



Minutes

The Mayor and Council met in a Regular Meeting on Wednesday, March 10, 2022, at 6:00 p.m., at City Hall, Council Chamber, 425 10th Street. The Honorable Mayor Pro Tempore Morales called the meeting to order.

1. **CALL TO ORDER.** 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE.** by Council
3. **INVOCATION.** by Council Member, Ray Shelton
4. **ROLL CALL.**

| | <u>PRESENT</u> | <u>ABSENT</u> |
|-------------------------------------|----------------|---------------|
| MAYOR, DONALD C. HUISH | | X (excused) |
| MAYOR PRO TEMPORE, MARGARET MORALES | X | |
| COUNCILMEMBER, MITCH LINDEMANN | X | |
| COUNCILMEMBER, DANYA ACOSTA | | X (excused) |
| COUNCILMEMBER, RAY SHELTON | X | |
| COUNCILMEMBER, MICHAEL BALDENEGRO | X | |
| COUNCILMEMBER, JOSE GRIJALVA | X | |
| CITY MANAGER, ANA URQUIJO | X | |
| CITY ATTORNEY, DENIS FITZGIBBONS | X | |
| CITY TREASURER, LUIS PEDROZA | X | |
| CITY CLERK, ALMA ANDRADE | X | |

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

- Susan Kramer of 1250 9th Street, commented on the following:
 - Great presentation on the Downtown Revitalization.
- David Studer of 2630 14th Street, commented on the following:
 - Rezoning in his neighborhood.
- Leslie Pollard of 2200 9th Street, commented on the following:
 - Naming City Facility after Sgt. Frank Vejar.

6. DISCUSSION/DECISION on APPROVAL of CONSENT AGENDA ITEMS:

- A. **EXPENDITURES** for the month of February 2022, totaling \$1,456,955.47.
- B. **Meeting Minutes** for February 2, 2022.
- C. **BID AWARD** to LAYNE CHRISTENSEN CO. for the REHABILITATION of WELL 14.

Motion by Council Member Shelton, second by Council Member Baldenegro to approve the consent agenda items as presented.

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

7. DISCUSSION/DECISION on APPROVALS.

A. **FIRST READING OF ORDINANCE NO. 22-1143**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, ADOPTING “2022 AMENDMENTS to ARTICLE 5 of the ZONING REGULATIONS” by reference to AMEND SECTION 510.1, SECTION 510.2, SECTION 501.7, SECTION 501.8, AND SECTION 513.1, RENUMBER and AMEND SECTION 513.2, SECTION 513.3, and SECTION 513.4, and ADD SECTION 513.2, PERMITTED USES, and SECTION 513.3, PROPERTY DEVELOPMENT STANDARDS, of the CITY of DOUGLAS ZONING REGULATIONS; Providing for Severability; and establishing an effective date thereof.

William Osborne provided the following bullet points:

- Zoning Code Text & Map Amendments
- Heavy Industry Zoning District
- ZCA-2022-01 Heavy Industry Zoning Amendment Proposal Summary.
- ZCA-2022-01 Code Amendment Policy Support Highlights.
- Historic Preservation (H-P) Overlay Zoning District
- ZCA-2022-02 H-P Overlay Zoning Code Amendment
- ZCA-2022-02 Code Amendment Policy Support Highlights.
- ZCA-2022-02 H-P Overlay Zoning Amendment Proposal Summary.
- Leslie Canyon Road Rezone

Motion by Council Member Grijalva, second by Council Member Shelton to approve the placement of Ordinance No. 22-1143.

Council Member Lindemann mentioned that years back there were apartments in the downtown area and also in the YMCA building that Cochise College students would utilize and inquired if the proposal was going to be flexible to have apartments again if needed.

Mr. Osborne agreed.

Additionally, Council Member Lindemann inquired if the same requirements would apply to the Heavy Industry area.

Mr. Osborne responded for property development standards there would be flexibility due to properties less than five acres in size and they would need to go through the Planning and Zoning Commission to get approvals. Mr. Osborne continued to say it would not be an administrative process.

Council Member Lindemann inquired if it would change from Heavy Industry.

In response, Mr. Osborne stated it would continue to be Heavy Industry.

Further, Council Member Lindemann asked if the screening requirements was still in place.

Mr. Osborne agreed.

Council Member Grijalva thanked Mr. Osborne for the presentation and for the awareness provided to council on the existence regulations since it wasn't business friendly, however, with the new regulations new businesses or offices would come in to bring employment to the community. Additionally, Council Member Grijalva commented that a greater vision needed to be viewed for the city's best interest and for the need of constituents.

Council Member Baldenegro inquired if any members of the public wanted to address council on the item.

Mr. David Studer from 2630 14th Street addressed the council and stated he attended the last planning and zoning meeting and that changing the rules prior to doing anything would be ideal for people to have the same opportunities. Additionally, Mr. Studer inquired on the fire suppression according to the city code included 8,000 sqft., and if it would change or if apartments would be grandfathered in.

Further, Mr. Studer stated he was in support of the item being that he is a businessman, and this would bring flexibility to businesses.

Ida Pedrego of 1815 5th Street stated it would be a good opportunity for the community and inquired on the already established businesses, and if they would be grandfathered in. Additionally, Ms. Pedrego commented there are other things that need to be looked into and also supported the item as it would be a great opportunity for the community.

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

Motion by Council Member Baldenegro, second by Council Member Shelton to approve the first reading of Ordinance No. 22-1143.

Council Member Grijalva inquired if Mr. Studer's concerns could be addressed before the third reading.

Ms. Urquijo responded it would be worked on.

Mr. Osborne added that the uses that are in place are grandfathered in and for other zonings, the city is adding to the uses in place already. Further, Mr. Osborne stated that current properties use would be fine, but if there was opportunity to invest in the buildings, the city would allow flexibilities and uses wouldn't change.

Moreover, Mr. Osborne stated that in reference to fire suppression, the Fire department, Business licenses and Development Services would make sure they are up to date with applicants during the process and concerns are raised upfront.

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

B. **RESOLUTION NO. 22-1488**, a Resolution of the Mayor and Council of the City of Douglas, Cochise County, Arizona, DECLARING as a PUBLIC RECORD that certain document filed with the CITY CLERK and ENTITLED "2022 AMENDMENTS to ARTICLE 5 of the ZONING REGULATIONS" regarding amending the CITY of DOUGLAS ZONING REGULATIONS relating to the HEAVY INDUSTRY and HISTORICAL PRESERVATION OVERLAY ZONE and AMENDING SECTION 510.1, SECTION 510.2, SECTION 501.7, SECTION 501.8, and SECTION 513.1, RENUMBERING and AMENDING SECTION 513.2, SECTION 513.3, and SECTION 513.4, and ADDING SECTION 513.2, PERMITTED USES, and SECTION 513.3, PROPERTY DEVELOPMENT STANDARDS, of the CITY of DOUGLAS ZONING REGULATIONS.

Denis Fitzgibbons provided background information and stated the city was trying to lower publication costs; therefore, the city charter section 14 allowed the city to adopt city code provisions by reference. Mr. Fitzgibbons stated that publications are charged based on how lengthy codes are, and this would be based on city charter section 7 and state statute 9-802 in which would allow cities to adopt longer code sections by declaring of public record and the ordinance is the only document to published.

Lastly, Mr. Fitzgibbons commented that it would provide notice on where to find such documents and it's a method to make the city more efficient and publication costs as a city.

Motion by Council Member Shelton, second by Council Member Baldenegro to approve Resolution No. 22-1488.

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

ITEM 7C: REMOVED FROM THE AGENDA AS POSTED ON FRIDAY, MARCH 9, 2022.

C. ~~FIRST READING OF ORDINANCE NO. 22-1144~~, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, ~~REZONING FIVE PARCELS of LAND COMPRISING LOTS 14 through 26, THE NORTH HALF of BLOCK 30 of the FOOTHILLS ADDITION to the CITY of DOUGLAS, NUMBERED 41032119B, 41032120B, 41032120C, 41032120D, 41032121, located to in DOUGLAS, ARIZONA, from SINGLE-FAMILY RESIDENTIAL 8000 (SFR8) to SINGLE-FAMILY RESIDENTIAL 6000 (SFR6) and AMENDING the OFFICIAL ZONING DISTRICT MAP, established by Ordinance 691 and AMENDED by Ordinance 858; establishing severability of components of Ordinance; and establishing an effective date thereof.~~

D. **FIRST READING OF ORDINANCE NO. 22-1145**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, REZONING THREE PARCELS of LAND within the NORTHWEST ¼ of SECTION 7, TOWNSHIP 24 SOUTH, RANGE 28 EAST FRONTING ON N. LESLIE CANYON RD, located in DOUGLAS, ARIZONA, from SINGLE-FAMILY RESIDENTIAL 32,000 (SFR32) and GENERAL COMMERCIAL (GC) to HEAVY INDUSTRY (HI) and AMENDING the OFFICIAL ZONING DISTRICT MAP, established by Ordinance 691 and AMENDED by Ordinance 858; establishing severability of components of Ordinance; and establishing an effective date thereof.

Ms. Urquijo provided background information and stated planning and zoning commission approved said item.

Mr. Osborne provided the following bullet points:

- Leslie Canyon Road Rezone
- Former Forestry Service property and Borane Trust properties totaling 4.39 acres
- Opportunity for industrial development site close to Highway 80 with buffer area
- Heavy Industry Zoning Code Amendment (ZCA-2022-01) recommendation of approval required for contingent staff recommendation on the rezone proposal
- SFR32 & GC to HI
- ZMA-2022-02 Map Amendment Policy Support Highlights.

Motion by Council Member Grijalva, second by Council Member Baldenegro to approve the placement of Ordinance No. 22-1145.

Council Member Grijalva expressed excitement regarding the item due to being in his ward. Additionally, Council Member Grijalva mentioned the large vacant lands were available to fill with businesses and bring employment to the community.

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

Motion by Council Member Baldenegro, second by Council Member Shelton to approve the first reading of Ordinance No. 22-1145.

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

8. CITY MANAGER REPORTS.

Ms. Urquijo provided the following reports:

- Notify Me section on the website for the public to register and receive alerts to any items added to the website or meetings.
- DAZ-L App for series of updates for news, announcements, press releases on real time news.

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

Council Member Lindemann provided the following statement: "I would like to thank my constituents for their continued support and for having faith in me as their representative and will continue to do my very best for them and for the community, thank you."

Council Member Shelton echoed Council Member Lindemann's statement and stated it has been an honor to represent the community.

Additionally, Council Member Shelton stated some of the issues from fourteen years ago were still in place and those were the Downtown Revitalization, the Airport, the Golf Course, RV Park, Roads, and also the new port of entry.

Further, Council Member Shelton added it was great to know staff was working on solving those issues and for the public to realized that the mentioned issues are long time situations and council might need to make decisions to improve the community.

Council Member Baldenegro apologized to Chief Fullen for the unannounced visit on February 10, 2022.

Council Member Grijalva thanked Mr. Abe Villareal from Cochise College who invited Council Member Shelton and him to be part of a civility conversations panel.

Additionally, Council Member Grijalva thanked Diane's Photography for hosting the Douglas Business Network mixer for February, Ms. Urquijo for the future vision presentation, and Mayor Pro Tempore for attending.

Moreover, Council Member Grijalva invited the public to support the Douglas Bulldogs Baseball Team vs. Cholla at 5pm, and the game would be dedicated to veterans.

Further, Council Member Grijalva stated he had been working with Paul Franco of Infinite Power Energy Solutions, Scottie Babicky from the American Legion, Fabian Ochoa-Coach for Douglas, and Angel Ortega-Athletic Director for organizing the event as it wouldn't be possible without the generous donations of Mr. Franco and the American Legion for the summer games uniform.

As an additional comment, Council Member Grijalva commented there would be three alumni Bulldogs throwing the first pitch and veterans will be in attendance as well.

Mayor Pro Tempore Morales congratulated Council Members Lindemann, Shelton and Grijalva on their reelection and stated is looking forward to continuing to work with them since council has a lot of great things to do ahead.

10. ADJOURNMENT.

Motion by Council Member Shelton, second by Council Member Grijalva to adjourn the meeting at 7:06 p.m.

Prepared by:


Alma Andrade, City Clerk