

**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 AUGUST 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 Manager Caleb Blaschke
City Attorney Ann Roberts
Finance Director/City Clerk Crystal Hadfield

ABSENT

Councilman Elwood "Woody" A. Johnson
Councilman Timothy A. Bowlby

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

CALL TO THE PUBLIC – Michael Clement, President of Rex Allen Days, presented the Council with a Proclamation. He discussed Rex Allen Days and events going on this year. Clement said we had a successful year last year and they were able to give back to the community. Clement mentioned that it is great to have additional electric in the park. Last year, Clement worked with Governor Ducey's office to do a proclamation for Rex Allen Days. Clement read it to the Council and said he is looking forward to an exciting Rex Allen Days this year.

Rob Jones addressed the Council to discuss the Candidate Forum. The candidates were excellent but there were only about twenty people in the audience. Jones had the pleasure of meeting a man named Jim and they discussed that building Willcox will not be easy as there are roughly fifteen other cities around us in the same situation. Jones said that we need to get everyone involved in Willcox. We need various organizations to really look to pulling the entire City together. Jones said thank you for last night, it was very informative.

DECLARATION ON CONFLICT OF INTEREST – None

ADOPTION OF THE AGENDA

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

SECONDED: Vice Mayor Rowden seconded the motion.

MOTION CARRIED

APPROVE THE AUGUST 2, 2018 COUNCIL MEETING MINUTES

MOTION: Councilmember Garza made a motion to approve the August 2, 2018 Council meeting minutes.

SECONDED: Vice Mayor Rowden seconded the motion.

MOTION CARRIED

APPROVE A SPECIAL EVENT LIQUOR LICENSE FOR REX ALLEN DAYS FOR AN EVENT TO BE HELD AT QUAIL PARK ON FRIDAY, 10/5/18 FROM 12:00 P.M. TO 6:00 P.M., SATURDAY, 10/6/18 FROM 12:00 P.M. TO 6:00 P.M., AND SUNDAY, 10/7/18 FROM 12:00 P.M. TO 6:00 P.M.

MOTION: Councilmember Garza made a motion to approve the Special Event Liquor License for Rex Allen Days at Quail Park.

SECONDED: Councilmember Irvin seconded the motion.

MOTION CARRIED

APPROVE A SPECIAL EVENT LIQUOR LICENSE FOR REX ALLEN DAYS FOR AN EVENT TO BE HELD AT KEILLER PARK ON 10/6/18 FROM 12:00 P.M. TO 8:00 P.M.

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MOTION: Councilmember Garza made a motion to approve the Special Event Liquor License for Rex Allen Days at Keiller Park.

SECONDED: Vice Mayor Rowden seconded the motion.

DISCUSSION: Vice Mayor Rowden has a question about beer garden as to whether it includes or comes close to the new playground equipment. Clement replied that it cuts off on the east and is probably six feet or more away from the fence. Councilmember Garza asked if it is in the same location as last year and if we will have Arizona Rangers patrolling the area to which Clement replied yes. Vice Mayor Rowden asked how tall the fence is. Clement said it is four feet. Rowden asked if there is anywhere else you could put it, such as on the other side of the ramada. Clement said that the small ramada is a good location to control and it is the same setup as last year. Mayor Laws asked if any vehicles are going to be in the park. Laws said, not this year, we are not driving in the park anymore. Clement asked what about the vendors. Laws said we are trying to protect the new trail and we can't drive over the trail it is under warranty. Clement said we have some vendors that are trailers. City Manager Blaschke said after talking with Galo, he reached out to the company that installed the trail and putting boards on the roadways wouldn't invalidate the warranty. Blaschke would like to work with the group and put boards on the areas that will be driven over. Rowden mentioned that there will not just be boards but ramps so that you wouldn't pack the trail down. Mayor Laws said no one ever drives on the parks in other cities. We spent over \$100,000 on the trails and everything heavy should be on the outside. Garza mentioned that electrical sources would be an issue. It appears that Galo and the City Manager have pre-planned and it will be taken care of under supervision. Clement said that some of the vendors come Friday and some Saturday morning. Rowden asked if Clement has a schematic of vendor parking. Clement said not yet, they are still working on it. Rowden said to Clement to work very closely with Parks and the City Manager to which Clement replied that he understood and they did have plans to put boards down. Clement reiterated that he will coordinate with Parks and the City Manager. Rowden said back to the beer garden, she doesn't want alcohol next to where children play. Clement said that children are usually at the carnival or with their parents and the playground equipment is for smaller children not teenagers. Rowden said she is concerned with children seeing people who are drinking or have been drinking too much. Clement replied that we will have the Arizona Rangers patrolling the area and we will have liquor as well as beer therefore we will have distillery staff as well as the Rangers keeping an eye on everyone. Rowden would like to see a better drawing in the future. Clement said he wanted to expand the beer garden but due to security it is only slightly bigger than last year. They have had no issues and the event is ending at 8:00 p.m. so the event is starting earlier and ending earlier. Councilmember Lindsey said we could go and get better measurements it would satisfy Council. Clement said he could do a Google Earth map.

MOTION CARRIED

APPROVE A STREET CLOSURE FOR THE REX ALLEN DAYS PARADE TO BE HELD ON 10/6/18 FROM 6:00 A.M. TO 1:00 P.M.

MOTION: Councilmember Lindsey made a motion to approve the street closure for the Rex Allen Days Parade.

SECONDED: Vice Mayor Rowden seconded the motion.

DISCUSSION: Councilmember Lindsey asked has the route not been changed. Clement said, no, it is the same. It'll be the classic route. Lindsey replied that it needs to be reworded. Lindsey then amended the motion to state that it is the classic route.

MOTION CARRIED

APPROVE A STREET CLOSURE REQUEST FROM ROCA MOTION WILLCOX FLYER BIKE RIDE FOR RAILROAD AVE. FROM STEWART ST. TO MALEY ST. FOR 8/31/18 AT 5:00 P.M. TO 9/1/18 AT 2:00 P.M.

MOTION: Vice Mayor Rowden made a motion to approve the street closure for Roca Motion Willcox Flyer Bike Ride.

SECONDED: Councilmember Lindsey seconded the motion.

DISCUSSION: Councilmember Garza said there may be a time change on there; it should say 5:00 p.m. on the Council Action Form. The motion was amended to say it ends at 5:00 p.m.

MOTION CARRIED

DISCUSSION AND APPROVAL OF ARIZONA LEAGUE OF CITIES AND TOWN'S RESOLUTIONS

MOTION: Vice Mayor Rowden made a motion to approve the Arizona League of Cities and Town's Resolutions.

SECONDED: Councilmember Garza seconded the motion.

DISCUSSION: City Manager Blaschke gave a brief background of the resolutions presented. Blaschke explained that policy committees review important topics and ask that the League lobby for them. At the annual conference, we will be voting on the twelve resolutions presented. Councilmember Garza asked if most of them are presented by larger municipalities. She said it does say that there is no financial burden on most of them. One question is: the cards to travel more than the 75 mile limit, will it violate federal law? Is it up to the state? Blaschke replied that it works two ways. Typically the neighbors in Mexico are given a card and it allows them to travel for business and recreational purposes. They see a lot of people come to Arizona for shopping and then returning back to Mexico. When they pass

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the 75 miles, they stay longer and buy more. This will bring in more revenue to us and it is an economic benefit. Garza asked how difficult is the vetting process? Blaschke said it is already there and becoming more efficient. Garza asked if they need a passport as well to which Blaschke replied that he is not sure. Garza mentioned that Federal law supersedes State law and asked can we go through the State process. Blaschke replied that McSally is pushing this and yes. Councilmember Lindsey asked if there are any of them as a Council that we want to push or not want to approve as he hasn't had time to go over all the resolutions. Vice Mayor Rowden said she feels like this one that Garza is singling out would be a benefit to us and some of them are just common sense. Mayor Laws said he would be glad to promote anything the Council would like to promote. Blaschke said that if there are issues that you want to bring up, you could bring it up and have it voted on at the League.

MOTION CARRIED

CITY MANAGER REPORT

City Manager Blaschke said his first week and a half has been great. Council has brought waste water treatment plant and economic development issues to him and have asked him to finish Titles 5 and 17. They will be brought to the City Council. Infrastructure is very important to us. Blaschke would also like to set up a special event process. Rex Allen Days is huge for the City as well as other events such as Wings over Willcox and Wine Country Events. We can help advertise better and work more closely with them and help develop with them.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilmember Garza presented a card and roses to Carol Broeder from the Council to show appreciation for all that she has done as this is the last report for Council that Carol will do. In addition, Garza thanked the Council and Rex Allen Days. People look forward to it and there are many family reunions during that time. In the future we could work out some issues but for this year we move forward on it. Garza welcomed Blaschke and said it's been wonderful having him here. Garza said there is always a minimum amount of participation in some events; however, we are doing a good job and looking out for the community.

Vice Mayor Rowden said she wanted to say that she has enjoyed working with Blaschke so far. If we had a magic formula to get people involved we would get people involved. It's hard to get new people involved in the community. Willcox is a wonderful community and the better you will be for being involved. Rowden wanted to say that she has seen a lot of cleanup of the town and she is glad to see that with the monsoons. We need to take pride in our community and making it look the best it can look. We want Willcox to be the best. Rowden said she heard from someone from Tucson and they said the streets were clean and they had been swept. They were impressed with our community. However, we need more flowers but we continue to make progress.

Councilmember Irvin said it is nice to be back. He said don't let anyone bad mouth the hospital. He then thanked everyone for their visits and cards.

Councilmember Lindsey said he is glad to have Irvin back and we have missed him. Lindsey said we are missing Woody Johnson tonight due to medical problems and he will be gone for a few weeks. Lindsey is glad to have Caleb on board. It has been a wait for a couple of months and thanks to City Clerk Hadfield and the Mayor. Lindsey said he gives them my admiration for getting through it. Lindsey expressed his regards to Carol Broeder. We will miss her and she has done a help to the Council. Lindsey said he enjoyed the forum last evening. Everyone did a good job he just wishes that we had more people in attendance. He heard a comment that it wasn't well advertised. Lindsey said he thinks things are going well and he looks forward to moving things forward. Lindsey is looking forward to the League Conference. He has a SEAGO meeting tomorrow and a water meeting tomorrow. There are concerns with water metering. We don't need to put meters on our wells that we own. Lindsey will be watching closely to how that meeting turns out.

Mayor Laws thanked Carol for putting in the paper that we had a water leak. Laws said that staff is amazing in how they respond and put things together. Laws said to Rex Allen Days, I hope you're not mad but they want the park to not be driven on. We don't want vehicles on the park and we don't want to void the trail warranties. Other mayors say that they don't drive in the parks. Jody Clement said that they don't drive around, they park, but they don't drive around. Laws commended Rex Allen Days for the same people always doing everything. Laws mentioned that there is one new winery that came to the County. He said that the forum was good. It went over well and he hopes that everyone is elected but he realizes that can't happen. Laws said that we are going to miss you Carol. Laws said that his heart is in it when he does things. He doesn't mean to disrespect anyone but, there are other voices and we have to listen to everyone. Laws said that we are glad to have Caleb. Laws said thank you to Hadfield and City Attorney

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Ann Roberts for their hard work. Lastly, Laws said the Police Department is constantly busy and the City is what is supporting the court right now.

ADJOURN

MOTION: Vice Mayor Rowden made a motion to adjourn the meeting with no further business at 7:30 p.m.

SECONDED: Councilmember Garza 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 16th day of August 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 16th day of August 2018

City Clerk Crystal L. Hadfield

PASSED, APPROVED AND ADOPTED this 6th day of September 2018.

Mayor Michael J. Laws

ATTEST:

City Clerk Crystal L. Hadfield

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 20th DAY OF AUGUST 2018**

CALL TO ORDER - Mayor Michael Laws called the meeting to order at 8:01 a.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 - Telephonically

STAFF

City Manager Caleb Blaschke
City Attorney Ann Roberts
Finance Director/City Clerk Crystal Hadfield
Public Works Director Galovale Galovale
Director of Administrative Services Jeff Stoddard

ABSENT

Councilman Elwood "Woody" A. Johnson
Councilman Robert A. Irvin

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

ADOPTION OF THE AGENDA

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

SECONDED: Vice Mayor Rowden seconded the motion.

MOTION CARRIED

EXECUTIVE SESSION PURSUANT TO A.R.S. §38-431.03(A)(4) FOR DISCUSSION AND CONSULTATION WITH THE ATTORNEY OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEY REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE THE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED TO AVOID OR RESOLVE LITIGATION REGARDING THE CONSTRUCTION OF CITY OF WILLCOX WASTEWATER TREATMENT PLANT.

MOTION: Councilmember Bowlby made a motion to go into Executive Session at 8:04 a.m.

SECONDED: Vice Mayor Rowden seconded the motion.

MOTION CARRIED

RECONVENED AT: 8:42 a.m.

DISCUSSION AND/OR CONSIDERATION REGARDING PROPOSED CHARGE ORDER NO. 3.

MOTION: Councilmember Bowlby made a motion to approve Charge Order No. 3 for the dewatering schedule impact for \$584,813.00.

SECONDED: Councilmember Lindsey seconded the motion.

MOTION CARRIED

DISCUSSION AND/OR CONSIDERATION REGARDING PROPOSED CHARGE ORDER NO. 5.

MOTION: Councilmember Bowlby made a motion to approve Charge Order No. 5 for the dewatering design for \$25,399.00.

SECONDED: Vice Mayor Rowden seconded the motion.

MOTION CARRIED

ADJOURN

MOTION: Councilmember Bowlby made a motion to adjourn the meeting with no further business at 8:44 a.m.

SECONDED: Vice Mayor Rowden seconded the motion.

MOTION CARRIED

CERTIFICATION

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 20th DAY OF AUGUST 2018**

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 20th day of August 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 20th day of August 2018

City Clerk Crystal L. Hadfield

PASSED, APPROVED AND ADOPTED this 6th day of September 2018.

Mayor Michael J. Laws

ATTEST:

City Clerk Crystal L. Hadfield

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

RESOLUTION: 2018-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 28, 2018.

WHEREAS, the City of Willcox, Cochise County, Arizona did hold a primary election on the 28th day of August 2018 for the election of Councilmembers; and

WHEREAS, the election returns have been presented to and canvassed by the Willcox City Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, as follows:

SECTION 1: That the total number of ballots cast at said primary election, as shown by the poll lists, was 470.

SECTION 2: That the number of ballots to be verified (Provisional Ballots) was 37, and that voters found to be ineligible were 0.

SECTION 3: That the votes cast for the candidates for Councilmember were as follows:

Rebecca "Becky" Akes	274
Timothy Bowlby	273
Paul Sheats	236
Michael Laws	231
Steve Denny	197
G. Sam Lindsey	195
William Reid	158

SECTION 4: That it is hereby found, determined and declared of record, that the following four (4) candidates did receive more than one-half of the total number of valid votes cast and are hereby issued certificates of election:

Rebecca "Becky" Akes	274
Timothy Bowlby	273
Paul Sheats	236
Michael Laws	158

SECTION 5: This resolution shall be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY the Mayor and Council of the City of Willcox, Arizona, this 6th day of September, 2018.

MICHAEL J. LAWS, Mayor

ATTEST:

APPROVED AS TO FORM:

CRYSTAL HADFIELD, City Clerk

ANN P. ROBERTS, City Attorney

**City Election
(Official Results)**

Candidate	Votes	% of Total Votes	% of Possible Votes
Becky Akes	274	274/1564=17.52%	274/391=70.08%
Tim Bowlby	273	273/1564=17.46%	273/391=69.82%
Paul Sheats	236	236/1564=15.09%	236/391=60.36%
Mike Laws	231	231/1564=14.77%	231/391=59.08%
Steve Denny	197	197/1564=12.60%	197/391=50.38%
Sam Lindsey	195	195/1564=12.47%	195/391=49.87%
William Reid	158	158/1564=10.10%	158/391=40.41%
# of Votes	1564	100%	

Total Votes 1564/4 seats = 391. Divided by 2 (50%) = 196 (Rounded up)

Threshold of 196 Votes

When determining the election results under the nonpartisan election procedure, a candidate is declared elected to office in the primary if that candidate has a majority of all votes cast. In 2015, legislation codified the 2014 session law that allowed for a new method of determining the majority of the votes cast to address the impact of consolidated elections. In order to determine a majority of votes cast, you must calculate the total number of actual votes cast for all candidates for an office; divide that sum by the number of seats to be filled for the office and divide the result of these calculations by two and round the number to the highest whole number. If more candidates receive a majority of votes than there are offices to be filled, the candidates receiving the highest number of votes equal to the number of seats to be filled shall be declared elected. A.R.S. § 9-821.01 (2015).



**Cochise County
Elections Department**

Public Programs...Personal Service
www.cochise.az.gov

LISA M. MARRA
Director

MARTHA L. RODRIQUEZ
Deputy Director

**CERTIFICATION OF RESULTS OF THE
CITY OF WILLCOX
PRIMARY ELECTION AUGUST 28, 2018**

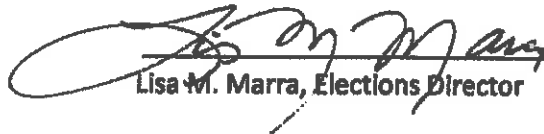
I, the undersigned, being the Election Officer of Cochise County, Arizona, do hereby certify that the copy of the Final Unofficial Results of the Primary Election held on August 28, 2018 is attached hereto, and is a true and correct copy of the results that have been filed in the records of the Cochise County Elections Department in Bisbee, Arizona. The results will become official when the City of Willcox canvasses this election.

Total Ballots Cast: 470

COUNCIL MEMBER

Rebecca ("Becky") Akes	274
Timothy Bowlby	273
Steve Denny	197
Michael Laws	231
G. Sam Lindsey	195
William Reid	158
Paul Sheats	236

State of Arizona)
County of Cochise)



Lisa M. Marra, Elections Director

This instrument was acknowledged before me this 5thth day of September, 2018 by Lisa M. Marra.



Notary Public

My commission will expire:



1415 Melody Lane, Building A
Bisbee, Arizona 85803
520-432-8970
520-432-8985 fax
lmarra@cochise.az.gov

JURISDICTIONAL CANVASS
 RUN DATE:09/05/18 10:14 AM

City of Willcox

VOTES PERCENT

VOTES PERCENT

01 = BALLOTS CAST

470

Council Member City of Willcox
 (VOTE FOR) 4

- 02 = AKES, REBECCA ("BECKY")
- 03 = BOWLBY, TIMOTHY
- 04 = DENNY, STEVE
- 05 = LAWS, MICHAEL
- 06 = LINDSEY, G. SAM
- 07 = REID, WILLIAM
- 08 = SHEATS, PAUL
- 09 = WRITE-IN

274 17.52
 273 17.46
 197 12.60
 231 14.77
 195 12.47
 158 10.10
 236 15.09
 0

	01	02	03	04	05	06	07	08	09
1047 47 WI KANSAS SETTLEMENT	210	118	120	85	103	100	69	106	0
1048 48 WI STEWART	2	2	1	0	1	2	0	1	0
1049 49 WI WILLCOX	258	154	152	112	127	93	89	129	0

1047 47 WI KANSAS SETTLEMENT
 1048 48 WI STEWART
 1049 49 WI WILLCOX

RUN DATE:09/05/18 10:27 AM

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	TOTAL VOTES	%	EARLY	VOTE CTR	PROV
Council Member City of Willcox					
(VOTE FOR) 4					
AKES, REBECCA ("BECKY").	274	17.52	173	95	6
BOWLBY, TIMOTHY	273	17.46	161	107	5
DENNY, STEVE	197	12.60	123	66	8
LAWS, MICHAEL	231	14.77	140	88	3
LINDSEY, G. SAM	195	12.47	124	68	3
REID, WILLIAM	158	10.10	83	73	2
SHEATS, PAUL	236	15.09	142	84	10
WRITE-IN.	0		0	0	0

Proclamation

Constitution Week

WHEREAS, September 17, 2018 marks the two hundred and thirty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through September 23rd as Constitution Week; and

WHEREAS, it is imperative that we continue to educate ourselves, our fellow citizens, and our future generations about the Constitution and America's founding principles of government, and individual liberties.

NOW THEREFORE, I Michael J. Laws, Mayor of the City of Willcox, do hereby proclaim September 17th through September 23rd as **CONSTITUTION WEEK**. I ask our citizens to reaffirm the ideals of the Framers of the Constitution by protecting the freedoms guaranteed to us by the Constitution.

Dated this 6th day of September, 2018

Mayor, Michael J. Laws

Attest: _____
City Clerk, Crystal L. Hadfield