



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

Dated this 10<sup>th</sup> day of December 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  
November 12, 2015

Mayor Mueller called the November 12, 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 – absent  
Council Member Gwen Calhoun – present  
Council Member Rachel Gray – absent  
Council Member Hank Huisking – present  
Council Member Craig Mount – present

Others Present:

Chuck Potucek, City Manager  
Mary Jacobs, Assistant City Manager  
Adam Thrasher, Acting Police Chief  
Ron York, Fire Chief  
Sharon Flissar, Public Works Director  
Richard Cayer, Interim Transportation and Environmental Services Director  
Victoria Yarbrough, Leisure and Library Services Director  
Matt McLachlan, Community Development Director  
Abe Rubio, IT Director  
Judy Hector, PIO  
Pam Weir, Management Analyst  
Jill Adams, City Clerk  
Nathan Williams, City Attorney

Invocation - Council Member Mount conducted the invocation.

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

Item 1 Acceptance of the Agenda

Council Member Mount moved that the agenda for the Regular City Council Meeting of October 22, 2015, be approved. Council Member Huisking seconded the motion. The motion carried unanimously, 5/0.

Awards and Presentations:

A proclamation declaring November 28, 2015 as Small Business Saturday was presented to Jack Blair, Chief Member Service Officer, SSVEC and Mary Tieman, Executive Director, Sierra Vista Chamber of Commerce.

Ms. Tieman provided some statistics and announced the upcoming events.

A proclamation declaring the month of November as National Hospice Palliative Care Month was presented to Annette Shelton, Bereavement and Volunteer Coordinator for Casa de la Paz Hospice.

Ms. Shelton talked about the Bereavement and Volunteer Program.

Mr. Barry Midgorden reported on the Empty Bowls Project and announced the following six agencies that will receive \$2,650 each (Report on file with the City Clerk):

- St. Vincent de Paul Food Bank;
- The Salvation Army Sierra Vista Corps,
- Good Neighbor Alliance;
- Peach's Pantry;
- The food Bank of Tombstone; and
- Benson Area Food Bank.

The Comprehensive Annual Financial Report (CAFR) and the Popular Annual Financial Report (PAFR) Awards were presented to David Felix, Finance Manager.

City Manager's Report - Mr. Potucek made the following announcements:

- Veterans Memorial Park ADA Improvements, which is a Community Development Block Grant funded project for improved accessibility in the park, bid closed on November 10<sup>th</sup> and three bids were received that are currently under evaluation with hopes of making an award next week;
- Metropolitan Planning Organization Origin & Destination Study, which is designed to get an idea of the regional impacts of transportation and where people are coming from in order to get to Sierra Vista which also includes Mexico, will be advertised Sunday, November 1<sup>st</sup> and will open on December 1<sup>st</sup>;
- Recognized and thanked Building Administrator Bill Whitney for his service who retired after 23 years of service;
- Joint County Board of Supervisors and Council Work Session on November 17, 2015 at 3:00 p.m. in City Hall Council Chambers regarding the MPO-funded Corridor Study for West Fry Boulevard;
- City Council Work Session on November 17, 2015 at 4:00 p.m. in City Hall Council Chambers regarding an economic development programs update;
- City Council Work Session on November 24, 2015 at 3:00 p.m. in City Hall Council Chambers regarding City Manager update;
- City Council Meeting on November 26, 2015 has been cancelled and City offices will be closed on November 26 and 27 in observance of Thanksgiving Day;
- Recycling services will not be available the week of Thanksgiving; and
- Wished everyone a Happy and Safe Thanksgiving Holiday.

Public Hearing(s)

Item 2 Resolution 2015-105, Amendments to Code of Ordinances Related to Building and Property Maintenance

Council Member Calhoun moved that Resolution 2015-105, amendments to Code of Ordinances related to Building and Property Maintenance, and declaring a 30-day public record, be approved. Council Member Mount seconded the motion.

Mr. McLachlan stated that the essence of the proposed amendments is to consolidate related and overlapping revisions of the City Code and to better delineate and streamline the enforcement process. What is being proposed is not a major departure from existing standards. It is more or a reorganization to provide for more consistency and clarity.

The department is recommending that the City adopt one set of building and property maintenance standards under one section of the City Code. The City has adopted by reference the Model, International Property Maintenance Standards under Chapter 150 and additional property maintenance stipulations under Chapter 91. The resolution proposes it integrates the separate code standards into a single set of property maintenance and nuisance abatement regulations under Title 15 which relates to land usage. This will provide the public with easy

access to these standards on line without the need to cross reference a document published outside City Code thereby making the rules more transparent.

The second thing that the department is addressing is the City's noise regulations which are covered in different sections of the City Code as well as in the Development Code. The City has enacted a decibel based standard and a reasonable person standard for enforcing loud and ruckus noise complaints. Staff is recommending that noise regulations be consolidated and covered under Chapter 93 which specifically relates to noise, adopting the decibel based standard as currently enacted.

Thirdly, the City has a standalone chapter on junk vehicles and staff is recommending that this issue be treated as a public nuisance under the Property Maintenance Code under the revised definition of inoperative vehicle.

Fourth, proposing to amend Chapter 150 of the Code to reference the adoption of the building, plumbing, electrical, fuel gas, energy, swimming pool and spa codes that were passed and adopted under Ordinance No. 2015-05. It also adopts by reference the Maricopa Association of Governments Specifications and details for Public Works construction as being the uniformed standard for Accessible and Usable Buildings Specifications of the City as are currently in practice.

Fifth, Chapter 152 is amended to adopt the 2015 edition of the International Fire Code to be consistent with Ordinance 2015-005 as amended by Resolution 2015-048.

Finally the resolution establishes a new chapter under Title 15 providing for a foreclosure registry system modeled after Bullhead City, Arizona. The purpose is to establish a point of contact with the mortgage lender for quicker and more direct communication to get these properties under a regular maintenance schedule. On the subject of enforcement, public nuisance violations as defined under Chapter 150 are deemed a Class One Misdemeanor if it is for the first or second violation within a two-year period. The City retains discretion on whether to enforce the Code through civil or criminal procedures depending on the severity of the violation. There a number of enforcement options depending on the nature of the case and voluntary compliance is the preferred route that the department strongly encourages. The City or the Court can enter into a Consent Order with the party which is enforced as a contract. There is abatement by administrative procedure which would be used for cases like overgrowth and emergency abatement for violations that pose a public safety threat.

The Planning and Zoning Commission considered the proposed amendment at two work sessions during regular scheduled meetings in September and had no objections. Staff has drafted a brochure outlining the City's Building and Property Maintenance Standards that will be finalized and distributed as part of the public outreach efforts and will also be writing an article for the City's newsletter to help get the word out.

Council Member Calhoun asked if the amendments will be on line for people to read. Mr. McLachlan stated that the City Code is published on line as there is a link on the City's website. The public can research standards through the online service.

Council Member Huisking asked if the standards are headed by number or topic. Mr. McLachlan stated that it is headed by title, chapter, article and section number and the department is trying to consolidate group related subject matter within the bode of the Code so that it is more easily referenced. This is the purpose of what the department is going through with the proposed resolution.

Council Member Huisking noted that it would be a great improvement to not only list the number; but to just say in plain English, if one wants to know about Nuisance Code or etc. Mr. McLachlan stated that Title 15, Chapter 150 is where those standards will be located.

Mayor Mueller explained the website concerning the City Codes of Ordinances and its index where the chapter will actually list all of the subjects so that.

Council Member Mount stated that he appreciates the work done on this; but he would like to see the City get the maximum public participation for something that is going out to the public and asked if there are, besides placing it on the website, any plans to get this out further using some of the success that has been had with the CAC or some alternative methods, i.e., the link to Face book. Mr. McLachlan stated that the department will be developing a brochure and will be creating an article for the City's newsletter that summarizes the Building and Property Maintenance Standards. The Department is also bringing on two new code enforcement officers that are going to be very proactive in making contact with organized neighborhoods, associations and attending those meetings to help spread the word.

Council Member Mount stated that it is wonderful and a lot of the information that he gets about stuff going on with the City Code, City Ordinance is when it comes to Community Development and so anything that can be done to get that streamlined is fantastic.

Council Member Huisking asked Mr. McLachlan if he was going to on the Friday Report. Mayor Mueller stated that it is probably another avenue that was not thought about and that would be a great area for Mr. McLachlan to go to, with Mr. Call on the radio. Council Member Huisking added that the neighborhood officers could do so as well. Mr. McLachlan noted that he has been invited to a SACA meeting in January and he will be bringing the information forward at that time as well.

The motion carried unanimously, 5/0.

#### New Business

#### Item 3 Ordinance 2015-008, Sulger Annexation

Council Member Mount moved that Ordinance 2015- 008, final action for Sulger Annexation, be approved. Mayor Pro Temp Blanchard seconded the motion.

Ms. Moore stated that before Council is the final step to complete the annexation of the remaining County portion of the Sulger annexation. This includes Jennifer, Timothy and the southern portion of Danni Lane. There are 61 properties in that area that is approximately 15 acres and there are 57 property owners as several of them own multiple properties in this area.

Per State Law for annexation to be successful the City required to collect 51% of the signatures. In this case there is a minimum of 29 signatures required and staff was able to collect 30 signatures. If the ordinance is approved, there is 30-day period before the ordinance is finalized. A welcome package will be sent out to the property owners to inform them of additional information and services available to them now as part of the City. This includes City trash service and curbside transit services. The City also provides an estimated property tax savings to the owners and range from \$90 to \$300 depending on the assessed value of the property. The zoning for the area is County MH72 which would come into the City as MHR, mobile home residential, and there are two lots that are zoned GB for General Business and will come into the City as General Commercial.

Council Member Mount asked that because this deals with splits is there something that can describe to the people who may be watching or read about this in the paper what are the top benefits for doing this, the cons that may be coming up with this as well. Ms. Moore stated that one of the biggest benefits is the tax savings and they will also get improved services. They are already receiving police and fire services from the City; but now for nonemergency calls that are

usually routed to the Sheriff Department which takes a couple of days to be responded to because of the wide area coverage, they will get faster service from the City.

Council Member Mount stated that he is speaking for the current people of Sierra Vista and asked what the annexing is doing for the City. Ms. Moore stated that it is an overall improvement for the City as this part is already receiving benefits from the City because of their location. Making it inclusive in the City helps out as far as making sure that all of the area is being provided for. Mr. Potucek stated that with the Fry Town site, the west side, are older areas, mobile home development and what staff would like to do is to annex these areas so that staff can bring not only the City's public safety but code enforcement and other related services to those areas in order to help improve them. The City can also help bring in Community Development Block Grant funding and other available funds because of the low income nature of the area. The City's goal is to try and help these areas and improve them. The entire City benefits as a result.

Mayor Pro Temp Blanchard noted that quite a bit has been done out there. Mr. Potucek stated that he is correct along with the County and now the City will have even more opportunity to do so.

Mayor Muller thanked Ms. Moore for all of her good efforts.

The motion carried unanimously, 5/0.

#### Item 4 Approval of the City Council Regular Meeting Minutes of October 22, 2015

Council Member Huisking moved that the Council Regular Meeting Minutes of October 22, 2015, be approved. Mayor Pro Temp Blanchard seconded the motion. The motion carried unanimously, 5/0.

#### Item 5 Resolution 2015-106, Re-appointment of Scott Loucks and Ryan Hightower to the Parks and Recreation Commission, said terms to expire November 20, 2017

Mayor Pro Temp Blanchard moved that Resolution 2015-106, re-appointment of Scott Loucks and Ryan Hightower to the Parks and Recreation Commission, said terms to expire November 20, 2017, be approved. Council Member Mount seconded the motion. The motion carried unanimously, 5/0.

#### Item 6 Resolution 2015 -107, Removal of Karin Finney and Anthony Sanders from the Sister Cities Commission

Council Member Huisking moved that Resolution 2015 -107, removal of Karin Finney and Anthony Sanders from the Sister Cities Commission, be approved. Council Member Calhoun seconded the motion. The motion carried unanimously, 5/0.

Council Member Huisking noted that both of the individuals served and are unable to finish out their terms that leave the Commission with an opportunity for people in the community to step up and serve with the Sister Cities Commission.

#### Item 7 Resolution 2015-108, Re-appointment of Sandra Kenny and Marie Balzarini to the Municipal Property Corporation Board of Directors, said terms to expire September 11, 2018

Mayor Pro Temp Blanchard moved that Resolution 2015-108, re-appointment of Sandra Kenny and Marie Balzarini to the Municipal Property Corporation Board of Directors, said terms to expire September 11, 2018, be approved. Council Member Mount seconded the motion.

Council Member Calhoun inquired about the Municipal Property Corporation Board of Directors' term. Ms. Adams explained that they serve three-year terms as opposed to two-year terms. Like the Industrial Development Authority, it is a statutory entity that has slightly different rules and so term limits have not been applied to the members.

The motion carried unanimously, 5/0.

#### Call to the Public

Mr. Andrae Newcomb, resident, talked about water, development issues, the Whetstone and Benson residents, City neighbors.

#### Comments and Requests of the Council

Council Member Mount thanked the community for their show of support for Veterans' Day as it was a great parade and event at the park and he hopes that the community continues to thank the veterans; thanked staff for the professionalism, courtesy and honesty; and announced that his government class kicks up next week so Council and staff might get calls because his students have to write papers.

Council Member Huisking thanked Mr. McLachlan for making the ordinances more understandable and encouraged him to use different way to get the word out to educate; thanked Ms. Moore, Mayor Mueller and everyone who helped with the Sulger Annexation; reported that 475 homes were served during the 8<sup>th</sup> West End Clean Up that included the Sulger Community, which entails the Southwest Residents Association, Sierra Vista West Rotary and the Real Wishes Foundation; thanked Lee Itule with the Cochise County Health Department who was instrumental in getting a structure for the Be Healthy Sierra Vista Health and Wellness Advisory Council; and reported on planning to get an award for the Strategic Plan, Let's Move Next Year in Pittsburgh, maybe five goals.

Mayor Mueller thanked Council Member Huisking for her efforts on the cleanup with the Southwest Neighborhood Association.

Council Member Calhoun stated that she considers it her civic duty to shop locally the coming Saturday and thanked the Chamber for their list to shop; reported on a primer event that she attended where Representative McSally was in attendance and did a State of the District presentation, her congressional district, listing her accomplishments over the last ten months and the things that citizens of the district consider very important.

Mayor Pro Temp Blanchard had nothing to report.

Mayor Mueller thanked Ms. Moore and cohorts for their efforts on the annexation and stated that he believes that the long term people will appreciate it more and more through the years.

Mayor Mueller also thanked Council Member Mount for being able to represent at a Veterans' event at the University of Arizona South since he will be Phoenix and announced the following events:

- November 22<sup>nd</sup> the Sierra Vista Lions will be celebrating their 60<sup>th</sup> anniversary;
- November 25<sup>th</sup> the Chamber will start their Festival of Trees and the United Methodist Church will hold a community Thanksgiving Service/Pie Night open to the public;
- December 5<sup>th</sup> the City will be holding their Tree Lighting Ceremony where Santa and Ms. Santa will be present; and
- December 5<sup>th</sup> prior to the Christmas parade Santa will fly in.

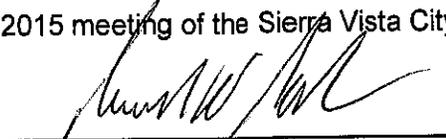
In closing, Mayor Mueller thanked Larry Whitney for his service and great job in the Planning Department, welcomed Mr. Cayer senior, father of Richard Cayer, Director of Transportation

and Environmental Services and recognized the scouts in the audience who are working on earning badges.

Council Member Huisking showed Council a 14" pomegranate that weighs at least a pound and stated that she is looking for ideas on what to do with all of the seeds.

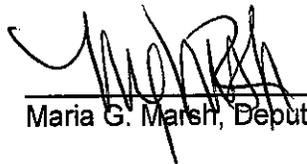
Adjournment

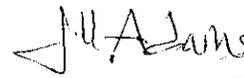
Mayor Mueller adjourned the November 12, 2015 meeting of the Sierra Vista City Council at 5:51 p.m.

  
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Mayor Frederick W. Mueller

Minutes prepared by:

Attest:

  
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Maria G. Marsh, Deputy Clerk

  
\_\_\_\_\_  
Jill Adams, City Clerk