



## 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 28<sup>th</sup> day of April 2016. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 12<sup>th</sup> day of May 2016

SEAL

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

Maria G. Marsh  
Deputy City Clerk

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

Jill Adams  
City Clerk

Sierra Vista City Council  
Meeting Minutes  
April 28, 2016

Mayor Mueller called the April 28, 2016 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:

Chuck Potucek, City Manager  
Mary Jacobs, Assistant City Manager  
Adam Thrasher, Police Chief  
Ron York, Fire Chief  
Jeff Pregler, Sr. Planner  
Jennifer Thornton, Management Analyst  
Victoria Yarbrough, Library and Leisure Services Director  
Sharon Flissar, Public Works Director  
Judy Hector, PIO  
Linda Jones, Management Analyst  
Nathan Williams, City Attorney

Invocation – Pastor Mark Perry, Sierra Evangelical Lutheran Church, conducted the invocation.

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

Item 1 Acceptance of the Agenda

Council Member Huisking moved that the agenda for the Regular City Council Meeting of April 28, 2016, be approved. Council Member Calhoun seconded the motion. The motion was approved by a unanimous vote, 6/0.

Awards and Presentations

Mayor Mueller acknowledged receipt of the Good Neighbor Award to the City by the Good Neighbor Alliance in assisting the homeless and publicly thanked and presented the award to the City Manager Potucek, Police Chief Thrasher, Fire Chief York, Public Works Director Flissar and Management Analyst Thornton.

Council Member Calhoun presented Pam Anderson a plaque recognizing the Landmark Café as the City Council Business of the Month.

Police Chief Thrasher acknowledged the following Police Department Employees of the Year:

- Critical Response Award, Brett Mitchell ;
- Lifesaving Award, Branden Eaton and Monica Rozier;
- Client Service, John Andela and Tyrel Essary;
- Volunteer of the Year, Ron Welsh;
- Supervisor of the Year. Arleen Garcia:

- Civilian of the Year Alternate, Lilly Perry;
- Civilian of the Year, Molly Schmitt;
- Officer of the Year Alternates, Branden Eaton and Thomas Ransford; and
- Officer of the Year, Austin Brant.

Mayor Mueller read the following proclamations:

- Proclamation declaring April 24 through 30, 2016 as National Re-entry Week and presented it to Kathy Boston, Founder and Board Chairperson of the Cochise County Re-entry Coalition;
- Proclamation declaring the week of May 8 through 14, 2016 as Economic Development Week and presented it to Mignone Hollis, Executive Director of the Arizona Regional Economic Development Foundation; and
- Proclamation declaring May 1 through 7, 2016 as Sierra Vista Travel and Tourism Week and presented it to Judy Hector, City of Sierra Vista Marketing and Public Affairs Manager/PIO.

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

- City Council Work Session on May 2, 2016 at 3:00 p.m., City Hall Council Chambers regarding FY 2016-2107 Budget;
- City Council Work Session on May 10, 2016 at 3:00 p.m., City Hall Council Chambers regarding City Manager Update and Economic Development Update;
- Joint City Council Work Session and Cochise County Board of Supervisors on May 12, 2016 at 3:00 p.m., City Hall Council Chambers regarding joint communications project;
- One response was received for the RFP for Portion of Kings Court Property, which was accepted; and
- Received two responses for TR-055, Fleet Hardware/Software for Automated Fuel Management System, which are currently under evaluation.

Public Hearing(s) – There was no response.

Item 2 Resolution 2016-022, Adoption of the 2016 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 2016-022, adoption of the 2016 Community Development Block Grant (CDBG) Annual Action Plan to submit to the Department of Housing and Urban Development (HUD), be approved. Council Member Huisking seconded the motion.

Council Member Gray recused herself from the discussion and deliberation due to a conflict of interest.

Ms. Thornton reported that this is the final step for the City to submit Annual Action Plan. The Department received one comment stating that Habitat for Humanity had a conflict of interest due to Council Member Gray being on the City Council. The City has applied for \$19,000 towards street lights for Fry and Sulger, \$20,000 for a roof at Good Neighbor Alliance and \$60,000 to Habitat for Humanity for emergency repairs.

There has not been an emergency repair program in Cochise County for a number of years and nobody can take it over; therefore, with this Habitat for Humanity would be able to do it for the City.

Mayor Mueller stated that Council Member Gray has recused herself from discussion and voting with regard to this item and in his opinion, there is no conflict of interest as she is not participating in the decision.

Council Member Calhoun asked if there is a requirement by HUD or a recommendation with regard to an emergency repair program in a community. Ms. Thornton stated that there is not; but one of the goals in the Plan was that there be emergency repairs or rehabilitation of homes.

Mayor Mueller stated that there used to be some home repair through the Housing Authority/SEAGO and they have not had as much funding in recent years as they have in the past. Ms. Thornton added that it has been over five years and the Housing Authority of Cochise County dropped their emergency rehab program. The City did use SEAGO for a home grant in the past that was received through the State. Mayor Mueller noted that it is strictly a funding issue.

The motion passed by unanimous vote, 5/0. Council Member Gray abstained.

Item 3 Resolution 2016-023, Approval of a Conditional Use Permit for Apostolic Truth Tabernacle, 215 N. Carmichael Avenue, Sierra Vista, Arizona

Council Member Calhoun moved that Resolution 2016-023, Approval of a Conditional Use Permit for Apostolic Truth Tabernacle, 215 N. Carmichael Avenue, Sierra Vista, Arizona, be approved. Council Member Gray seconded the motion.

Mr. Pregler stated that this is a request for a conditional use permit or Apostolic Truth Tabernacle to allow them to build a new church building on property located at 215 N. Carmichael Avenue.

A map was provided depicting the location of the property along with a picture of the current church in existence. The idea is that they will be replacing the church with a new 4,000 square foot church.

The property originally consisted of three separate parcels. The northern parcel was annexed in 1969 and is currently zoned single family residential six. The two southern parcels were annexed in 2012 and they have a zoning designation of single family residential eight. The three parcels have since been combined and there are two zoning designations on the property; but the church will be developing to the SFR8 zoning district standards.

The Development Code requires that churches located in a residential zoning district obtain a conditional use permit; but in this case, this is an existing church that has been on the property for over 40 years and it considered a legal nonconforming use. These types of uses can remain on the property provided that they do not expand the nonconformity. The applicant is proposing to construct a 4,000 square foot church building, which is larger than the current building that is 2,500 square feet. They are required to meet all Development Code requirements, hence the need for the proposed conditional use permit.

The new church building will have a total of 174 seats, which is being increased by 84 seats. The main sanctuary is planned to occupy approximately 1,417 square feet and based on the parking calculations on the Development Code 20 parking spaces are required and the applicant is proposing 47 total spaces, an increase of 17 spaces from the current parking requirements.

The property is surrounded by residential to the south and the east and County General Business Zoning to the north. The entire site is screened by a six foot block wall, which does satisfy the City's buffering requirement.

The applicant is required to hold a neighborhood meeting prior to the public hearings. The applicant sent notice to all property owners within 500 feet of the property and held a meeting a March 26, 2016 at the church building. The City is also required to send notice to the public and

one verbal support was received from a property owner at Sherbundy Street located directly across the church and indicated that the church would be a great asset for the neighborhood.

The Planning and Zoning Commission heard this item at their April 19<sup>th</sup> meeting and voted unanimously to recommend approval of the request with the condition that the seating capacity be limited to 174 seats and that is the number of seats that the applicant is requesting. Staff is recommending approval with the same stated condition and the applicant has agreed to the condition.

Mr. Pregler introduced the applicants, Ted Walker and Pastor O'Brien.

Council Member Gray asked if the church would be demolished after the new one is built. Father O'Brien stated that it is their desire to build next to the church that they are in right now and continue to have church services there and as soon as they get the final on the new building be able to move into it and start the demolishing on the present building.

Council Member Calhoun asked about the plans for the empty lot. Father O'Brien stated that it will be used for parking.

Council Member Gray noted that she has lived in Sierra Vista since 2001 and she has known of their desire to build a new church and stated that she believes that it will be a great asset.

The motion was approved by a unanimous vote, 6/0.

#### New Business

#### Item 4 Approval of the City Council Regular Meeting Minutes of April 14, 2016

Council Member Gray moved that the City Council Regular Meeting Minutes of April 14, 2016, be approved. Council Member Huisking seconded the motion. The motion was approved by a unanimous vote, 6/0.

#### Item 5 Resolution 2016-024, Authorizing the Renewal of the Automatic Aid Agreement with the Fry Fire District

Council Member Huisking moved that Resolution 2016-024, authorizing the renewal of the Automatic Aid Agreement with Fry Fire District, be approved. Mayor Pro Tem Blanchard seconded the motion.

Fire Chief York stated that this is the third version of the agreement. The original was adopted in 2010 and update in 2013. The operational and training verbiage was removed that was found to be redundant, which did not impact anything. Issues were simplified regarding costs, compensation and reimbursement for either organization. The cost responsibility was left to the respective agencies. There will be no reimbursement or charges in the agreement. It is basically the same working document. It is for five years.

Mayor Mueller stated that it is a great partnership and he looks forward to continuing it because things are getting down efficiently.

The motion was approved by a unanimous vote, 6/0.

#### Call to the Public

Joann Kiyabu asked to have the travel policy reviewed in order to include the City Council and provided a sample (on file with the City Clerk). She also provided a petition indicating citizens' desire to modify the travel policy (petition on file with the City Clerk).

Kale Kiyabu requested that consulting fees be added as a line item for Council to consider in the annual budget considerations. He also provided a petition indicating citizens' desire to consider the funding of consulting fees in the budget process (petition on file with the City Clerk).

Mayor Mueller stated that the consulting fees are listed in the budget; however, they are located within the respective department lines.

Mayor Mueller asked the City Manager to consider the citizens' request in order to make the fees more visible in the budget.

Tammy Ward presented a video regarding pickleball and asked Council to consider a venue to play picekball.

Mayor Mueller recommended that she make the presentation to the Parks and Recreation Commission.

#### Comments and Requests of the Council

Council Member Calhoun thanked Mr. and Mrs. Kiyabu for presenting their concerns; reported on "Backyards and Beyond", a good U of A publication about the local flora and fauna.

Council Member Huisking congratulated all of the awardees, voiced her appreciation to the Kiyabus for their information, stated that she looks forward to pickleball and announced the upcoming biking to school event and the Brown Canyon Ranch Open House.

Council Member Gray had nothing to report.

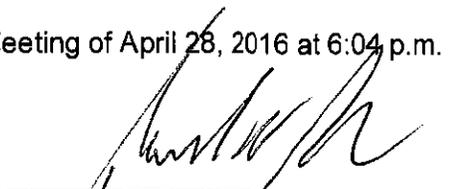
Council Member Ash echoed Council Members before her, voiced her appreciation to the awardees and thanked Mr. and Ms. Kiyabu and Ms. Ward for their presentations.

Mayor Pro Tem Blanchard commended the Fire and Police Department for an excellent job.

Mayor Mueller stated that the Police Department assists the Good Neighbor Alliance Program with the homeless program. The Police Department accompanies the Good Neighbor Alliance staff when they visit camps to do their counts. He also encouraged the public to attend the Concert in the Park, Relay for Life on May 30<sup>th</sup> and the West End Fair on Fry Boulevard on May 7<sup>th</sup>.

#### Adjournment

Mayor Mueller adjourned the City Council Meeting of April 28, 2016 at 6:04 p.m.



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Mayor/Frederick W. Mueller

Minutes prepared by:

Attest:



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Maria G. Marsh, Deputy City Clerk



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Jill Adams, City Clerk