

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 5<sup>th</sup> DAY OF JULY 2018**

**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 Elwood "Woody" A. Johnson  
Councilman Gerald "Sam" Lindsey  
~~Councilman Robert A. Irvin~~  
Councilman Timothy A. Bowlby  
Councilwoman Rachel D. Garza

**STAFF**

City Attorney Ann Roberts  
Interim City Manager Crystal Hadfield  
Administrator of Development Services Jeff Stoddard

**ABSENT**

Councilman Robert A. Irvin

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

**CALL TO THE PUBLIC** – Shelly Renee Leon is running for the House for this district. She came to Willcox to see what is important to Willcox.

**DECLARATION ON CONFLICT OF INTEREST** – None

**ADOPTION OF THE AGENDA**

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

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

**MOTION CARRIED**

**APPROVE THE JUNE 19, 2018 SPECIAL COUNCIL MEETING MINUTES**

**MOTION:** Councilmember Bowlby made a motion to approve the June 19, 2018 special Council meeting minutes.

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

**MOTION CARRIED**

**APPROVE THE JUNE 20, 2018 COUNCIL WORK SESSION MINUTES**

**MOTION:** Vice Mayor Rowden made a motion to approve the June 20, 2018 Council work session minutes.

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

**MOTION CARRIED**

**APPROVE THE JUNE 21, 2018 COUNCIL MEETING MINUTES**

**MOTION:** Councilmember Bowlby made a motion to approve the June 21, 2018 Council meeting minutes.

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

**MOTION CARRIED**

**RESOLUTION 2018-19 – A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF WORKER'S  
COMPENSATION INSURANCE FROM THE ARIZONA MUNICIPAL RISK RETENTION POOL, "A.M.R.R.P."**

**MOTION:** Councilmember Bowlby made a motion to approve Resolution 2018-19.

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

**DISCUSSION:** Ed Bantel from Southwest Risk gave a brief presentation. The experience modification factor "EMOD" was a 2.05 and went to a 1.64 and lowered even further to a 1.15 which is about a \$30,444 decrease from last year. It is possible to go below a 1.0; however the City is doing excellent. Property and casualty was discounted because of the work on the workman's compensation decreases. Councilmember Lindsey asked about past claims, how long does it stay on record? Bantel replied that it is three years. Councilmember Lindsey said we had one claim that was from 12/08/14 that was for \$36,765 which has been distorting everything. Bantel said it will stay on as long as the claim is open. Lindsey said under primary loss the \$27,676, but the incurred loss, where does that figure come from?

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Bantel said the loss is capped and what is reserved. Lindsey asked does 100% represent the average of the State. Bantel said that the information is put in an algorithm and is based on our payroll compared to other cities and towns in the Country. 1.15 is slightly above average in claims.

**MOTION CARRIED**

**RESOLUTION 2018-20 – A RESOLUTION APPROVING AND AUTHORIZING THE WRITE-OFF OF TERMINATED UTILITY ACCOUNTS THAT HAVE BECOME NON-COLLECTABLE**

**MOTION:** Councilmember Lindsey made a motion to approve Resolution 2018-20.

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

**DISCUSSION:** Councilmember Johnson asked if the amount is about average. Interim City Manager Hadfield said that it is a little higher than normal mainly because we are writing off two years instead of one year based on the auditor's recommendation. Also, we did have a business that went out on us that was a rather sizeable amount. Johnson asked if this is some delinquencies or foreclosures. Hadfield replied that it is both. Letters are sent out and then it goes to the State for collection and if it doesn't receive any hits, it is considered uncollectible. Johnson asked if this affects their FICO scores. Hadfield replied that it doesn't, we had a really poor response to sending it to a collection agency. It now goes to the State where it either comes out of lottery winnings or State income taxes. Johnson asked if it is attached to their State returns and not Federal. Hadfield replied that was correct. Councilmember Lindsey asked if the \$17,358.97 is not eligible for the State program. Hadfield replied that it is already in the State program with no hits on it. Mayor Laws asked if we send these out registered mail or regular mail. Hadfield replied that we send it out regular mail due to the cost. Mayor Laws asked about how many units are we talking. Hadfield said she did not have the exact numbers of accounts but it is about 40 – 50. Laws asked if it is over a year. Hadfield replied two years. Vice Mayor Rowden said that it is her understanding that with the exception of the business that went out, most of the accounts was under \$50. Hadfield replied that is incorrect, that \$50 is the threshold of what we can send to the State. Rowden said so it must be over \$50 to send to the State to which Hadfield replied yes. Johnson asked if we send it after three months or six months. Hadfield replied that we have to wait six months by law. Lindsey said that the amount we are writing off is it currently in the State? What happens if we write it off? Hadfield replied that we have to remove it from the State but if that person comes in we see that their account was written off and ask them to pay it before services are opened. Johnson asked once it is collected from the state it clears it and they pay us. Hadfield replied that was correct. Mayor Laws asked if we can still collect once it is written off. Hadfield replied yes, if they come in to open services. Lindsey asked why we need to write it off if the State is still trying to collect it. Johnson asked if we can issue a 1099 cancellation of debt on it. Hadfield said it may have to go to small claims court. Johnson explained the 1099 cancellation of debt process. Hadfield replied that because we have so much debt on the books, the auditors recommended that we clear it off. Lindsey asked if it would be through 2017. Hadfield said it would be 2014 and 2015. Rowden asked if this is something that has already gone through the State and it has been unsuccessful in collecting through income taxes. Hadfield replied that was correct.

**MOTION CARRIED**

**PUBLIC HEARING ON FISCAL YEAR 2018-19 BUDGET**

**PUBLIC HEARING OPENED:** Mayor Laws opened the Public Hearing at 6:46 p.m.

**PUBLIC HEARING CLOSED:** Mayor Laws closed the Public Hearing at 6:47 p.m. with no comments.

**PUBLIC HEARING ON PROPERTY TAXES**

**PUBLIC HEARING OPENED:** Mayor Laws opened the Public Hearing at 6:47 p.m.

**PUBLIC HEARING CLOSED:** Mayor Laws closed the Public Hearing at 6:48 p.m.

**DISCUSSION:** Councilmember Lindsey said that it should be pointed out that it will be much cheaper because there is no secondary tax. Paul Sheets said the public says thank you.

**RESOLUTION 2018-21 – A RESOLUTION ADOPTING THE FINAL BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2018-19**

**MOTION:** Councilmember Bowlby made a motion to approve Resolution 2018-21.

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

**DISCUSSION:** Councilmember Johnson states that the budget is \$14,408,465 and there is a freeze on capital expenditures until the new City Manager comes on August 6, 2018. Councilmember Bowlby said that there are some big tournaments coming up and the golf carts are considered capital and is there something we can do because the golf course is down on carts. Mayor Laws said we still have the \$25,000 limit. Hadfield said it is about \$18,000 for all of them. Bowlby said we want to take care of golf course. Rowden said that it falls within parameters.

**MOTION CARRIED**

**CITY MANAGER REPORT**

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- Fremont and Soto are near completion. The streets department is going to wait until the streets reaches temperature and try to roll over them with the roller to smooth out the washboard effects. There has been some concern over the streets and they are working to fix it. The oil was applied and it does look better.
- Hadfield said that she did not make it to the 4<sup>th</sup> of July activities at Keiller Park but heard that it was wonderful and everyone had a good time. She did get to see the fireworks and they were great. She thanked the donors who made the show possible and the fire department for always putting on a good show.
- On July 19<sup>th</sup>, Galo will do a presentation on the streets and other Public Works projects.
- We are continuing to break records at the Library Summer Reading Program. We are averaging about 70 participants for each program.
- Public Works put in for a grant to fix the regulator station. The grant pays up to \$100,000. Hadfield will keep Council posted on the progress.
- Public Safety put in for a Governor's Office of Highway Safety grant for overtime, a vehicle, radars, and in-car camera systems. We should find out the status of that next month.
- Vice Mayor Rowden asked if we can still receive donations for the fireworks. Hadfield said yes.

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

Councilmember Lindsey gave an update on Councilmember Irvin. He had a fall last Thursday night and he was transported to Tucson. He fractured a hip and they did a CAT scan and found an aneurism in his stomach. It has been corrected. He is now at NCHC and is expected to be there for two weeks. He is still having some pain in his hip but is expected to make a complete recovery. Lindsey missed most of the festivities and the fireworks were good and loud. Councilmember Irvin is in room 107. The new City Manager, Caleb was in town house hunting this last weekend.

Councilmember Bowlby said he hopes everyone had a good 4<sup>th</sup>. We have a lot of things going on around town. The Economic Development Committee is coming to the end of the survey. Bowlby said he liked the editorial in the newspaper about donating to the fireworks fund and not buying illegal fireworks.

Councilmember Garza congratulated the fire department on the fireworks. Rotary's 4<sup>th</sup> was really nice and the kids enjoyed it. The streets look good as Hadfield mentioned there are some nicks to be ironed out. Garza is looking forward to the new City Manager coming. School starts Aug 13<sup>th</sup> and we need to get the cross walks ready for the kids.

Vice Mayor Rowden was out of town for most of the 4<sup>th</sup>. She could see the finale and it was great. Rowden echoed what Councilmember Bowlby said to donate to the fireworks fund.

Mayor Laws thanked the fire department for the fireworks. It was awesome. Laws said that he is proud of this Council for the first time in twelve years that we have a total unanimous vote for the budget. He thanked Hadfield for putting that budget together. Laws hopes that Councilmember Irvin recovers soon. There were doubts about the budget and would we make it and it has always been under control and there have been absolutely no problems. Laws is also proud of the unanimous vote for the new City Manager. We really have a good manager coming. The treatment plant is coming right along and everything is on schedule. Laws said that any current council member should get re-elected, they deserve it. The council has done a good job despite facing challenges. Laws thanked the new people running for Council; they have shown fortitude. You'll find out that a lot of the things you do will not be appreciated and some will be but mostly not.

**ADJOURN**

**MOTION:** Councilmember Bowlby made a motion to adjourn the meeting with no further business at 7:07 p.m.

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

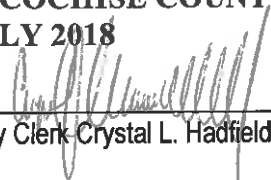
**MOTION CARRIED**

**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 5<sup>th</sup> day of July 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 5<sup>th</sup> day of July 2018**

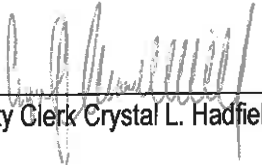
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\_\_\_\_\_  
City Clerk Crystal L. Hadfield

PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of July 2018.

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

ATTEST:

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