



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

Dated this 23<sup>rd</sup> day of June 2016

SEAL

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Maria G. Marsh  
Deputy City Clerk

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Jill Adams  
City Clerk

**Sierra Vista City Council  
Meeting Minutes  
June 7, 2016**

Mayor Mueller called the June 7, 2016 City Council Special Meeting to order at 3:00 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 – present

**Others Present:**

Chuck Potucek, City Manager  
Mary Jacobs, Assistant City Manager  
Adam Thrasher, Police Chief  
Ron York, Fire Chief  
Victoria Yarbrough, Leisure and Library Services Director  
Sharon Flissar, Public Works Director  
Mat McLachlan, Community Development Director  
Tina Moore, Planner  
David Felix, Finance Manager  
Linda Jones, Management Analyst  
Abe Rubio, IT Manager  
Nathan Williams, City Attorney  
Jill Adams, City Clerk

**Item 1 Acceptance of the Agenda**

Council Member Huisking moved that the agenda for the Regular City Council Meeting of June 7, 2016, be approved. Mayor Pro Tem Blanchard seconded the motion. The motion was approved by a unanimous vote, 7/0.

**Item 2 Consent Agenda**

**Item 2.1** Approval of the City Council Special Meeting Minutes of May 24, 2016

**Item 2.2** Approval of the City Council Regular Meeting Minutes of May 26, 2016

**Item 2.3** Resolution 2016-038, Special Event Liquor License for Ms. Mary Elizabeth Tieman on behalf of the Sierra Vista Chamber of Commerce for the Power of the Purse event scheduled June 30, 2016

Council Member Ash moved that the Consent Agenda consisting of the Special Meeting Minutes of May 24, 2016, Regular Meeting Minutes of May 26, 2016 and Resolution 2016-038, a special event liquor license for Mary Elizabeth Tieman on behalf of the Sierra Vista Chamber of Commerce for the Power of the Purse event scheduled June 30, 2016, be approved. Council Member Gray seconded the motion. The motion was approved by a unanimous vote, 7/0.

**New Business**

**Item 3** Resolution 2016-039, Request to Proceed with an Abandonment of Public Right of Way - Alleyway located at 450 Denman Avenue, Sierra Vista, Arizona

Council Member Gray moved that Resolution 2016-039, request to proceed with an abandonment of public right of way for an alleyway located at 450 Denman Avenue, Sierra Vista, Arizona, be approved. Council Member Huisking seconded the motion. The motion was approved by a unanimous vote, 7/0.

Mr. McLachlan stated that staff is requesting Council to proceed in processing a petition to abandon a 20 foot wide, north south alleyway located between Fourth and Fifth Street, south of Denman as shown on a map displayed to Council.

This request is accompanied by a separate conditional use application to construct a church and fellowship hall on the adjoining property. The vacation is needed to create a unified development plan. Staff has received letters of no objection from all of the outside utility companies, Public Works and Fire. The application is travelling under the state right of way abandonment procedures adopted under Resolution 930.

Pursuant to Step 5, the Council should review the abandonment petition and direct the staff to either proceed with the work necessary to affect the abandonment of the public right of way or if the request is deemed not to be in the public's interest and direct staff not to proceed with further efforts. If Council votes to proceed, staff will move forward with the required advertisement and public hearing dates before the Planning and Zoning Commission and Council in the near future.

Council Member Gray requested an explanation of the notification process to the property owners. Mr. McLachlan stated that mailed letters are sent to adjoining property owners that are affected by the proposed abandonment as well as the outside utility companies and the internal departments through a routing form to the Public Works and Fire.

Council Member Gray asked if social media is being utilized. Mr. McLachlan stated that typically because of the isolated impact of abandonment, only those that are immediately affected would be noticed. There is a newspaper advertisement placed in the Sierra Vista Herald for the general public if there are any general concerns about the proposed petition; but those are the requirements under the standards of procedure that were adopted in 1982 under Resolution 930. The Department is following those steps.

Mayor Mueller asked if the request is for the abandonment of a strip that is depicted on the map. Mr. McLachlan stated that is correct. Mayor Mueller noted that it affects the people immediately to the south as well as the property owner that is on both sides and in fact the petitioner.

Mr. McLachlan stated that there is also an east west segment south of the area being abandoned that provide access to Fourth and Fifth Streets and it does not cut off circulation at that point.

Mayor Mueller asked about the next step for the church once Council approves this. Mr. McLachlan stated that concurrent with the application will be a conditional use request filed that will be processed in a similar manner with hearings before the Planning and Zoning Commission and Council requesting approval for a place to worship on that property.

Mayor Mueller asked that if the City is required to do 500 feet notification of all the neighbors for the hearing. Mr. McLachlan stated that on the conditional use and that will be advertised

pursuant to the conditional use application requirements. This is a separate application but they are being run together. The conditional use is predicated on the alley being abandoned.

Council Member Mount stated that when the notification is done, the Department is falling back onto a resolution, which was created in 1983 as far as outreach to get information from the public. Mr. McLachlan stated that the resolution only applies to the abandonment. The conditional use application, which has potentially broader public interest, will be advertised more widely than the specific application before Council. Mayor Mueller noted that everyone within 500 feet is mailed notification. Mr. McLachlan stated that he is correct and it so that it reaches the group of affected property owners.

Council Member Gray stated that in the future, the Departments needs to look at that because a lot of things have changed since 1982. At some point, the public hearing notifications should be looked at. Mayor Mueller noted that this item does not require a public hearing.

Council Member Huisking asked why the two issues that are predicated on each other not heard at the same time. Mr. McLachlan stated that the request before Council is to authorize the Department to proceed and process the application. It is not to approve the abandonment. There is a precursor for the Department actually expending effort to process the application.

Council Member Calhoun asked about negatives by the community. Mr. McLachlan stated that typically there will be an objection if an existing utility is located within that alleyway or if there is some other public interest use for vehicular circulation. Those concerns do not appear to be present with this particular request based on the Department's outreach to-date.

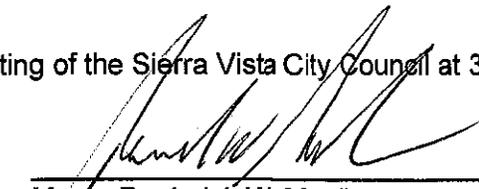
Council Member Calhoun asked if the City maintains the area. Mr. McLachlan stated that it is a plotted public alleyway and it is not an easement. It is an alleyway prescribed by the plat.

Mr. Potucek stated that in this particular case, it is not only an advantage to the proposed development; but an advantage to the City to not have the alleyway and so abandonment is appropriate in this particular case. Also, he would like to get rid of a lot of alleys.

Also, upon Council's approval of this item, the actions coming up regarding the conditional use permit will be posted on the City's website as normally done.

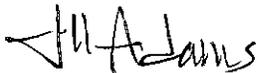
#### Adjournment

Mayor Mueller adjourned the Special Meeting of the Sierra Vista City Council at 3:15 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