

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 5th DAY OF NOVEMBER, 2015**

CALL TO ORDER - Mayor Bob Irvin called the meeting to order at 6:30 p.m.

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

PRESENT

Mayor Robert A. Irvin
Vice Mayor Earl Goolsby
Councilman Elwood A. Johnson
Councilman Gerald W. Lindsey
Councilman William "Bill" Nigh
Councilman Timothy A. Bowlby
Councilman Michael J. Laws

STAFF

City Manager Ted Soltis
City Clerk Virginia Mefford
City Attorney Ann P. Roberts
Interim Police Chief Jose Rios
Finance Director Crystal Hadfield
Public Works Director Nalo Galovale

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Mayor Irvin

CALL TO THE PUBLIC

Rob Jones noted that a \$10,000 grant was received for the second phase of the skateboard park. He thanked the City Manager for his support. He encouraged people to be positive about Willcox and to pray for the City.

DECLARATION ON CONFLICT OF INTEREST - None

ADOPTION OF THE AGENDA

MOTION: Councilmember Johnson made a motion to adopt the agenda.

SECONDED: Councilmember Bowlby seconded the motion.

MOTION CARRIED

APPROVAL OF MINUTES OF THE REGULAR MEETING OF OCTOBER 1, 2015

MOTION: Councilmember Johnson made a motion to approve the minutes as presented.

SECONDED: Councilmember Bowlby seconded the motion.

MOTION CARRIED

**APPROVE STREET CLOSURE REQUEST FOR VETERANS DAY PARADE TO BE HELD ON NOVEMBER 11TH
FROM 9:00 A.M. TO 12:00 P.M.**

MOTION: Councilmember Johnson made a motion to approve the street closure request for the Veterans Day Parade to be held on November 11th from 9:00 a.m. to 12:00 p.m.

SECONDED: Councilmember Bowlby seconded the motion.

DISCUSSION: Councilmember Lindsey asked if ADOT has approved it. City Manager stated it has.

MOTION CARRIED

**APPROVE STREET CLOSURE REQUEST FOR THE CHRISTMAS LIGHTED PARADE TO BE HELD ON
DECEMBER 5TH FROM 5:00 P.M. TO 7:00 P.M.**

MOTION: Councilmember Johnson made a motion to approve the street closure request for the Christmas Lighted Parade to be held on December 5th from 5:00 p.m. to 7:00 p.m.

SECONDED: Councilmember Lindsey seconded the motion.

DISCUSSION: Councilmember Lindsey suggested contacting ADOT about closing Maley Ave. Councilmember Johnson said it was not necessary as the Parade disperses at Maley Ave.

MOTION CARRIED

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RESOLUTION 2015-28 - A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT AWARDED TO WILSON ENGINEERS, LLC (“ENGINEER”) FOR DESIGN AND ENGINEERING SERVICES FOR RECONSTRUCTION OF THE 0.6 MGD WASTEWATER TREATMENT FACILITIES

MOTION: Councilmember Johnson made a motion to approve Resolution 2015-28.

SECONDED: Councilmember Bowlby seconded the motion.

DISCUSSION: City Manager Soltis updated Council on the next phase and will request to have a representative at the next meeting to answer questions.

MOTION CARRIED

1ST QUARTER FINANCIAL REPORT - CRYSTAL HADFIELD

DISCUSSION: Finance Director Hadfield gave a report regarding the 1st Quarter Financial Report. Councilmember Lindsey asked why refuse has a surplus of about \$52,000. Ms. Hatfield explained it will even out throughout the year as it has a lot to do with volume. Councilmember Laws asked if the demolition of the buildings will affect the fund. Ms. Hadfield stated this will be taken care of by the Community Development Block Grant (CDBG) fund.

EXECUTIVE SESSION PER ARS 38-431.03.A.3 FOR CONSULTATION WITH THE CITY ATTORNEY REGARDING THE 1987 GOODWIN WATERLINE EASEMENT AGREEMENT

MOTION: Councilmember Lindsey made a motion to enter into Executive Session at 6:49 p.m.

SECONDED: Vice Mayor Goolsby seconded the motion.

MOTION CARRIED

Council returned from Executive Session at 7:35 p.m.

FOR CONSIDERATION, POSSIBLE APPROVAL, AND OR DIRECTION TO STAFF REGARDING A PROPOSED MODIFICATION OF THE 1987 GOODWIN WATERLINE EASEMENT AGREEMENT

MOTION: Councilmember Johnson made a motion to reject the proposed modification to the 1987 Goodwin Waterline Easement Agreement.

SECONDED: Councilmember Laws seconded the motion.

MOTION CARRIED

RESOLUTION 2015-29 - A RESOLUTION DECLARING A PUBLIC NEED, NECESSITY AND A PUBLIC USE; APPROVING, AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO ACQUIRE ON BEHALF OF THE CITY OF WILLCOX THROUGH DONATION, OUTRIGHT PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN FOR THE PUBLIC PURPOSES OF ALL, AN EASEMENT INTEREST IN CERTAIN DESCRIBED REAL PROPERTY IN THE COUNTY OF COCHISE, ARIZONA, IN ORDER FOR THE CITY TO CONTINUE TO PROVIDE WATER SERVICE PURSUANT TO ARIZONA REVISED STATUTES, SECTION 9-511 AND TO PROPERLY AND ADEQUATELY DELIVER POTABLE WATER TO THE INHABITANTS OF WILLCOX, AS A MATTER OF PUBLIC NEED AND NECESSITY; REFERENCING TITLE 12 OF STATE LAW CONCERNING THE EXERCISE OF EMINENT DOMAIN FOR PUBLIC PURPOSES AND DECLARING A MATTER OF PUBLIC NEED AND NECESSITY AND DECLARING AN EMERGENCY.

MOTION: Councilmember Johnson made a motion to approve Resolution 2015-29.

SECONDED: Councilmember Bowlby seconded the motion.

MOTION CARRIED

CITY MANAGER’S REPORT

- He welcomed Public Works Director Galovale “Nalo” Galovale.
- Nalo Galovale introduced himself as an Engineer with ten years of public sector experience. He is looking forward to assisting with the construction of the waste water treatment plant and other projects.
- Rex Allen Days was a success and he thanked everyone, including staff, for all their work.
- He noted that the Cowboy Hall of Fame was a great success and is a special time to honor and remember those involved in ranching.
- He and Mayor Irvin attended the Sulphur Springs Valley Electric Company (SSVEC) community leader dinner.

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- He attended the Northern Cochise Fund Grants Award celebration.
- He mentioned that Western Bank celebrated their 5th year anniversary and he thanked them for their service.
- The City received a \$10,000 grant for the skateboard park. The City has some money left over from Phase I and that will added to Phase II.
- He mentioned that the Historic Preservation Advisory Committee has approved the roof design for the Mascot railcar. Low bid came in at \$24,600. Funds have been budgeted. This will be paid for with railroad revenues received in 2007 for this purpose. We will proceed with getting the structure in place.
- He gave an update on the waste water treatment plant. The approval of the construction management contract will be on the next meeting agenda.
- He gave an update on CDBG paperwork. The City is in the tail end of the latest comment period. The various property owners are being asked to do some clean-up as this will help keep the cost down on the use of CDBG funds. The next step in this process is to hire a firm to see if there is any asbestos or lead. If any is detected, a firm will be contracted to remove it. If the removal costs are too great, the City will have to prioritize which projects will be completed.
- The City is working on updating its plans for road repair work. The goal is to make sure the plans keep up with street maintenance.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

- Vice Mayor Goolsby reminded everyone that Wednesday is Veterans Day, and if you see anyone who has given service to thank them.
- Councilmember Laws congratulated Mr. Galovale and welcomed him on board.
- Councilmember Bowlby congratulated Mr. Galovale and welcomed him.
- Councilmember Johnson also welcomed Mr. Galovale.
- Councilmember Lindsey announced that Willcox Real Estate is closing and he is moving to Di Peso Realty.

ADJOURN

With no further business before the Mayor and Council, the meeting was adjourned at 7:54 p.m. by Mayor Irvin.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Willcox held on the 5th day of November 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 5th day of November 2015

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

PASSED, APPROVED AND ADOPTED this 17th day of December 2015.

/s/ Robert A. Irvin
Mayor Robert A. Irvin

ATTEST:

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