

Minutes

MAYOR AND COUNCIL
REGULAR MEETING - SEPTEMBER 9, 2020, AT 6:00 P.M.
CITY HALL - COUNCIL CHAMBER
425 10TH STREET, DOUGLAS, AZ 85607

1. **CALL TO ORDER:** 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** by Council
3. **INVOCATION:** by Pastor Ismael Cortez – Templo Bethel Church
4. **ROLL CALL.**

	PRESENT	ABSENT
MAYOR, DONALD C. HUISH	X	
MAYOR PRO TEMPORE, MARGARET MORALES	X	
COUNCILMEMBER, MITCH LINDEMANN	X	
COUNCILMEMBER, DANYA ACOSTA	X (telephonically)	
COUNCILMEMBER, RAY SHELTON	X	
COUNCILMEMBER, MICHAEL BALDENEGRO	X	
COUNCILMEMBER, JOSE GRIJALVA	X	
INTERIM CITY MANAGER, DAWN PRINCE	X	
CITY ATTORNEY, JUAN PABLO FLORES	X	
CITY TREASURER, LUIS PEDROZA	X	
ACTING CITY CLERK, ALMA ANDRADE	X	

5. **PERSONS WISHING TO ADDRESS THE COUNCIL IN WRITING OR VERBALLY ON ANY ITEM NOT ON THE AGENDA.**

Acting City Clerk, Alma Andrade stated no public participation forms were submitted.

6. **DISCUSSION/DECISION on approval of CONSENT AGENDA items:**
 - A. **EXPENDITURES** for the month of AUGUST 2020, totaling: \$3,367,016.62.
 - B. **MEETING MINUTES** for July 8, July 15, and July 29, 2020.
 - C. **PLANNING AND ZONING REAPPOINTMENT OF MR. GREG ABRIGO AND MR. LOUIE GARCIA, RETROACTIVE JULY 2020.**
 - D. **ACCEPTANCE OF COMMUNITY HOUSING CORPORATION RESIGNATION of Mr. Warren Hargis, and COMMUNITY HOUSING CORPORATION APPOINTMENT of Ms. Belen Durazo to the Board, both effective September 9, 2020.**
 - E. **PUBLIC SAFETY RETIREMENT BOARD APPOINTMENT OF MR. MARK WILKINSON, effective September 9, 2020.**
 - F. **MERIT SYSTEM BOARD REAPPOINTMENT OF MR. PAUL VILLAREAL, retroactive July 2020; AND APPOINTMENT OF MR. FRANK STEVENS, effective September 9, 2020.**
 - G. **PROFESSIONAL SERVICES CONTRACT AWARD to J2 ENGINEERING & ENVIRONMENTAL DESIGN for PLANNING and DESIGN SERVICES for the DOWNTOWN STREETScape PROJECT.**

Motion by Council Member Morales, **second** by Council Member Shelton to approve the consent agenda items.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. **Voted Against:** None.

7. **PRESENTATION OF AWARDS:**

A.

<u>25 years</u>	<u>20 years</u>	<u>10 years</u>	<u>5 years</u>
QUIJADA'S TRANSPORTATION	J & B GROCERIES	CHO SALON SPA	EL BURRRON LLC

Council Member Morales presented awards to business owners listed.

8. **PRESENTATION/DISCUSSION on the City's SPECIAL EVENT SPONSORSHIP POLICY.**

Jennifer Smith provided background information on the special event sponsorship policy and its purpose:

- Purpose
- Overview
- Definitions
- Policy
- Procedure
- Application Review/Approval
 - Internal committee, factors to consider
- Eligibility Criteria

Council Member Lindemann commended Ms. Smith for a wonderful presentation and asked if the policy would exclude for example the Douglas Fiestas.

In response Jennifer Smith stated it did not, and the focus was to ensure for profit entities not come to the city and request monetary funds as it would be unfair for the citizens of Douglas.

Mayor Huish added that the specific event Council Member Lindemann mentioned was a non-profit event.

Council Member Lindemann inquired on the forty-five-day notice for special events and stated if the city could be more flexible.

Jennifer Smith responded that the title had the forty-five days for regular application processes and thought about being consistent, although Ms. Smith commented that the city could waive the forty-five days. Additionally, Ms. Smith stated that it was for people to plan ahead and not rush, but then the city would be able to waive the forty-five days.

As a last comment, Council Member Lindemann expressed as long there was flexibility within the policy for special events.

Mayor Huish commented he had seen staff run-on last-minute events and it was not fair for staff either.

Council Member Grijalva inquired if a political or religious organization could use the city facility and that the difference would be for the city not to sponsor.

Jennifer Smith responded that although they were not eligible for financial sponsor, they could request a normal permitting process which could use facilities and everything needed to setup.

As a final comment, Council Member Grijalva thanked staff for the policy and expressed it was better than before.

Council Member Shelton inquired if a religious group or boy scouts would like to use city facilities and the city does not sponsor, if they needed to provide the \$1M dollar liability insurance.

Additionally, Council Member Shelton further asked if a church or democratic party wanted to use a city facility if they needed to provide the liability insurance.

Jennifer Smith responded they would.

- A. **DISCUSSION/DECISION on APPROVAL of Resolution No. 20-1438, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, Relating to Chapter 12.40 of Title 12 of the Douglas Municipal Code Pertaining to SPECIAL EVENT PERMITS and Approving SPECIAL EVENT SPONSORSHIP POLICY to be defined in section 12.40.010 and Enacting a new section 12.40.045; establishing severability of components; and establishing an effective date thereof.**

Motion by Council Member Morales, **second** by Council Member Lindemann to approve Resolution No. 20-1438.

Council Member Lindemann thanked staff for the work done on the item.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. **Voted Against:** None.

9. **DISCUSSION/DECISION on APPROVAL of third reading of Ordinance No. 20-1120, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AMENDING ARTICLE 5 OF THE ZONING REGULATIONS, SECTION 501.7 Property Development Standards and SECTION 501.8 CORNER LOT, all pertaining to CARPORTS; establishing severability of components of Ordinance; and establishing an effective date thereof.**

Peter Gardner provided background information.

Mayor Huish commented there were a few options and one was to table the item and asked Planning and Zoning to go back and look at the item again.

Motion by Council Member Shelton, **second** by Council Member Morales to tabled Ordinance No. 20-1120.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, and Michael Baldenegro. **Voted Against:** Council Member Jose Grijalva.

10. **DISCUSSION/DECISION on APPROVAL of second reading of Ordinance No. 20-1121, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, MODIFYING TITLE 8 OF THE DOUGLAS MUNICIPAL CODE relating to HEALTH AND SAFETY by amending Ordinance 616 under chapter 8.28 regulating NOISE, establishing severability of components of Ordinance; and establishing an effective date thereof.**

Chief Fullen provided background information.

Mayor Huish inquired if any feedback from the community had been received.

In response Chief Fullen stated he did not receive any.

Motion by Council Member Shelton, **second** by Council Member Baldenegro to approve Ordinance No. 20-1121.

Council Member Grijalva commented he had a conversation with a constituent in which they were glad the city was enforcing noise, however, the constituent stated that fines were too high. Moreover, Council Member Grijalva asked if fines could be reconsidered.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, and Michael Baldenegro. **Voted Against:** Council Member Jose Grijalva.

Council Member Acosta recused herself for the following three grant items due to a conflict of interest.

11. **DISCUSSION/DECISION on APPROVAL of Resolution No. 20-1434, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the CITY OF DOUGLAS POLICE DEPARTMENT to ACCEPT GRANT FUNDING and ENTER into an AGREEMENT with the STATE OF ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR A REIMBURSABLE GRANT IN THE AMOUNT OF \$7,293 to pay for directed enforcement materials and SUPPLIES for DUI TASK FORCE activities under this State funded grant program.**

Chief Fullen provided background information.

Motion by Council Member Baldenegro, **second** by Council Member Morales to approve Resolution No. 20-1434.

Council Member Baldenegro inquired if the radar detectors would be police mounted or on the streets.

Chief Fullen responded it would be non-stand patrol cars.

Council Member Morales inquired if the Police Department needed more or if it was sufficient.

In response Chief Fullen stated they were always in need; however, the purchase would be to replace older equipment.

Furthermore, Council Member Morales asked how many more did the police department need.

Chief Fullen would check on number and report back to council.

Council Member Morales inquired if they were able to get additional grant for more equipment.

Chief Fullen stated there was grant funding available.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Ray Shelton, Michael Baldenegro, and Jose Grijalva. **Voted Against:** None.

12. **DISCUSSION/DECISION on APPROVAL of Resolution No. 20-1435, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the CITY OF DOUGLAS POLICE DEPARTMENT to ACCEPT GRANT FUNDING IN THE AMOUNT OF \$20,000 and ENTER into an AGREEMENT with the STATE OF ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY for a reimbursable grant to pay for DUI and IMPAIRED DRIVING ENFORCEMENT OVERTIME; and employee related expenses for DUI TASK FORCE activities under this State funded grant program.**

Chief Fullen provided background information.

Motion by Council Member Shelton, **second** by Council Member Lindemann to approve Resolution No. 20-1435.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Ray Shelton, Michael Baldenegro, and Jose Grijalva. **Voted Against:** None.

13. **DISCUSSION/DECISION on APPROVAL of Resolution No. 20-1436, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, AUTHORIZING the CITY OF DOUGLAS POLICE DEPARTMENT to ACCEPT GRANT FUNDING IN THE AMOUNT OF \$24,764 and ENTER into an AGREEMENT with the STATE OF ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY for a reimbursable grant to PAY for OCCUPANT PROTECTION ENFORCEMENT OVERTIME; and employee related expenses for DUI TASKFORCE activities under this State funded grant program.**

Chief Fullen provided background information.

Motion by Council Member Shelton, **second** by Council Member Morales to approve Resolution No. 20-1436.

Council Member Morales thanked Officer David Acosta and Chief Fullen for acquiring the funding grants for such items.

Mayor Huish added for public awareness that staff was doing their jobs and the grant funding was going to help the city even further.

Chief Fullen stated it provided an opportunity to focus specifically on public safety violations, promoting, and educating the public in safe guarding themselves as they are on the road.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Ray Shelton, Michael Baldenegro, and Jose Grijalva. **Voted Against:** None.

Council Member Acosta returned from her recusal for the following items at 6:43 p.m.

14. **DISCUSSION/DECISION on APPROVAL of Resolution No. 20-1437, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, RATIFYING the execution of AN AMENDMENT to BUILDING LEASE AGREEMENT between the CITY OF DOUGLAS and the ARIZONA BOARD OF REGENTS, to continue to PROVIDE SPACE for the DOUGLAS ANIMAL SHELTER at 2017 Rogers Avenue, in the City of Douglas, Arizona.**

Chief Fullen provided background information.

Motion by Council Member Lindemann, **second** by Council Member Baldenegro to approve Resolution No. 20-1437.

Council Member Lindemann inquired on the year extension instead of going to five years.

Chief Fullen responded the contract proposal initially presented was for a monthly rate of \$4,168 dollars with a three percent annual increase for the remainder of the term thereafter. However, an opportunity arises for long term solution to housing the animal control function whether it was at the current facility or a different one, as well as to continue partnership with the University of Arizona.

Mayor Huish added that the city was keeping an eye open on what would be the best for the Douglas operation for animal control.

Roll call: Voted in Favor: Mayor Huish, Mayor Pro Tempore Morales, Council Members: Mitch Lindemann, Danya Acosta, Ray Shelton, Michael Baldenegro, and Jose Grijalva. **Voted Against:** None.

15. CITY MANAGER REPORTS

Dawn Prince commented there were three updates to present:

Dave Swietanski, Deputy Public Works Director presented on the following updates:

- Bay Acres Sewer Line Project
 - History 345 Residential Connections in preparation for Annexation.
 - Projected substantial completion, est. end of January 2021. Final in March 2021.
 - Cost \$5,140,000
 - Completed approx. 53% and \$2,605,000 (July 2020)

Council Member Lindemann inquired if the septic tanks would get removed.

Dave Swietanski responded that tanks did not get remove they stay in place, and stated all the waste would get drained out and were filled with different type of materials, dirt, rocks, etc.

Furthermore, Council Member Lindemann asked if it was part of the contracting grant.

Dave Swietanski commented it was funded by the grant.

Mayor Huish added that it would be a great benefit for the community.

Mayor Huish inquired if the timeline presented included the county's work.

In response Dave Swietanski stated the completion dates were actual field work, then county would complete the road.

Dave Swietanski presented on the double chip seal update:

- Double chip sealed approximately 6.2 miles, 32,740 LF of city roadway
- 12 streets completed
- Placed approximate 300 tons of ¾" and 3/8" material
- Used approximate 70,000 gallons of chip oil
- Cost to date: \$306,000, budgeted \$300,000
- Approximately 8 weeks for completion

Council Member Lindemann commented that 8th Street was on the 2020 agenda to be fixed and hoped it could be done.

Dave Swietanski stated it did not get done as it was changed at the last minute and it could be the following year.

Mayor Huish inquired if the streets project was done this year or if staff had a few others to complete.

In response Dave Sweitanski stated staff was finishing up 15th Street and one parking lot and would finished in a week.

Mayor Huish asked Mr. Sweitanski to meet with Ms. Prince on Van Buren street as he was under the impression would get done as well.

Dawn Prince provided an update on the reopening of city facilities and commented that starting on Monday, September 14, 2020, the city would reopen several facilities that were closed due to COVID crisis, and the specific reason for the reopen was due to a decreased or change in status of substantial community spread.

Moreover, Dawn Prince stated that the numbers in Douglas were substantially lower and the following facilities would open, City Hall, Visitor Center, Library, Aquatic Center, and Park facilities such as tennis courts, basketball courts, golf course, ball fields, skate park, racquetball court, playgrounds, ramadas, and restrooms. Furthermore, Ms. Prince added that the Governor's order limiting gatherings to 50 individuals was still in place and would be enforced to educate individuals. Additionally, face coverings were still in effect and it would be a requirement for individuals that visit city facilities, with modified hours in order to sanitized stations and thanked the community for what they had done with wearing face coverings and social distancing.

Lastly, Ms. Prince commented that staff encouraged to continued with what they were doing as far as to continue to keep numbers down to fully reopen.

Council Member Lindemann inquired if the all-inclusive playground would open.

Ms. Prince stated it would.

Mayor Huish asked for Ms. Prince to clarify on the additional equipment for such reopening in order to protect public and staff.

Ms. Prince added that in addition to hand sanitizer stations around city facilities, staff would purchase foggers that would help sanitized surfaces at least once a day or perhaps more depending on how frequent customers would come in.

Mayor Huish thanked the public for their cooperation, and stated the reopening plan was flexible and if the need was to readjust they would do it in order to do it right, but also encouraged people to go out and enjoy the last days of sun that all had as seasons started to change.

As a final comment, Mayor Huish applauded staff for working hard on figuring out ways to make it happen.

Ms. Prince commented that the press release about the reopening was sent to the media, mayor and council, leadership team as well as posted onto Facebook and website.

16. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND FUTURE AGENDA ITEM REQUESTS.

Council Member Grijalva thanked Alex Boneo from Blueberry Café for volunteering at the Food Bank for the commodities day. Additionally, Council Member Grijalva asked the public for volunteers as they needed help.

Furthermore, Council Member Grijalva congratulated the BAC group for the \$30,000 dollar grant they received for the Grand Theater, and also thanked the Consulate of Mexico as they played a huge role in obtaining the grant.

Council Member Grijalva requested an update on the APS border parking lot next to the port of entry, and for Mayor and Council to consider having two council meetings per month.

Ms. Prince added for everyone that was watching live to do their census and it was very important for the community as every person that was counted would be \$2,500 dollars in money for the Douglas community and programs.

Mayor Huish commented that council would receive an updated email on the APS project.

Council Member Lindemann commented since he was appointed by the Mayor to serve on the League of Cities Resolutions Committee, he attended the meeting virtually and represented Douglas.

Council Member Morales commented since city facilities would open, she would like to start having Town Halls, possibly virtually and some in attendance.

Mayor Huish reminded and invited everyone to attend the Binational Concert without Borders September 15, 2020, and it was going to be virtual due to COVID. Furthermore, Mayor Huish stated the concert had been part of the events for the past six years which this year would feature a world class singer from Japan who would sing in Spanish and a virtual choir. Lastly, Mayor Huish thanked the Consulate of Mexico and Dr. Lori from Cochise College that made the concert possible.

17. ADJOURNMENT:

Motion by Council Member Morales, **second** by Council Member Shelton to adjourn the meeting at 7:09 p.m.

Prepared by:



Alma Andrade, Acting City Clerk