

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 19<sup>th</sup> DAY OF JULY 2018**

**CALL TO ORDER** - Mayor Michael Laws called the meeting to order at 6:31 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  
Public Safety Director Jose Rios  
Public Works Director Galo Galovale

**ABSENT**

Councilman Robert A. Irvin

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

**CALL TO THE PUBLIC** – Constance Evans-Nunez addressed the Council regarding the wastewater treatment plant and safety issues. Her first concern was the cost to run the old plant versus the cost to run the new plant. She discussed the staffing of the new wastewater plant and how is it going to be staffed and ran because the utility department currently has six employees. She asked how are rates calculated and are they calculated based on water usage because water can be used for a variety of things. She inquired about the rate increase and does this go to the wastewater department or are the funds going into the general fund. Her last concern is safety within the environment of the City and City employees. She observed a City employee and three inmates smoking by a gas regulator and she has pictures to prove it.

Barbara Simpson addressed the Council regarding the Union Pacific crossings. She lives on E. Patte Rd. She had an experience last Saturday at the Patte Rd crossing and noticed that the train was blocking the crossing. She took the dirt road which is an unsafe road. She got into town and ran errands and then came back and the train was still blocking the tracks about 45 minutes later. There was a point in time that all crossings were blocked with no way to get into town. A neighbor of hers said it was close to four hours that she couldn't get through. The Police Department gave her a number for Union Pacific. They told her it was not critical and they gave her an Omaha, Nebraska address to write. She discussed her concerns to the Police Department and said they said that she cannot file a complaint against Union Pacific. She then spoke to the Sheriff's Department and they said that there is a State law Title 4-0852 that says a train can stop at a crossing for a maximum of 15 minutes. If there was a fire, a medical emergency, or crime there is no way to get to the other side of town. Ultimately, she would like to see this situation solved.

Jody Clement from Rex Allen Days presented Council with a check for reimbursement for the new electrical construction done at Keiller Park for \$3,000. Rex Allen Days wanted to go forward to use the park so that the vendors are not upset when their equipment doesn't work.

**DECLARATION ON CONFLICT OF INTEREST** – None

**ADOPTION OF THE AGENDA**

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

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

**MOTION CARRIED**

**APPROVE THE JULY 5, 2018 COUNCIL MEETING MINUTES**

**MOTION:** Vice Mayor Rowden made a motion to approve the July 5, 2018 Council meeting minutes.

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

**MOTION CARRIED**

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**ORDINANCE NS329: AN ORDINANCE LEVYING A PRIMARY PROPERTY TAX UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY SUBJECT TO TAXATION, FOR THE FISCAL YEAR ENDING JUNE 30, 2019**

**MOTION:** Councilmember Lindsey made a motion to approve Ordinance NS329.

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

**DISCUSSION:** Councilmember Johnson said just for the record, the secondary taxes are going away so there will be a decrease in City property taxes; however the County has increased theirs. Councilmember Bowlby clarified that this is the minimal amount we can levy without a truth in taxation hearing.

**MOTION CARRIED**

**PUBLIC HEARING ON WASTEWATER RATE INCREASE**

**PUBLIC HEARING OPENED:** Mayor Laws opened the Public Hearing at 6:43 p.m.

**PUBLIC HEARING CLOSED:** Mayor Laws closed the Public Hearing at 6:46 p.m.

**DISCUSSION:** Councilmember Johnson said to address some of Constance Evans-Nunez's concerns. Evans-Nunez asked what is the rate going to be and how does it compare to the old rates. Interim City Manager Hadfield replied that the rates will go up by 8% on both the variable and fixed rates. It averages about \$3.24 increase monthly for residential and \$8.50 per commercial. Evans-Nunez asked if that is going to the wastewater fund or any other fund to which Hadfield replied that it will go strictly into the wastewater fund. Johnson said that the water charges are based on three months of water rates from December – February which is the least amount of water being used. So this time of year where you are watering will not affect your sewer rate.

**RESOLUTION 2018-22 – A RESOLUTION APPROVING AND ADOPTING RATES AND CHARGES FOR WASTEWATER UTILITY SERVICES PROVIDED BY THE CITY OF WILLCOX, SETTING AN EFFECTIVE DATE AND DIRECTING AUTHORIZED CITY OFFICERS AND ADMINISTRATORS TO CARRY OUT THE PURPOSE AND INTENT OF THIS RESOLUTION**

**MOTION:** Councilmember Johnson made a motion to approve Resolution 2018-22.

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

**DISCUSSION:** Councilmember Johnson hates to see increases but this is one that we have to increase to pay for the sewer treatment plant. We take flushing the toilets for granted. ADEQ has been after us for the last eight years. Johnson said hopefully now we can grow with homes and businesses. This is investing in the infrastructure for the community. Vice Mayor Rowden said it is a requirement from the lender to increase our rates to make sure we qualify for the loan. Mayor Laws said we have added a process to the plant to collect county fees for septage collection. We have added a new system but we won't know for a year that the increase will help and we could reduce the costs and pick it up through that. Councilmember Lindsey said had we not increased by the 8% we would've had to borrow \$1.5 million and the payments of the additional funds would've cost more so it would've gone up one way or the other.

**MOTION CARRIED**

**PUBLIC WORKS PRESENTATION – GALO GALOVALE**

Galo Galovale, Public Works Director gave a presentation focused mainly on streets. Galovale gave a SWOT (strengths, weaknesses, opportunities and threats) analysis. The strengths are the staff potential and new technology. Opportunities are partnering with ADOT and the County for streets projects. Weaknesses are current staff experience and exposure to road construction and not a lot of change in elevation to the roads. Threats include the flooding of streets and the clay layers. Wasson and McCourt are road improvement projects for this year from Arizona Ave. to Bisbee. Also, we are looking at part of Austin south of Maley down to Arizona due to issues of the shoulders. For the next five years, Galo is looking at Austin, Arizona, and Bisbee for improvements. Arizona is a high priority due to major drainage issues. Galo then discussed additional projects that are going on such as gas and water meter upgrades, removal of gas risers from vacant homes and the bulk water fill station. We have been having issues with the bulk water fill station and the company we are working with is going out of business. We may install meters for the regular customers and bill them monthly. Mayor Laws asked about the charges for the gas meter if we do a monthly fee for the gas meter and pay for the meter itself. Galo replied that it is both ways, we charge for the gas meter and there is a monthly charge. Vice Mayor Rowden asked if it is a base rate and Galo replied it depends on the size of the meter. Rowden then asked if it is difficult because the street is lower, because her street feeds into Arizona, and is that the case with other streets within the City. Galo said there isn't much of a change in the terrain and we need surveyor to come in and give us grades. The curbs are already in place and we don't remove them to keep from flooding homes. Rowden asked if you were to raise the street levels, the homes would flood. Galo said that is correct. Councilmember Garza said there is drainage right behind Safeway towards Appliance Mart and by Fremont and they are one of the major sources of flooding. Galo said we are trying to keep up with the maintenance by controlling the weeds. We

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have issues with blockage of the drainage due to people not maintaining weeds. Rowden asked about the clay having to go down several feet to change the base and does that prevent cracking of the pavement. Galo said yes and the clay takes the water that is infiltrating from the surface. Mayor Laws said that a perfect example is in front of the Truck Wash; we went down 12 feet. Councilmember Lindsey had a comment Soto Street that we do need some improvement for the washboard. Garza said a lot of City employees have been rolling and inspecting Soto. It is being taken care of and the City is working on it. The last manager's report is that we are still working on it. Councilmember Lindsey said the roller isn't doing the job. Councilmember Johnson said in the past on Arizona St. we have contacted the County and the Railroad and asked if Galo has inspected the underpasses where the water runs through. Galo said yes, they have looked at it.

**CITY MANAGER REPORT**

- The Mayor and I attended a League of Cities and Towns meeting in Sierra Vista. The League went over the most recent legislation that affects cities and towns. It was very informative.

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

Councilmember Johnson said August 11<sup>th</sup> is the Annual Quarterbacks Club and asked staff if they can get with the liquor license approval on the August 2<sup>nd</sup> agenda.

Councilmember Lindsey gave an update on Councilmember Irvin. He is home and has been home all week. Joanne has been able to take care of him. He does have helpers who help take care of him. His stomach aneurism is doing well. He is still having pain in the fractured hip. He is hoping his appetite improves as he has lost a lot of weight. He is making progress. He is a little difficult to understand. Lindsey mentioned that he had a conversation with Caleb and he is house hunting and it looks like he picked out a place.

Councilmember Bowlby thanked Galo for what Public Works has done on Soto St. Bowlby did double check with Crystal and it is about \$1 million to fully pave a mile of road. To chip seal is about a quarter of that cost. The Quarterback Club Tournament is something you don't want to miss because it is a huge fundraiser. They give a lot of scholarships. Bowlby said thanks to Rex Allen Days for \$3,000 for the power at Keiller Park. As far as the train stopping at crossings, it has happened before. There could be situations we are not aware of. Bowlby said he doesn't know what the process is to talk to Union Pacific. It is a safety issue that we need to discuss with Union Pacific.

Councilmember Garza echoed Tim on the Soto St. It is going to take some work to get it done. Garza applauds Galo for getting a relationship with the State and County. As far as the train, her brother was killed Jan 1, 1987 and there was a train blocking so she understands. His name is on a National Memorial because he gave his life to help someone else.

Vice Mayor Rowden said the results of the economic survey are in. They have narrowed it down to twelve types of businesses for Willcox that are that are a fit and are desirable and compatible. They are going to narrow that down further to try to bring them down to Willcox. We are hoping to work with SEAGO to try to help us.

Mayor Laws thanked Rex Allen Days for the check. He said he wants Jeff from Big Tex to get open as fast as possible. At the League of Cities meeting, Ken Strobeck was there and the League is working very hard for the cities to get rid of the strenuous levies they are putting on small cities. Laws said we've talked about the streets and we are getting them fixed. Laws said he would love to see Councilmember Irvin come to back to work. Laws spoke with Caleb and he is going to buy Councilmember Lindsey's old house.

**ADJOURN**

**MOTION:** Councilmember Bowlby made a motion to adjourn the meeting with no further business at 7:17 p.m.

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

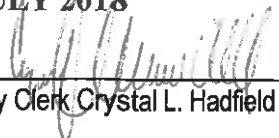
**MOTION CARRIED**

**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 19<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 19<sup>th</sup> day of July 2018

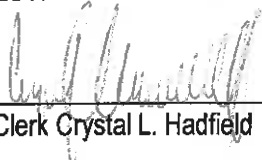
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\_\_\_\_\_  
City Clerk Crystal L. Hadfield

PASSED, APPROVED AND ADOPTED this 2<sup>nd</sup> day of August 2018.

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

**ATTEST:**

  
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City Clerk Crystal L. Hadfield