sidewalks and streetlights in City area of Fry Townsite;

These are in commercial areas and there are caveats. It is not easy to use CDBG because the funds are for residential areas and job creation. This project is not ADA at this point; however, sidewalks could be put in but it does not go anywhere with the County. Therefore, the City is recommending street lights off of Theater Drive, North Fourth, North Third, and North First by Len Roberts Park.

Adding three lights to a street that is primarily in the County without any street lights, which also starts to go along with Father Greg's proposal to enhance walk-ability in the west side.

Mayor Mueller explained Father Greg's proposal. Ms. Thornton added that staff has been trying to enhance the Fry area since it has been under scrutiny.

- ADA Projects:

Recommended are two pathways after the double gates at the dog park which will go over to the pavilions. There is now a multi-use path going down Buffalo Soldier Trail and it would be nice to do a pathway into one of the paths through Tompkins Park in the northwest area of the City where there has not been any money used before.

Sidewalks would be put in from North Garden Avenue, which is a main access into town, along Taylor Drive as there is one little portion on Taylor Drive that does not have a sidewalk. This provides accessibility into North Carmichael.

Also adding ADA accessibility down into Soldier Creek Park because right now there is ADA parking but the pathways are not accessible. There is also an ADA accessible playground; but currently people cannot get down to it because it is very steep when going down and so it will have to be tiered.

Ms. Thornton stated that these are the suggested projects and they come out to what the City has to spend; but once the actual design is done then she will know if there is extra funding available. Staff

uses the highest cost and it comes through Engineering. All of the different projects are open along with housing rehab through Habitat for Humanity.

There are two resolutions, one is adopt the projects and the other is to adopt and submit the Annual Action Plan to HUD.

Council Member Calhoun stated that she is very happy to hear, even though the public did not attend the public hearing, that the City did receive applications and perhaps given the appropriate information provided to the applicants the applications will be more robust next year.

Ms. Thornton stated that staff sent out information to all of the people on the continuum list and took advantage of Simpatico, local REBA, who sent out numerous notices for the City.

Council Member Calhoun asked if the City received any concerns from the areas where street lights are being recommended. Ms. Thornton explained that the recommendations are based off of the City's observation of those areas.

Mayor Mueller noted that as part of the discussion, when they met at Carmichael, was the darkness.

In response to Council Members Calhoun and Gray, Ms. Thornton stated that the street lights will be shielded. The lights were priced off of solar power, LED; but it is up to the engineers.

In response to Council Member Huisking, Mayor Mueller explained that the proposals from staff are the streetlights and ADA improvements unless Council disagrees with the recommendations and chooses other projects.

Ms. Thornton stated that staff numbered the projects. The City can get done 6, 7, 8 and 9; but it is up to Council:

- 6 Street lights in northwest Sierra Vista – general vicinity of Nelson Dr. and N. Carmichael and N. Taylor
- 7 Curb, gutter, sidewalks, and street lights in City areas of Fry Townsite
- 8 ADA Improvements – for parks and on streets, increased connectivity for ADA
- 9 Curb, gutter, sidewalks, and lights on Taylor between N. Garden Ave. and North St. and side streets

Council Member Huisking asked if it is likely that the same amount of money will be provided to the City next year. Ms. Thornton stated that it is based on appropriations but it is very close, the City came up a few Thousand this year.

In response to Council Member Huisking, Ms. Thornton stated that the projects will be probably constructed in 2016 because there will have to be designs and environmental that will need to be done. There is a lot of paperwork involved beforehand and staff is still trying to finish out the City Park with the ADA accessibility pathways.

Mayor Mueller explained that there is normally lag and the key thing about CDBG is that you have to count on approximately the same amount of money; but that number has gone down steadily because of the federal level as they were trying to cut back and eliminate the program. It is always a challenge to see what the City will receive.

In response to Mayor Mueller, Ms. Thornton stated there was no involvement with SEAGO in the new process. Mayor Mueller noted that this will be a point of discussion with SEAGO with regard to having the City's membership reduced since the City is no longer getting that particular service.

Ms. Thornton stated that the City always had to pay for technical assistance fees for SEAGO to put the package together totaling about \$3,000 every two years.

Council Member Ash stated that she greatly appreciates the investment into the west end as well as the residents and stakeholders.

The motion carried unanimously, 6/0.

Item 6 Resolution 2015-045, Adoption of the 2015 Community Development Block Grant (CDBG) Annual Action Plan to submit to the Department of Housing and Urban Development (HUD)

Council Member Ash moved that Resolution 2015-045, Adoption of the 2015 Community Development Block Grant (CDBG) Annual Action Plan to submit to the Department of Housing and Urban Development (HUD), be approved. Council Member Gray seconded the motion.

Ms. Thornton stated that the resolution allows for the City to submit the Annual Plan. The consultant will submit the plan with recommended projects, 6, 7, 8 and 9, to HUD. HUD has 45 days to look at it and approve it and notify the City by July 1.

The motion carried unanimously, 6/0.

#### New Business

Item 7 Ordinance 2015-001, Alarm Systems, Chapter 117

Council Member Gray moved that Ordinance 2015-001, Alarm Systems, Chapter 117, be approved. Council Member Ash seconded the motion.

Police Deputy Chief Thrasher stated that this item is for final approval of the proposed City's Alarm Ordinance. The main changes include changing the requirement for alarm businesses to obtain a City Alarm Business License to only obtaining a regular City business license. State Law now requires alarm businesses to register with the State Board of Technical Registration so the current language in the City's ordinance is redundant and unnecessary at this time.

The second change is eliminating the requirement for alarm users to obtain a City Alarm Permit. The main purpose of this requirement was to ensure that the City had knowledge of the current alarm systems and can hold alarm users accountable for false alarms. The new language allows the City to obtain this information directly from the alarm businesses and eliminates the cost for permit issuance, renewal, computer space and staff time.

The final change has to do with alarm fees. The new language removes those false alarm fees from the ordinance and allows these to be set by the city manager. The purpose of this change is administrative in nature in order to be able to review the effectiveness of those fees on a yearly basis and make changes without having to change the ordinance.

The 30-day public comment period was completed and only one comment was received, a paper titled, "Talking Points to Support Modern False Alarm Management."

The motion carried unanimously, 6/0.

## Call to the Public

Bob Gent, Tourism Commission Member spoke about the Chiricahua National Monument and requested support from Council to make it into a national park to increase visitors and tourism. This will require legislation enacted.

## Comments and Requests of the Council

Council Member Ash stated that she is proud to be associated with the Commission on Disability Issues as they have done a tremendous job putting a face to people with disabilities whether it is mental health issues, behavioral health issues or physical issues. Seeing the young boy and everything that the Outback Restaurant has to done to accommodate his needs made her almost teary eyed. The Commission is working with businesses to continue to do that and she looks forward to working with the Commission.

Council Member Calhoun requested that staff follow up on Mr. Gent's comments so that Council can decide what they are going to do on behalf of that; announced that staff in the Police Department is putting together a Summer Kick Off Dance for the teenagers in the community to be held on June 5<sup>th</sup> and encouraged the community to contact Corporal Borgstadt for more information or to assist; reported that the West End Commission is working very hard to maintain a lot of interest in the west end and put together ideas to work with the City on improvements that are being planned for the west end; and encouraged the public to attend the West End Commission meetings to add their comments related to businesses on the west end.

Council Member Gray had nothing to report.

Council Member Huisking announced that the next movie in the park is on May 23<sup>rd</sup> and it is titled "Strange Magic"; thanked Bright Star for the donation of the screen which is now attached to the pavilion so that when the wind blows it does not take the screen with it; thanked Mr. Gent for his passionate appeal for making Chiricahua National Monument a national park and stated that she hopes that Council can agree to sign a letter of support as she believes that it is a great project; and reported that during her attendance at some meetings, people have made comments about North Star's presentation regarding the City's brand. These people are confused and believe that the brand is Sky Islands. Although, sky islands are interesting and an important part of the community, that is not the City's brand. That will not be decided until later on; but if people have questions about the branding process, they should contact Judy Hector at the City.

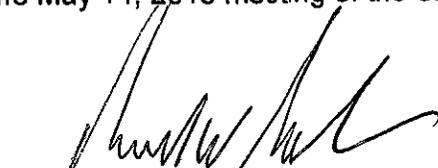
Mayor Pro Tem Blanchard asked where the City stands on lighted signs. Ms. Jacobs stated that the item will be on the next agenda.

Mayor Mueller explained that Council Member Mount requested that the item be placed on the next agenda so that he could be present since he is out of town.

Mayor Mueller recognized County Supervisor Pat Call, congratulated Mr. Potucek on his son's graduation, and announced the UA South graduation with a little over 170 undergrad and graduate degrees this semester. Stated that he remembers when the City was happy to have 170 students at UA South, not much less graduates and to they have come a long way in almost 30 years. It is a great institution and a good opportunity to continue an education and he would encourage people to continue to do that. 1

Mayor Mueller also thanked the University Foundation and all of those folks that initially came up with the idea of making sure that the City had institutions who hire education permanently here other than just Cochise College. In closing, he announced the Project Graduation on May 21 at the high school and congratulated those high school graduates and their families.

Adjournment - Mayor Mueller adjourned the May 14, 2015 meeting of the Sierra Vista City Council at 5:54 p.m.

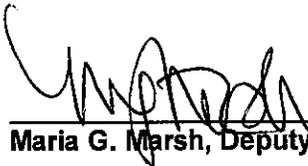


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Mayor Frederick W. Mueller

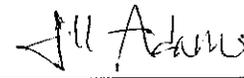
Minutes prepared by:

Attest:



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Maria G. Marsh, Deputy Clerk



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Jill Adams, City Clerk