

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 16TH DAY OF JULY 2012**

CALL TO ORDER-Mayor Robert "Bob" Irvin called the regular session meeting to order on Monday, July 16, 2012 at 7:00 p.m.

ROLL CALL-City Clerk Virginia A. Mefford, called the roll

PRESENT

Mayor Robert "Bob" Irvin
Councilman Elwood A. Johnson
Councilwoman Monika Cronberg
Councilman Earl B. Goolsby
Councilman William "Bill" Nigh

ABSENT

Vice Mayor William "Bill" Holloway
Councilman Gerald W. Lindsey

STAFF

City Manager Pat McCourt
City Clerk Virginia A. Mefford
Public Services & Works Director Dave Bonner
Finance Director Ruth Graham
Development Services Jeff Stoddard
Library Director Tom Miner
City Attorney Hector M. Figueroa

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Robert "Bob" Irvin

DECLARATION ON CONFLICT OF INTEREST

No Conflicts were declared.

CALL TO THE PUBLIC

None

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA

MOTION Councilman Goolsby to accept the agenda as presented removing Item # 18 and items #23-26 related to executive session. **SECOND:** Councilwoman Cronberg. **CARRIED**

CONSENT AGENDA

Items that are considered to be routine by the City Council will be enacted by one motion **without** discussion. The consent agenda is a timesaving device and Councilmember's have received documentation on these items for their review prior to the open meeting. Any Councilmember may remove any item from the consent agenda for discussion and a separate vote as deemed necessary. The public may view the documentation relating to the consent agenda on the City's web site or 24 hours prior to the meeting at the City Clerk's Office, 101 S. Railroad Avenue, Suite B, Willcox, AZ from 8:30 a.m. to 4:30 p.m. or at the Elsie S. Hogan Library, 100 N. Curtis Avenue during normal working hours Monday-Saturday.

THE REGULAR MEETING MINUTES OF March 5, 2012, Work Session Meeting Minutes March 5, 2012, Tab 1 Regular Meeting Minutes March 19, 2012, Work Session Meeting Minutes March 19, 2012 and March 26, 2012, Regular Meeting Minutes of June 18, 2012.

MOTION Councilman Goolsby to accept the agenda as presented removing Item # 18 and items #23-26 related to executive Session. **SECOND:** Councilwoman Cronberg. **DISCUSSION:** City Manager wanted clarification on the removal of item 18 to have a work session at a later time. **CARRIED**

PUBLIC HEARINGS, PETITIONS, AND COMMUNICATIONS

Public hearings: The Mayor and Council will hold Public Hearings on Monday, July 2, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, relating to:

- (1) Mayor Irvin read the following: Public Hearing on final Budget (Public Hearing on July 16th); Mayor Irvin opened the Public Hearing at 7:06 PM, Hearing no comments the Public Hearing was closed at 7:06 pm.
- (2) Mayor Irvin opened the Public Hearing on Property Tax Levy (July 16th and August 6th)

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at 7:07 PM, Hearing no comments the Public Hearing was closed at 7:07pm.

DISCUSSION/DECISION REGARDING PERMISSION TO BE AN AGENT FOR THE WILLCOX HISTORIC PRESERVATION INC IN GRANT APPLICATION

MOTION: Councilman Goolsby moved Regarding Permission to be an agent for The Willcox Historic Preservation Inc. in grant application. **SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** City Manager McCourt explained that this asking the city to help them with this grant and this is to help out along Railroad Park and Johnson asked what the financial burden to the city is. City Manager McCourt stated the staff time. Mr. Johnson asked what about \$17.50 an hour or what? City Manager McCourt stated it would be in the staff time and this is a budgeted into the budget. **CARRIED**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-64 THE PROPOSAL FOR ADDITIONAL ARCHITECTURAL SERVICES BY DESA ARCHITECTURE FOR THE WILLCOX COMMUNITY CENTER IMPROVEMENTS UNDER PHASE 3 THAT WILL BE FUNDED UNDER CDBG FUNDS ADMINISTERED THROUGH SEAGO AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilwoman Cronberg moved proposal for additional Architectural Services by DESA Architecture for the Willcox Community Center improvements Under Phase 3 that will be funded under CDBG Funds administered through SEAGO **SECONDED:** Mayor Irvin seconded the motion **DISCUSSION:** City Manager McCourt stated if you remember this was bit of a bidding problem and all bids were rejected and our consultant usually does this for us and they are looking for some small compensation. Councilman Johnson asked do we have to what was the budgeted amount on this. Mr. Bonner stated about \$143,000. Johnson asked what the scope on this project is. Mr. Bonner stated the stucco, doors and walls. Councilman Johnson asked after this is complete what else will this cover? Mr. Bonner stated the windows Councilman Johnson asked does this give us more occupancy. Mr. Bonner stated it gives us more area with the new doors that will open up and adding the windows. **CARRIED**

DISCUSSION/DIRECTION TO STAFF REGARDING GOLF COURSE CONTRACT

MOTION: Councilwoman Cronberg moved to staff regarding golf course contract **SECONDED:** Councilman Nigh seconded the motion **DISCUSSION:** Mr. Jones stated he wanted to reiterate, from the last meeting, it is not going very well out there at all, and I did ask if they could run my average payroll between 50 to 60 hours per week. The proposal I put in front of you and the pictures I took, he explained, these pictures I took are the before and after two weeks, I had to pull them out and clean them. My main focus is on the greens right now and I don't have time to be putting them in and pulling them back out to clean them off. The golf course is a city asset; I am proposing the city take care of this. If this can't be taken care of, there will be areas that will die. I know the city buys sprinklers and I bought 5 sprinklers at a cost of \$500 and I don't mind putting them into the ground but would like for the city to purchase them. Item number 2 of the proposal, the 2% increase I would like this to be removed in #3 the club house; it needs a lot of TLC, it is not the best first impression; it needs sidings, ceiling fans, and paint. I hope the City of Willcox will be responsible for this. #4 the City of Willcox could provide 2 inmates a day to help us out. It would be a tremendous help to have them. I know being a privately ran, I will be difficult process but hope the city it would help push this through. #5 the problems with the irrigation system, currently the City of Willcox helps, but the PH level is high and this has created a higher cost for me to maintain and I am asking the City of Willcox to help with this. This also ties in to the sprinkler system as in item #1. Item #6 we are asking for \$25,000 and it doesn't go into my pocket but to help me hire someone fulltime. We have had a 30% downfall. I am not looking into putting money into my pocket. Right now it seems like I'm putting bandages and filling in holes. Ms. Cronberg stated I asked Mr. Jones to make a proposal for Council and asked Mr. Jones if an opportunity had this month to meet with Mr. Bonner and Mr. Nigh. Mr. Jones stated not since that last meeting. Councilwoman Cronberg thought after the last meeting the City of Willcox would take the time to meet with you. Mr. Nigh asked Mr. Bonner about the water situation, and stated I have a good idea to use a skimmer on the lake. City Manager Mr. McCourt stated we do have a current contract I would like to shed some light on this situation, the 2% clause the contract stated, it clearly states this is not a plus contract. We have put every cent back into the Golf Course. City of Willcox is responsible for capital work. I did ask maintenance if there were any work orders and they indicated there were not. On the inmate issue we are trying to provide this but have not found a way to do this. The contract very clearly stated the Pro is responsible for this on item #6, and \$25,000 a year increase I cannot support that. You are reducing the work on your contract if we do this and that is not right. Councilman Goolsby stated this 30% downfall did not fall all at once, what were you doing back then? Historically you saw this coming maybe not. Mr. Jones stated I thought the economy was as low as it would have

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gone but the economy seems to have fallen even lower. A lot of courses are struggling, it is what it is. Councilwoman Cronberg stated when the pump went out for a few weeks right after you took over the Golf Course. Mr. Jones stated I lost about \$5000 I couldn't water, and we had a deep freeze our reputation relies on the greens. The water system changed with the PH level I would not have signed the contract if I knew this was going to change. Councilman Johnson asked if an asset to the City is. Mr. Jones stated it is an incredible asset. Councilman Johnson asked what kind of out of Towner's do we get. Mr. Jones stated a few do come in and use the facilities; I would like to advertise to the Northwest. Councilman Johnson how important to a city is a golf course. Chamber of commerce President stated it is very important. Councilwoman Cronberg stated before we jump the gun here you know taking this on you knew you were not going to make gobs of money you wanted to bring your family back and the way of living. You as a Pro you could provide lessons to make a little extra. Mr. Jones stated not much most golf courses have a Pro and that is all they do. Councilwoman Cronberg stated I am the one that encourage you to make your premise. I know this was very difficult for you to do but with this 5 year contract was to look at this and revise this contract and talk about the aspects of this proposal. Councilman Goolsby asked for further discussion. Councilwoman Cronberg stated I am asking the City of Willcox and Mr. Jones to work something out on this. Johnson stated this is a way of life in Willcox and the golf course is playable and a beautiful course. What you are doing is opening up a way for the City of Willcox to work Nigh stated the water is a problem, you would not have an alkaline you would have some much problems with cleaning your heads. Johnson stated he gets whatever the City of Willcox gives him. Councilwoman Cronberg stated I put myself out there to look at the contract and be open to the ideas can be mediated. Johnson stated does the council need to discuss his contract as the City of Willcox is not willing to work with him on his contract. Mr. McCourt stated my understanding is direction. Councilwoman Cronberg stated I appreciate that very much. Ms. Peterson stated when we made out this contract with Mr. Jones and it was at its peak, when the pump went out and this was a big of rough spots and then a series of things happened know the golf course demographics have changed the golfer have since moved. One more thing this golf course is one of the non profits groups uses this course to raise money. City Manager McCourt I realize your leaving for vacation is it okay for Mr. Bonner to meet with Mr. Jones. City Manager McCourt stated I don't leave for one more week and would be willing to with Mr. Jones and Mr. Bonner will be acting City Manager while I am gone so that would be appropriate. Mr. Nigh stated I have meet with the staff at the water treatment and we do have a great staff to do this.

CARRIED

DISCUSSION/DECISION REGARDING REFUND OF SPECIAL USE PERMIT FEES FOR PAMPERED PETS

MOTION: Councilman Goolsby moved regarding refund of special use permit fees for Pampered Pets

SECONDED: Councilman Johnson **DISCUSSION:** City Manager McCourt stated I have a conflict on this item; Mr. Stoddard has the information on this. Mr. Stoddard stated Mr. McCourt asked what is this zoned as I stated it is zoned as an R3 a couple of week later Mr. Webster bought this place and wanted to put a business in there. Ms. Leighton the realtor asked why it was zoned as commercial property and the staff at Planning and Zoning also stated it was zoned as commercial. I suggested them to get a special permit which they did and allowed the business and they are requesting a refund of \$1000 for the permit they paid for. Councilman Johnson asked when this was a Rotary club there was it considered residence. Mr. Stoddard read the history and facts. All they are looking at is the building. Mr. Stoddard stated all they are asking. Mr. Webster stated the street down the road we would like to donate that piece of property. Mr. Stoddard stated that has to be an item at a later date. **CARRIED.**

**DISCUSSION/DECISION REGARDING STRONGHOLD FEED AND SUPPLY REQUESTS STREET
CLOSURE FROM RAILROAD AVENUE BETWEEN FREMONT AND WOODS BETWEEN LIGHT POSTS IN FRONT
OF STRONGHOLD FEED ON OCTOBER 6, 2012 FROM 5:00 PM UNTIL 12:00 AM.**

MOTION: Councilman Johnson moved regarding Stronghold Feed and Supply Requests Street Closure from Railroad Avenue between Fremont and Woods between Light Posts In Front Of Stronghold Feed on October 6, 2012 from 5:00 pm until 12:00 Am. **SECONDED:** Councilman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson stated it was a success last year. **CARRIED**

**DISCUSSION/DECISION REGARDING PAYMENTS TO THE STREET FUND BY THE GENERAL FUND
FOR WORK DONE AT QUAIL PARK FOR PARKING AREA.**

MOTION: Councilman Goolsby moved regarding payments to The Street Fund by the General Fund for work done at Quail Park for parking area. **SECONDED:** Councilwoman Cronberg **DISCUSSION:** City Manager McCourt last time we proposed a month to month we don't know how long it will go on but they anticipate for this to go on. Councilman Johnson stated the total spent is. City Manager McCourt stated about \$10, 883. Councilman Johnson stated we will need a

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minimum of \$10,000 would be 10 months. Mr. Bonner stated these cost were to utilize the permit and employees but its same type of building and what we spent to clean up the area and more to the parking area. Councilman Johnson stated we are recouping some money for this and we spent like \$10,000 they could have done this anyway without putting money into it, for clarification we are splitting the cost it did not cost the City this, but we will receive \$1000 a month with a month by month lease. **CARRIED**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-65 FORMALLY APPROVE AND AUTHORIZE THE WRITE-OFF OF CERTAIN TERMINATED UTILITY ACCOUNTS THAT HAVE BECOME NON- COLLECTIBLE AND THE UNPAID BALANCES ASSOCIATED THEREWITH AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilwoman Cronberg moved to approve and authorize the Write-off of certain terminated utility account that have become non-collectible and the unpaid balances associated therewith **SECONDED:** Councilman Goolsby seconded the motion. **DISCUSSION:** Ms. Graham stated the write-off for a year ago we have sent out letters since the request we spent time sending this out since that time we recouped 46% of the cost. Mr. McCourt stated this is an accounting write-off we do continue to pursue them until paid \$12, 444.98. **CARRIED**

DISCUSSION/ DECISION REGARDING RESOLUTION NO. 2012-66 APPROVING AND AWARING THE RAILROAD LIFT STATION (“RLS”) BID TO BESTWAY ELECTRIC MOTOR SERVICE, CO, INC. (“ BESTWAY”), AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilwoman Cronberg moved to approve and awarding the Railroad Lift Station (“RLS”) bid to Bestway Electric Motor Service, Co, Inc. (“ Bestway”), **SECONDED:** Councilman Goolsby seconded the motion. **DISCUSSION:** City Manager McCourt explained in order to have our sewer to drain correctly as we are on flat land. This is a very old lift station and we cannot get replacement and this was discussed in previous meeting. Johnson asked what City Manager McCourt stated \$44,000; City Manager McCourt stated there was a lower bid of \$42,000. Mr. Noland stated we did have three bidders one was eliminated as it was not bided correctly it went to the one that bid \$43,953. Councilman Nigh asked was they are. Noland stated this was not built the best, but the one that is built in the north side of town. We decided to put a grinder pump. It is a huge ball of rages and we had a problem with leaks we are retrofitting them so we are changing the entire system like the one on the other side. Councilman Nigh asked what the gallons per minute are. Mr. Noland stated we can pump 450 gallons. Councilman Nigh asked they are not very expensive, they use them in mines and they are very low pressure they are repairable and they are manufactured, they would be a lot of cheaper. This cost seems outstanding. Mr. Noland stated we are retrofitting and there is nothing but onsite fabrication. Councilman Johnson asked will this relieve the smell. Mr. Noland stated we have tried to fix this problem and anytime you have water we have put manhole seals. **CARRIED**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2011-67 ADOPTING THE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2012-2013

MOTION: Councilman Goolsby moved to approve adopting the budget of the City Of Willcox For Fiscal Year 2012-2013 **SECONDED:** Mayor Irvin seconded the motion. **DISCUSSION:** Councilman Nigh asked what the \$12 million is for. City Manager McCourt stated the anticipation of the wastewater treatment system if you remember we have to budget for it or we can't spend it we have two source grant funding we have to complete a portion of the plant to see where we would get a grant to help with this we don't know what that amount will be so we budgeted for it. Mr. Nigh stated I am looking at this page; CM McCourt stated we would have to go to council to spend that money. Johnson stated he has several questions what was the decision on the 3% or .50 cent per hour. Mr. McCourt stated we brought this back at the preliminary budget at 3% raise. We have implemented a 3% raise. Johnson stated I feel we should have done a .50 cent raise as the lower end of the pay scale would benefit from it. Council Johnson asked about the airport development. Mr. McCourt stated we could discuss this at anytime. Councilman Johnson stated how bout the \$100,000 set a side. City Manager McCourt stated you can us this as you see fit as a council. Councilman Johnson stated the freeze the travel for only have you looked at the four day work week. If you talk about the city budget the areas that the City of Willcox is having difficulties is the General Fund and if we put a freeze on everything it would make it difficult to run the City of Willcox . We are very actively working with the expenditure. We have eliminated the \$5000 for the gas. Mayor and council we do have a report on this it was not a major roll we don't have capital expenditures we told the staff we do have other funds like the railroad stations we do have quite a bit of work in front of us. **4 ayes:** Mayor Irvin, Councilwoman Cronberg, Councilman Goolsby, and Councilman Nigh **1 Nay:** Councilman Johnson. **CARRIED**

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~~**DISCUSSION/DECISION REGARDING NO. 2012-68 APPROVING AND ADOPTING THE FACILITY USE
FEES FOR QUAIL PARK, KEILLER PARK AND RAILROAD PARK.**~~

**RESOLUTION NO. 2012-69 RELATING TO THE GRANT AWARD FROM THE GOVERNORS OFFICE
HIGHWAY SAFETY FOR FY 2013, AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND ACCEPTANCE
OF THE AWARD AND DECLARING AN EMERGENCY TO EXIST.**

MOTION: Councilman Goolsby moved relating to the grant award from The Governors Office Highway Safety for FY 2013,
SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** CM McCourt explained this is a grant award
for overtime. Jake stated we did receive notification we would receive the \$7500 for overtime compensation and the other
part will be used for breathalyzer test. **CARRIED**

**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-70 APPROVING AND ADOPTING THE DISPLAY
AND ADVERTISING AGREEMENTS BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE ARIZONA RANGE
NEWS/SAN PEDRO VALLEY NEWS-SUN ["ARN/SPVNS"] FOR THE PURPOSE OF ESTABLISHING PUBLICATION
COSTS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO
EXIST.**

MOTION: Councilwoman Cronberg moved to approve and adopt the display and advertising agreements between
the City of Willcox ["City"] and the Arizona range news/san Pedro Valley News-Sun ["ARN/SPVNS"] for the purpose of
establishing publication costs. **SECONDED:** Councilman Goolsby seconded the motion. **DISCUSSION:** City Manager
explained there is no requirement to do this but it is required to post thing and it is in our best interest to do this contract.
CARRIED

REPORTS BY THE CITY MANAGER PAT MCCOURT

Consideration, Discussion, and/Or Decision Regarding the Following Topics by the City Manager:

- **Report on Arizona League of Arizona Cities & Towns Annual Conference-** will be held on August 28-31, 2012
at the Hyatt Regency Scottsdale at Gainey Ranch.
- **Skate Park Dedication-** On July 21, 2012 at Keiller Park at 8: 30 a.m. **Report City Manager Vacation-** City
Manager is on vacation from July 24th to August 10, 2012 Dave Bonner will be covering in my absence.
- **City Manager Mr. McCourt** requested a work session for hazard mediation plan, and stated the Ramada
at Keiller Park is progressing they put stucco on it..

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Mayor Irvin stated I have been invited to speak on this and would like to extend this to Councilman Johnson as you have
worked very hard on this. Councilman Johnson stated he would have to check his schedule. Councilman Johnson stated
with utilities going up, property tax going up, I want to look closely at raising the rate at the park. Nigh stated I did visit our
Waste water treatment plant and they know what they are doing I have a very good understanding what they are doing. I
think the council needs to reconsider the \$12 million for a waste water treatment plant I encourage the councilman to
take a look at the Scottsdale plant. Mr. Baker has some expertise on the Waste Water Treatment and he know some
good people about this.

~~**DISCUSSION/DECISION ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED
STATUTES §38-431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY
OR ATTORNEYS OF THE PUBLIC BODY**~~

~~Consideration, discussion and/or decision to enter into an Executive Session pursuant to
ARS §38-431.03A(1) and (3), as stated, relating to consideration of employee and consultation
for legal advice with the attorney(s) of the public body.~~

~~**RECESS TO EXECUTIVE SESSION, IF APPROVED RECONVENE FROM EXECUTIVE SESSION
DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION**~~

~~Consideration, discussion, decision and/or direction to staff regarding matters discussed in Executive Session and/or
consultation for legal advice from City Attorney.~~

ADJOURN with no further discussion at **8:48 pm**

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Willcox held on the 16th day of July 2012. I further certify that the meeting was duly called and held, and that a quorum was present

Dated this 16th day of July 2012

/s/ Virginia A. Mefford
City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 17 day of September 2012.

/s/ Robert A. Irvin
MAYOR ROBERT A IRVIN
Signed 08-20-2012

ATTEST:

Virginia A. Mefford
City Clerk Virginia A. Mefford