

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6TH DAY OF JULY 2017**

**CALL TO ORDER** - Mayor Michael Laws called the meeting to order at 6:30 p.m.

**ROLL CALL** - City Clerk Crystal Hadfield called the roll.

**PRESENT**

Mayor Michael J. Laws  
Vice Mayor Terry Rowden  
Councilman Gerald "Sam" Lindsey (Telephonically)  
Councilman Robert A. Irvin  
Councilman Elwood A. Johnson  
Councilman Timothy A. Bowlby  
Councilwoman Rachel D. Garza

**STAFF**

City Manager Ted Soltis  
Finance Director/City Clerk Crystal Hadfield  
Public Safety Director Jose Rios

**PLEDGE OF ALLEGIANCE TO THE FLAG** - Led by Mayor Laws

**CALL TO THE PUBLIC** -None

**DECLARATION ON CONFLICT OF INTEREST** - None

**ADOPTION OF THE AGENDA**

**MOTION:** Councilmember Bowlby made a motion to adopt the agenda as presented.

**SECONDED:** Vice Mayor Rowden seconded the motion.

**MOTION CARRIED**

**APPROVE THE JUNE 15, 2017 COUNCIL MEETING MINUTES**

**MOTION:** Councilmember Bowlby made a motion to approve the June 15, 2017 Council meeting minutes.

**SECONDED:** Councilmember Irvin seconded the motion.

**MOTION CARRIED**

**PUBLIC HEARING ON FISCAL YEAR 2017-2018 BUDGET**

**PUBLIC HEARING OPENED:** Mayor Laws opened the Public Hearing at 6:32 p.m.

**PUBLIC HEARING CLOSED:** Mayor Laws closed the Public Hearing at 6:33 p.m. with no comments.

**PUBLIC HEARING ON PROPERTY TAXES**

**PUBLIC HEARING OPENED:** Mayor Laws opened the Public Hearing at 6:33 p.m.

**PUBLIC HEARING CLOSED:** Mayor Laws closed the Public Hearing at 6:35 p.m.

**DISCUSSION:** Councilmember Johnson asked for clarification on the secondary property tax. Questions regarding the tax were answered by Finance Director/City Clerk Crystal Hadfield and City Manager Ted Soltis.

**RESOLUTION 2017-13 – A RESOLUTION ADOPTING THE FINAL BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2017-2018**

**MOTION:** Councilmember Bowlby made a motion to approve Resolution 2017-13 to adopt the final budget of the City of Willcox for Fiscal Year 2017-2018.

**SECONDED:** Vice Mayor Rowden seconded the motion.

**DISCUSSION:** Councilmember Johnson asked if the gas welder position was budgeted. City Manager Soltis explained that the welder position is budgeted as an employee on an as needed basis.

**MOTION CARRIED (6 Aye's: Laws, Rowden, Lindsey, Irvin, Bowlby, Garza, and 1 Nay: Johnson)**

**RESOLUTION 2017-14 – A RESOLUTION APPROVING THE COCHISE COUNTY TOURISM STEERING COMMITTEE INTERGOVERNMENTAL AGREEMENT**

**MOTION:** Councilmember Bowlby made a motion to approve Resolution 2017-14 approving the Cochise County Tourism Steering Committee Intergovernmental Agreement.

**SECONDED:** Councilmember Irvin seconded the motion.

**DISCUSSION:** City Manager Soltis explained that the main difference is the fiduciary responsibility lies with Sierra Vista whereas in the past, it was with Cochise County. Councilmember Johnson voiced concern over whether or not

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Willcox, as a small community, would be well represented. Soltis recommended that the resolution be approved and the City can determine if the intergovernmental agreement should continue next year.

**MOTION CARRIED**

**RESOLUTION 2017-15 – A RESOLUTION APPROVING AND AUTHORIZING THE WRITE-OFF OF TERMINATED UTILITY ACCOUNTS THAT HAVE BECOME NON-COLLECTABLE**

**MOTION:** Councilmember Johnson made a motion to approve Resolution 2017-15 approving the write-off of terminated utility accounts that have become non-collectable.

**SECONDED:** Councilmember Bowlby seconded the motion.

**DISCUSSION:** Vice Mayor Rowden asked if the amount was relatively small. Finance Director/City Clerk Hadfield explained the debt-setoff process that is in place and commented on the success of the program. Councilmember Johnson asked for clarification on how the process works. Hadfield then explained the process.

**MOTION CARRIED**

**RESOLUTION 2017-16 – A RESOLUTION EXTENDING A CONTRACT WITH ZG ENTERPRISES DBA FREEWAY TEXACO FOR AN ADDITIONAL YEAR FOR PURCHASES OF UNLEADED GAS AND DIESEL**

**MOTION:** Councilmember Johnson made a motion to approve Resolution 2017-16 extending a contract with ZG Enterprises for an additional year for purchases of unleaded gas and diesel.

**SECONDED:** Vice Mayor Rowden seconded the motion.

**DISCUSSION:** Councilmember Johnson mentioned that when the new Chevron is up and running that they may want to bid on the contract next year. City Manager Soltis explained the contract process and that next year the City will go out to bid for a new contract.

**MOTION CARRIED**

**RESOLUTION 2017-17 – A RESOLUTION APPROVING AN AGREEMENT WITH BARNETT'S TOWING L.L.C., FOR VEHICLE TOWING AND STORAGE CHARGES PURSUANT TO A.R.S. §28-3511**

**MOTION:** Councilmember Johnson made a motion to approve Resolution 2017-17 approving an agreement with Barnett's Towing, L.L.C., for vehicle towing and storage charges.

**SECONDED:** Councilmember Bowlby seconded the motion.

**DISCUSSION:** City Manager Soltis explained that Barnett's was the only bidder.

**MOTION CARRIED**

**CITY MANAGER REPORT**

- City Manager Soltis said that a number of councilmembers attended the recent Mayor/Managers meeting. Soltis stated that the Mayor did a great job talking about Willcox.
- Soltis said that the first mud bog event will be held July 15<sup>th</sup> at Quail Park. The City crews have done a great job preparing for this event.
- Soltis said that the playground equipment has arrived and a community celebration and employee picnic is scheduled for August 11, 2017.
- SEACAP has moved out of the Depot building and moved into the council chamber building as of today.
- Soltis thanked the fire department and the volunteers for their efforts for the 4<sup>th</sup> of July. The City has almost received half of the matching funds for the fireworks display.

**COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS**

Councilmember Lindsey, though unable to attend, heard the fireworks were a great success.

Councilmember Garza mentioned two upcoming school related events.

Councilmember Bowlby said that he hopes everyone had a good 4<sup>th</sup> of July.

Vice Mayor Rowden stated that it is good to be back in Willcox after traveling. Rowden stated that in her travels she saw nice towns but we shouldn't sell Willcox short. There are a lot of good things happening and future things coming.

Mayor Laws stated that he would like to see more positive comments as we have positive things happening such as a balanced budget, the new waste water treatment plant, and new businesses coming. Mayor Laws then described an incident that occurred last Sunday morning. Highway Patrol called him and said that there was a bus broken down on the interstate with many people needing transport to the Dairy Queen at the Thing. Mayor Laws immediately called Patti Ackerson in dispatch who told him to contact Tom Currin with the school. Within twenty five minutes Currin had loaded thirty plus passengers and had them transported. Mayor Laws said that this is small town America at work. Mayor Laws closed with saying that the playground equipment at Keiller Park will be installed as soon as possible.

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**ADJOURN**

**MOTION:** Vice Mayor Rowden made a motion to adjourn the meeting with no further business at 7:03 p.m.

**SECONDED:** Councilmember Bowlby seconded the motion.

**MOTION CARRIED**

**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 6th day of July 2017. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 6th day of July 2017**

**PASSED, APPROVED AND ADOPTED** this 20th day of July 2017.

\_\_\_\_\_  
City Clerk Crystal L. Hadfield

**ATTEST:**

\_\_\_\_\_  
Mayor Michael J. Laws

\_\_\_\_\_  
City Clerk Crystal L. Hadfield



17 JUN 14 11:47 AM LIC FIC 45

DLIC USE ONLY

State of Arizona  
 Department of Liquor Licenses and Control  
 800 W. Washington 5th Floor  
 Phoenix, AZ 85007  
 (602) 542-5141

Date Processed:	10-14-17
CSR:	SG
60th Day:	8/13/17

**APPLICATION FOR AGENT CHANGE – ACQUISITION OF CONTROL – RESTRUCTURE**

NOTE: 1) The fee for an agent change MUST be submitted with this application: \$100.00 for the first application and \$50.00 for each additional application, not to exceed \$1,000.00. (A.R.S. 4-209.H) NOTE 2) the \$100.00 fee for restructure/acquisition of control MUST be submitted with this application. (A.R.S. 4-209.A)

**SECTION 1**

Check the appropriate boxes

<input checked="" type="checkbox"/> Agent Change Complete Sections 1,2,3,4,5 & 7	<input checked="" type="checkbox"/> Acquisition of Control Complete Sections 1,2, 3 & 7	<input type="checkbox"/> Restructure Complete Sections 1,2,3,6 & 7
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**SECTION 2**

(COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

1. Name: Terry Timothy Michael <sup>pi073474</sup> 06020025  
(EXISTING AGENT OR NEW AGENT) Last First Middle Liquor License #

2. Owner Name: Joe's Pub LLC <sup>B1057092</sup> Corp File #: L21091004  
(Exactly as it appears on Liquor License) (If applicable)

3. Business Name: Joe's Pub <sup>B1001314</sup> Email: joespub@yahoo.com  
(Exactly as it appears on Liquor License)

4. Business Location Address: 116 E. Maley Street Willcox Cochise 85643  
(Do not use P.O. Box Number) City COUNTY Zip

5. Is the Business located within the incorporated limits of the above City or Town?  Yes  No

6. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?  Yes  No If Yes, what City, Town or Tribal Reservation is this Business located in: \_\_\_\_\_

7. Mailing Address: 116 E. Maley Street Willcox AZ 85643  
City State Zip

8. Business Phone: 520-254-0044 Daytime Contact Phone 520-508-2223

9. Does this transaction involve the sale of any portion of the percentage of ownership or corporate stock?  Yes  No If yes, submit a certified copy of minutes.

10. Has there been any change of Controlling Persons?  Yes  No If yes, submit a copy of the minutes, amended articles of organization and/or amended operating agreement showing change

**SECTION 3**

(COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

Each new person listed in section III must submit a questionnaire (form LIC0101) and a Department approved fingerprint card which may be obtained at the Department of Liquor. A Controlling Person already disclosed to the Department is not required to submit a questionnaire.

1. List all Controlling Persons to be disclosed, current and new.

New	Last	First	Middle	Title	Address	City	State	Zip
<input checked="" type="checkbox"/>	Terry	Timothy	Michael	Member	1835 S. Heather Lynn Ln.	Willcox	AZ	85643
<input type="checkbox"/>								
<input type="checkbox"/>								
<input type="checkbox"/>								

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

2. List stockholders, percentage owners and/or Controlling Members owning 10% or more

New	Last	First	Middle	% Owned	Address	City	State	Zip
<input checked="" type="checkbox"/>	Terry	Timothy	Michael	100%	1835 S. Heather Lynn Ln.	Willcox	AZ	85643
<input type="checkbox"/>								
<input type="checkbox"/>								
<input type="checkbox"/>								

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

If the ownership is owned by another entity, ATTACH AN OWNERSHIP FLOWCHART SHOWING THE OFFICERS, MEMBERS, CONTROLLING PERSON AND 10% OR MORE OWNERS FOR THE ENTITIES. Attach additional sheets as necessary in order to disclose all persons.

SECTION 4

(COMPLETE THIS SECTION FOR AGENT CHANGE)

1. As an Agent, will you be physically present and operating the licensed premise? [X] Yes [ ] No
If you answered YES, you must provide a copy of your Basic and Management Training Certificate obtained from a Department approved Liquor Law training provider BEFORE YOUR APPLICATION FOR AGENT ACQUISITION OF CONTROL OR RESTRUCTURE CAN BE SUBMITTED. If you answered NO, go to question 2.

2. Is there a current Manager at this license premises disclosed to the Department with the current Basic and Management Training Certificate? [X] Yes [ ] No

If yes, Name of current Manager: Binger Sharina Lyn
Last First Middle

Basic Training [X] Yes [ ] No

Management Training [X] Yes [ ] No

If "NO" for 1 and 2, a Manager with a current Basic and Management Training Certificate obtained from a Department approved Liquor Law training provider must be submitted within 30 days after filing the application for Agent Change, Acquisition of Control or Restructure.

SECTION 5

(COMPLETE THIS SECTION FOR AGENT CHANGE)

To be completed by the INDIVIDUAL OR EXISTING AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER:

1. License # 06020025

2. Current Agent Name: Rios Eva Jo
Last First Middle

I, (Print full name) Timothy Michael Terry, hereby consent to the appointment of Agent for this license. I agree to immediately assign a new Agent in the event that I am unable to discharge the duties of Agent for this license. I have not been convicted of a felony in the last five (5) years.

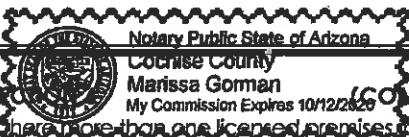
X [Signature] (Controlling Person/Existing Agent)

State of Arizona County of Cochise
The foregoing instrument was acknowledged before me this

My commission expires on: 10/12/2020

12th of June, 2017
Day Month Year

[Signature]
Signature of NOTARY PUBLIC



(COMPLETE THIS SECTION FOR RESTRUCTURE)

Is there more than one licensed premises involved? [ ] YES [ ] NO

If YES, SEPARATE APPLICATIONS must be filed and fees paid for each license/location.

Type of current ownership:

Type of new ownership:

- [ ] J.T.W.R.O.S.
[ ] INDIVIDUAL
[ ] PARTNERSHIP
[ ] CORPORATION
[ ] LIMITED LIABILITY CO.
[ ] MANAGEMENT CO.
[ ] TRIBE
[ ] TRUST
[ ] OTHER (Explain)

- [ ] J.T.W.R.O.S.
[ ] INDIVIDUAL
[ ] PARTNERSHIP
[ ] CORPORATION
[ ] LIMITED LIABILITY CO.
[ ] MANAGEMENT CO.
[ ] TRIBE
[ ] TRUST
[ ] OTHER (Explain)

SECTION 7 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

To be completed by Controlling Person or existing Agent (if no agent changes) OR NEW Agent if applying for Agent change as listed in Section 2 Question 1.

I, (Print full name) Timothy Michael Terry, hereby declare that I am the APPLICANT filing this application. I have read the application and the contents and all statements are true, correct and complete.

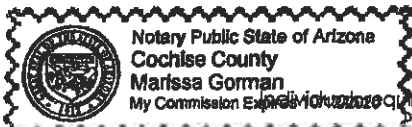
X [Signature] (Controlling Person/Existing Agent)

State of Arizona County of Cochise
The foregoing instrument was acknowledged before me this

My commission expires on: 10/12/2020

12th of June, 2017
Day Month Year

[Signature]
Signature of NOTARY PUBLIC



CITY OF WILLCOX  
Council Action Form

Agenda Item: 3  
Tab Number: 9

**Meeting Date:**

July 20, 2017

**Action:**

Resolution  
 Ordinance  
 Other

**Subject:** Rex Allen Days,  
Inc. Special Event License  
application for Keiller Park.

**To:** Mayor and City Council


**From:** Jose Rios, Police Chief

**Discussion:** Rex Allen Days, Inc. has applied for a Special Event License through the Arizona Department of Liquor to sell alcohol during Rex Allen Days at Keiller Park. As this facility belongs to the City of Willcox, it is required that there be certified peace officers working security during the time alcohol is sold. The Arizona Rangers will be providing security at this event under the authority of the Willcox Police Department.

**Recommendation:** Approve the application submitted by Rex Allen Days, Inc.

**Fiscal Impact:** None.

**Submitted by:**

  
Jose Rios, Police Chief

**Approved by:**

  
Ted Soltis, City Manager



Arizona Department of Liquor Licenses and Control  
 800 W Washington 5th Floor  
 Phoenix, AZ 85007-2934  
 www.azliquor.gov  
 (602) 542-5141

FOR DLLC USE ONLY	
Event Date(s):	
Event time start/end:	
CSR:	
License:	

**APPLICATION FOR SPECIAL EVENT LICENSE**  
 Fee= \$25.00 per day for 1-10 days (consecutive)  
 Cash Checks or Money Orders Only

A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

**IMPORTANT INFORMATION: This document must be fully completed or it will be returned.**

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

**SECTION 1** Name of Organization: Rex Allen Days, Inc.

**SECTION 2** Non-Profit/IRS Tax Exempt Number: 510166786

**SECTION 3** The organization is a: (check one box only)  
 Charitable  Fraternal (must have regular membership and have been in existence for over five (5) years)  
 Religious  Civic (Rotary, College Scholarship)  Political Party, Ballot Measure or Campaign Committee

**SECTION 4** Will this event be held on a currently licensed premise and within the already approved premises?  Yes  No

Name of Business	License Number	Phone (Include Area Code)
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**SECTION 5** How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
- Dispense and serve all spirituous liquors under retailer's license
- Dispense and serve all spirituous liquors under special event
- Split premise between special event and retail location

(IF NOT USING RETAIL LICENSE, SUBMIT A LETTER OF AGREEMENT FROM THE AGENT/OWNER OF THE LICENSED PREMISE TO SUSPEND THE LICENSE DURING THE EVENT. IF THE SPECIAL EVENT IS ONLY USING A PORTION OF PREMISE, AGENT/OWNER WILL NEED TO SUSPEND THAT PORTION OF THE PREMISE.)

**SECTION 6** What is the purpose of this event?  On-site consumption  Off-site (auction)  Both

**SECTION 7** Location of the Event: Keiller Park

Address of Location: <u>W Fremont Street</u>	<u>Willcox</u>	<u>Cochise</u>	<u>AZ</u>	<u>85643</u>
<small>Street</small>	<small>City</small>	<small>COUNTY</small>	<small>State</small>	<small>Zip</small>

**SECTION 8** Will this be stacked with a wine festival/craft distiller festival?  Yes  No

**SECTION 9** Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Clement Michael James 07-26-76  
Last First Middle Date of Birth

2. Applicant's mailing address: PO Box 1189 Vail AZ 85643  
Street City State Zip

3. Applicant's home/cell phone: (520) 4097123 Applicant's business phone: (520) 4097123

4. Applicant's email address: michaeljamesclement@gmail.com

**SECTION 10**

1. Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?  
 Yes  No (If yes, attach explanation.)

2. How many special event licenses have been issued to this location this year? 0  
 (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)

3. Is the organization using the services of a promoter or other person to manage the event?  Yes  No  
 (If yes, attach a copy of the agreement.)

4. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name Rex Allen Days, Inc. Percentage: 100%  
 Address PO Box 429 Willcox AZ 85644  
Street City State Zip  
 Name \_\_\_\_\_ Percentage: \_\_\_\_\_  
 Address \_\_\_\_\_  
Street City State Zip

5. Please read A.R.S. § 4-203.02 Special event license; rules and R19-1-205 Requirements for a Special Event License.

**Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.**  
**"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT UNLESS THEY ARE IN AUCTION SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE /CRAFT DISTILLERY FESTIVAL LICENSE"**

6. What type of security and control measures will you take to prevent violations of liquor laws at this event?  
 (List type and number of police/security personnel and type of fencing or control barriers, if applicable.)  
 \_\_\_\_\_ Number of Police 2 \_\_\_\_\_ Number of Security Personnel  Fencing  Barriers  
 Explanation: Booth where sales will be located will have servers checking IDs. Purchases will be limited per person. There will be volunteers who will monitor outside the fence during event. Security on site will be posted at exit.  
City will help police when officers in park. Signage & postings "no alcohol beyond this point" at exit.

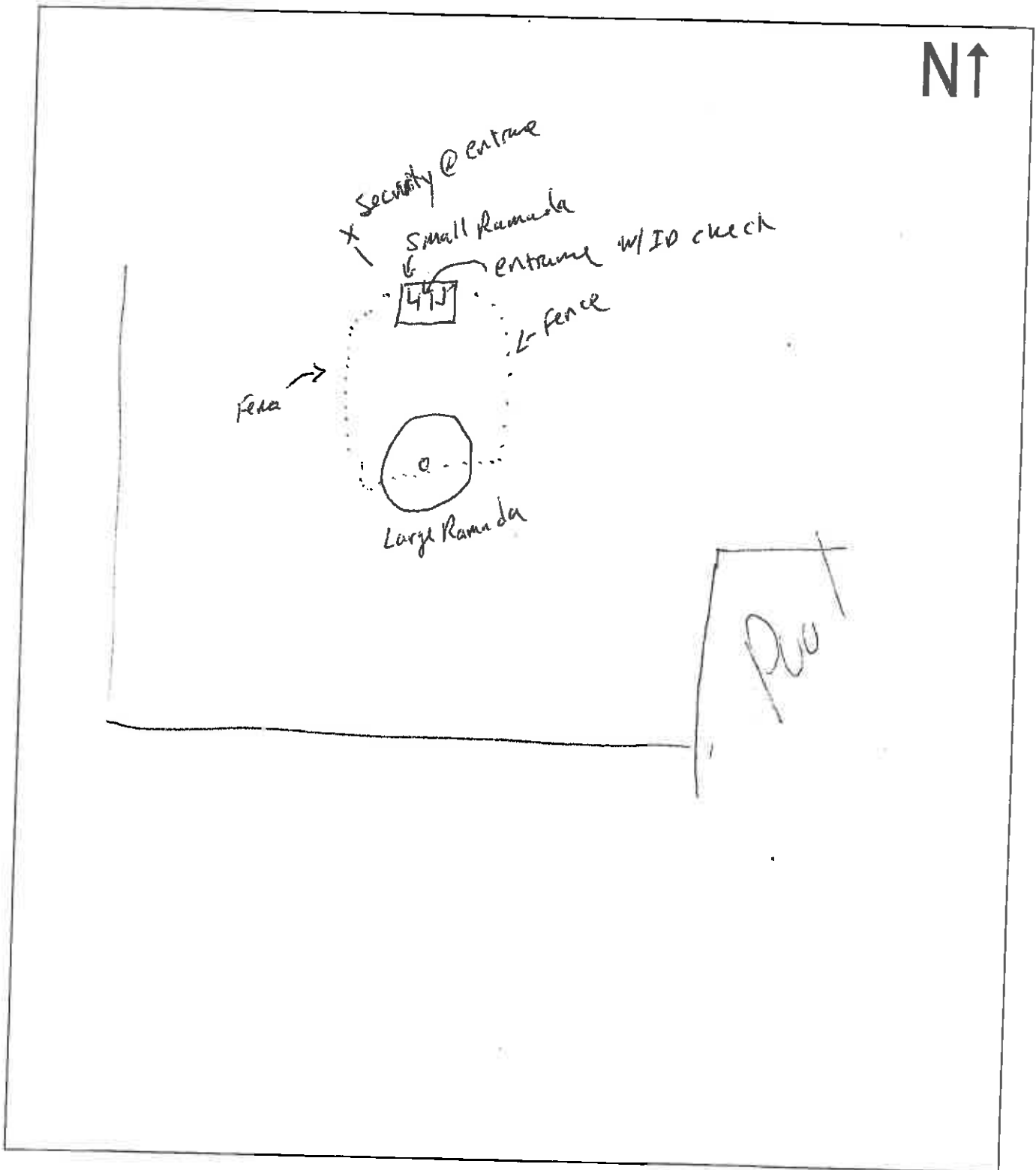
**SECTION 11** Dates and Hours of Event. Days must be consecutive but may not exceed 10 consecutive days.  
 See A.R.S. § 4-244(15) and (17) for legal hours of service.

**PLEASE FILL OUT A SEPARATE APPLICATION FOR EACH "NON-CONSECUTIVE" DAY**

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>10/07/2017</u>	<u>Saturday</u>	<u>12pm</u>	<u>7pm</u>
DAY 2:	_____	_____	_____	_____
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____



**SECTION 12** License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. The following space is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



**SECTION 13** To be completed only by an Officer, Director or Chairperson of the organization named in Section 1.

I, (Print Full Name) Michael Clement declare that I am an Officer, Director or Chairperson of the organization filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.


X [Signature] Director 07/14/2017 5204097123  
 Signature Title/ Position Date Phone Number

The foregoing instrument was acknowledged before me this 14 July  
 Day Month

State Arizona County of Pima

My Commission Expires on: 7/19/19  
 Date

[Signature]  
 Signature of Notary Public



**SECTION 14** This section is to be completed only by the applicant named in Section 9.

I, (Print Full Name) Michael Clement declare that I am the APPLICANT filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.


X [Signature] Director 07/14/2017 5204097123  
 Signature Title/ Position Date Phone Number

The foregoing instrument was acknowledged before me this 14 July  
 Day Month

State Arizona County of Pima

My Commission Expires on: 7/19/19  
 Date

[Signature]  
 Signature of Notary Public



Please contact the local governing board for additional application requirements and submission deadlines. Additional licensing fees may also be required before approval may be granted. For more information, please contact Pima County jurisdiction: [http://www.azliquor.gov/assets/documents/homepage\\_docs/spec\\_event\\_links.pdf](http://www.azliquor.gov/assets/documents/homepage_docs/spec_event_links.pdf).

**SECTION 15** Local Governing Body Approval Section.

I, \_\_\_\_\_ recommend  APPROVAL  DISAPPROVAL  
 (Government Official) (Title)

On behalf of \_\_\_\_\_  
 (City, Town, County) Signature Date Phone

**SECTION 16** For Department of Liquor Licenses and Control use only.

APPROVAL  DISAPPROVAL BY: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

**A.R.S. § 41-1030. Invalidity of rules not made according to this chapter, prohibited agency action, prohibited acts by state employees, enforcement, notice**

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

CITY OF WILLCOX  
Request for Council Action

Agenda Item: 10  
Tab Number: 4

**Meeting Date:**

July 20, 2017

**Action:**

Resolution  
 Ordinance  
 Other

**Subject:** Rex Allen Days, Inc. Special Event License application for Quail Park.

**To:** Mayor and City Council

**From:** Jose Rios, Police Chief

**Discussion:** Rex Allen Days, Inc. has applied for a special event license through the Arizona Department of Liquor to sell alcohol during Rex Allen Days at Quail Drive Sports Park. As this facility belongs to the City of Willcox, it is required that there be certified peace officers working security during the time that alcohol is sold. The Arizona Rangers will be providing security at this event under the authority of the Willcox Police Department.

**Recommendation:** To approve the application submitted by Rex Allen Days, Inc..

**Fiscal Impact:** None.

**Submitted by:**

  
\_\_\_\_\_  
Jose Rios, Police Chief

**Approved by:**

  
\_\_\_\_\_  
Ted Soltis, City Manager



Arizona Department of Liquor Licenses and Control  
 800 W Washington 5th Floor  
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**FOR DLLC USE ONLY**

Event Date(s):
Event time start/end:
CSR:
License:

**APPLICATION FOR SPECIAL EVENT LICENSE**  
 Fee= \$25.00 per day for 1-10 days (consecutive)  
 Cash Checks or Money Orders Only

A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

**IMPORTANT INFORMATION: This document must be fully completed or it will be returned.**

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

**SECTION 1** Name of Organization: Rex Allen Days, Inc.

**SECTION 2** Non-Profit/IRS Tax Exempt Number: 510166786

**SECTION 3** The organization is a: (check one box only)

- Charitable  Fraternal (must have regular membership and have been in existence for over five (5) years)
- Religious  Civic (Rotary, College Scholarship)  Political Party, Ballot Measure or Campaign Committee

**SECTION 4** Will this event be held on a currently licensed premise and within the already approved premises?  Yes  No

Name of Business	License Number	Phone (Include Area Code)
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**SECTION 5** How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
- Dispense and serve all spirituous liquors under retailer's license
- Dispense and serve all spirituous liquors under special event
- Split premise between special event and retail location

**(IF NOT USING RETAIL LICENSE, SUBMIT A LETTER OF AGREEMENT FROM THE AGENT/OWNER OF THE LICENSED PREMISE TO SUSPEND THE LICENSE DURING THE EVENT. IF THE SPECIAL EVENT IS ONLY USING A PORTION OF PREMISE, AGENT/OWNER WILL NEED TO SUSPEND THAT PORTION OF THE PREMISE.)**

**SECTION 6** What is the purpose of this event?  On-site consumption  Off-site (auction)  Both

**SECTION 7** Location of the Event: Quail Drive Arena

Address of Location: <u>1138 N Quail Drive</u>	<u>Willcox</u>	<u>Cochise</u>	<u>AZ</u>	<u>85643</u>
<small>Street</small>	<small>City</small>	<small>COUNTY</small>	<small>State</small>	<small>Zip</small>

**SECTION 8** Will this be stacked with a wine festival/craft distiller festival?  Yes  No

**SECTION 9** Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Clement Michael James 07-26-76

<small>Last</small>	<small>First</small>	<small>Middle</small>	<small>Date of Birth</small>
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2. Applicant's mailing address: PO Box 1189 Vail AZ 85643

<small>Street</small>	<small>City</small>	<small>State</small>	<small>Zip</small>
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3. Applicant's home/cell phone: (520) 4097123 Applicant's business phone: (520) 4097123

4. Applicant's email address: michaeljamesclement@gmail.com

**SECTION 10**

1. Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?  
 Yes  No (If yes, attach explanation.)

2. How many special event licenses have been issued to this location this year? 0  
 (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)

3. Is the organization using the services of a promoter or other person to manage the event?  Yes  No  
 (If yes, attach a copy of the agreement.)

4. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name Rex Allen Days, Inc. Percentage: 100%  
 Address PO Box 429 Willcox AZ 85644  
Street City State Zip

Name \_\_\_\_\_ Percentage: \_\_\_\_\_  
 Address \_\_\_\_\_  
Street City State Zip

5. Please read A.R.S. § 4-203.02 Special event license; rules and R19-1-205 Requirements for a Special Event License.

**Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.**  
**"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT UNLESS THEY ARE IN AUCTION SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE /CRAFT DISTILLERY FESTIVAL LICENSE"**

6. What type of security and control measures will you take to prevent violations of liquor laws at this event?  
 (List type and number of police/security personnel and type of fencing or control barriers, if applicable.)

2 Number of Police 2 Number of Security Personnel  Fencing  Barriers

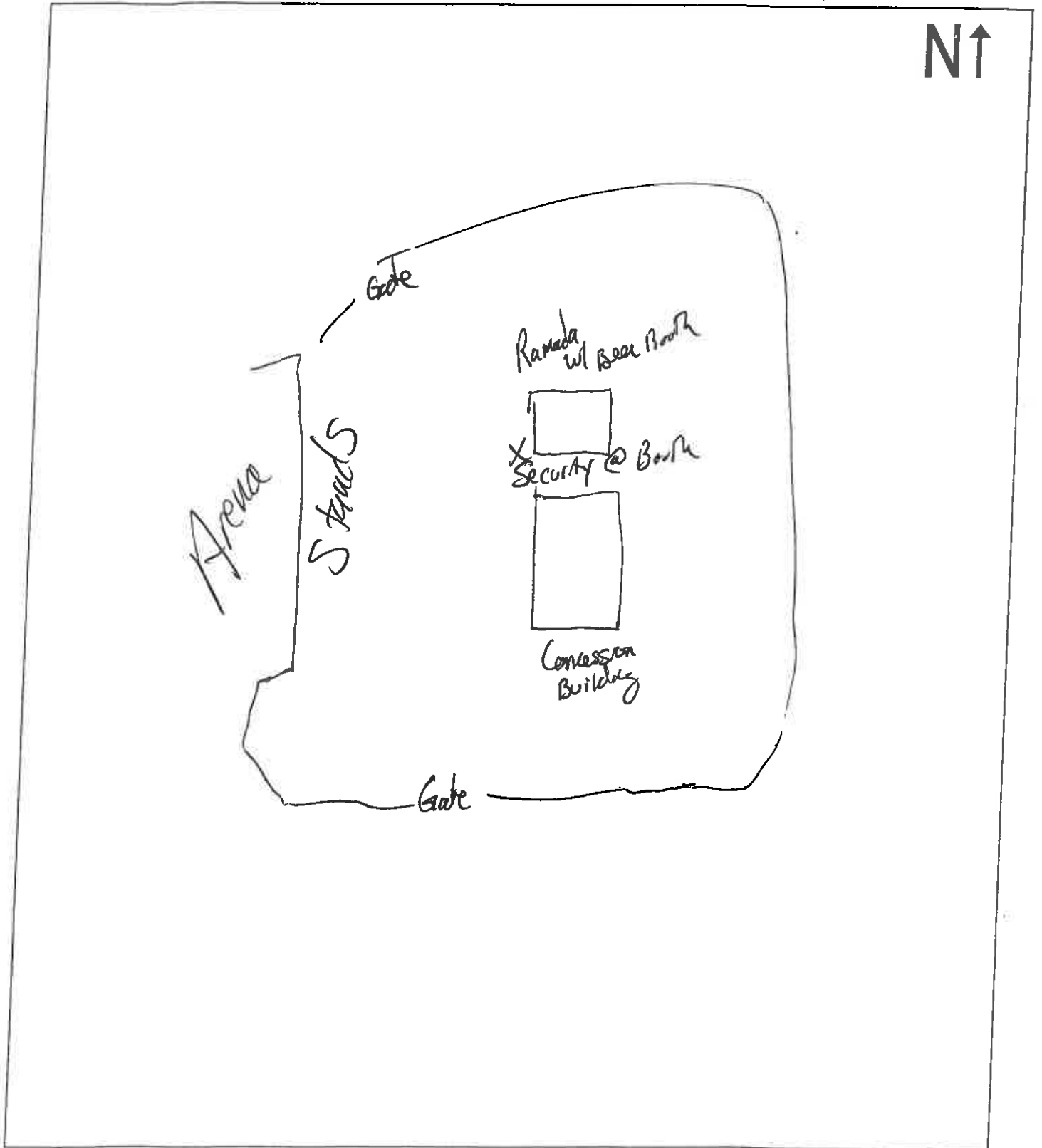
Explanation: Located where beer booth that has been for the last 16 years that the arena has existed.  
Stores and sales items fenced off. IDs checked at counter. limited purchases per person. Security onsite.

**SECTION 11** Dates and Hours of Event. Days must be consecutive but may not exceed 10 consecutive days.  
 See A.R.S. § 4-244(15) and (17) for legal hours of service.

**PLEASE FILL OUT A SEPARATE APPLICATION FOR EACH "NON-CONSECUTIVE" DAY**

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>10/7/2017</u>	<u>Saturday</u>	<u>12pm</u>	<u>6pm</u>
DAY 2:	<u>10/8/2017</u>	<u>Sunday</u>	<u>12pm</u>	<u>6pm</u>
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____

**SECTION 12** License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. The following space is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



**SECTION 13 To be completed only by an Officer, Director or Chairperson of the organization named in Section 1.**

I, (Print Full Name) Michael Clement declare that I am an Officer, Director or Chairperson of the organization filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.

X [Signature] Director 06/27/2017 5204097123  
 Signature Title/ Position Date Phone Number

The foregoing instrument was acknowledged before me this 27 June 2017  
 Day Month Year

State AZ County of Cochise

My Commission Expires on: 1-6-2019 [Signature]  
 Date Signature of Notary Public

ANGELA DIAZ  
 NOTARY PUBLIC, ARIZONA  
 COCHISE COUNTY  
 My Commission Expires  
 January 06, 2019

**SECTION 14 This section is to be completed only by the applicant named in Section 9.**

I, (Print Full Name) Michael Clement declare that I am the APPLICANT filing this application as listed in Section 9. I have read the application and the contents and all statements are true, correct and complete.

X [Signature] Director 06/27/2017 5204097123  
 Signature Title/ Position Date Phone Number

The foregoing instrument was acknowledged before me this 27 June 2017  
 Day Month Year

State AZ County of Cochise

My Commission Expires on: 1-6-2019 [Signature]  
 Date Signature of Notary Public

ANGELA DIAZ  
 NOTARY PUBLIC, ARIZONA  
 COCHISE COUNTY  
 My Commission Expires  
 January 06, 2019

Please contact the local governing board for additional application requirements and submission deadlines. Additional licensing fees may also be required before approval may be granted. For more information, please contact your local jurisdiction: [http://www.azliquor.gov/assets/documents/homepage\\_docs/spec\\_event\\_links.pdf](http://www.azliquor.gov/assets/documents/homepage_docs/spec_event_links.pdf).

**SECTION 15 Local Governing Body Approval Section.**

I, \_\_\_\_\_ recommend  APPROVAL  DISAPPROVAL  
 (Government Official) (Title)

On behalf of \_\_\_\_\_  
 (City, Town, County) Signature Date Phone

**SECTION 16 For Department of Liquor Licenses and Control use only.**

APPROVAL  DISAPPROVAL BY: \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

**A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice**

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

CITY OF WILLCOX  
Request for Council Action

Agenda Item: 11  
Tab Number: 5

**Meeting Date:**

July 20, 2017

**Action:**

Resolution  
 Ordinance  
 Other

**Subject:** Ordinance NS328 -  
Fiscal Year 2017-2018  
Primary and Secondary  
Property Tax Levies

**To:** Mayor and City Council

**From:** Crystal Hadfield, Finance Director/City Clerk

**Discussion:** As presented in the budget for Fiscal Year 2017-2018, the primary property tax levy is 0.4248 generating \$78,302 in revenues. Per A.R.S. §42-17107(A), if the proposed tax levy, excluding amounts that are attributable to new construction, is greater than the amount levied in the preceding tax year, a truth in taxation hearing must be held. It has been determined that the maximum allowable primary tax levy, without Truth in Taxation hearings, is sufficient to meet the needs of the City. Each year the City is allowed an increase of 2% over the preceding year's rate, as determined on current values, without such hearings.

A secondary property tax may be levied to pay the principal and interest charges on General Obligation Bonds. The Fiscal Year 2017-2018 secondary property tax levy is 0.8497 and will generate \$156,640 in revenues, an amount sufficient to pay the City's bond obligations. The bonds, totaling \$1,515,000, were approved by the voters on March 9, 2004 to secure funding for improvements to municipal service facilities including a police facility, administrative facilities for the city, library improvements and a community meeting room. The proceeds were borrowed in two installments from the Greater Arizona Development Authority (GADA): \$1,200,000 in 2004 and \$315,000 in 2007.

The combined primary and secondary property tax levies total 1.2745 and will generate \$234,942. The combined tax on a home valued at \$100,000 will total \$127.45, an increase of \$2.88 over the prior year. The taxes are assessed on the value of property. Lower valuations increase the property tax levy rates.

For a representative 2016 residential property tax bill, the City's portion of the residential owner's tax bill equals 8.74% of the total bill; in 2015 it was 8.10%. For a commercial property owner in 2016, the City's portion of the property tax bill equaled 7.68% of the total bill; in 2015 it was 7.19%.

**Recommendation:** Motion to approve Ordinance.

**Fiscal Impact:** Primary property tax revenues of \$78,302 and secondary property tax revenues of \$156,640 for a total of \$234,942.

Submitted by:

  
Crystal Hadfield, Finance Director/City Clerk

Approved by:

  
Ted Soltis, City Manager



**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

**ORDINANCE NS328**

**AN ORDINANCE OF THE CITY OF WILLCOX, ARIZONA, LEVYING A PRIMARY AND SECONDARY PROPERTY TAX UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY SUBJECT TO TAXATION, FOR THE FISCAL YEAR ENDING JUNE 30, 2018**

**WHEREAS**, public hearings on the property tax were held on June 15<sup>th</sup> and July 6<sup>th</sup>; and

**WHEREAS**, pursuant to State law, an ordinance levying taxes for the Fiscal Year 2017-2018 is required to be adopted no later than the third Monday in August; and

**WHEREAS**, the County of Cochise is the assessing and collecting authority for the City of Willcox.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA:**

**SECTION 1:** There is hereby levied \$0.4248 on each one hundred dollars (\$100.00) of the limited assessed valuation of all property, both real and personal, within the corporate limits of the City of Willcox, except such property as may be exempt by law from taxation, a primary tax rate sufficient to raise the amount of \$78,302 as required in the annual budget for the Fiscal Year 2017-2018.

**SECTION 2:** In addition to the rate set in Section 1, there is hereby levied \$0.8497 on each one hundred dollars (\$100.00) of the unlimited assessed valuation of all property, both real and personal, within the corporate limits of the City of Willcox, except such property as may be exempt by law from taxation, a secondary tax rate sufficient to raise the amount of \$156,640 required in the annual budget for the Fiscal Year 2017-2018.

**SECTION 3:** The combined tax rate as set forth in Sections 1 and 2 shall equal \$1.2745 per one hundred dollars (\$100.00) of assessed valuation of all property, real and personal, within the corporate limits of the City of Willcox, except such property exempt by law from taxation, a combined tax rate sufficient to raise the amount of \$234,942 required in the annual budget for the Fiscal Year 2017-2018.

**SECTION 4:** Failure by the county officials of Cochise County, Arizona, to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by any tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him/her/them shall not invalidate any proceedings or any deed or sale pursuant thereto, the validity of the assessments or levy of taxes or of the judgment of sale by which the collection of the same may be enforced shall not affect the lien of the City of Willcox upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of the costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of

the lien therefore or a sale of the property under such foreclosure; and all acts of officers de facto shall be valid as if performed by officers de jure.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6:** This Ordinance shall become effective upon adoption.

**SECTION 7:** The Clerk of the City is directed to transmit a certified copy of this Ordinance to the County Assessor and the Board of Supervisors of Cochise County, Arizona.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA** this 20<sup>th</sup> day of July, 2017.

**APPROVED/EXECUTED:**

\_\_\_\_\_  
Michael J. Laws, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Crystal L. Hadfield, City Clerk

\_\_\_\_\_  
Ann P. Roberts, City Attorney

**CERTIFICATION**

**I HEREBY CERTIFY** the foregoing Ordinance as duly passed and adopted by the City Council of the City of Willcox, at a regular meeting on July 20, 2017, and that a quorum was present.

\_\_\_\_\_  
Crystal L. Hadfield, City Clerk

**ORDINANCE NS328**

**Published in the Arizona Range News on July 26<sup>th</sup> and August 2<sup>nd</sup>**

**Passed and adopted by \_\_\_ Councilmembers**

**Posted on July 14, 2017**

**Clerk's Initials CLH**