

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 17<sup>TH</sup> DAY OF JANUARY 2019**

**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 Laws  
Vice Mayor Timothy Bowlby  
Councilman Elwood "Woody" Johnson  
Councilwoman Terry Rowden  
Councilwoman Rachel Garza  
Councilwoman Rebecca "Becky" Akes  
Councilman Paul Sheats

**STAFF**

City Manager Caleb Blaschke  
City Attorney Ann Roberts  
Finance Director/City Clerk Crystal Hadfield  
Interim Public Safety Director Dale Hadfield  
Administrator of Development Services Jeff Stoddard

**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 Rowden made a motion to adopt the agenda as presented.

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

**MOTION CARRIED**

**APPROVE THE DECEMBER 20, 2018 REGULAR MEETING MINUTES**

**MOTION:** Vice Mayor Bowlby made a motion to approve the December 20, 2018 regular meeting minutes as presented.

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

**DISCUSSION:** Councilmember Garza asked a question regarding the shelter that had been asked by Councilmember Rowden. City Manager Blaschke said that we are still working on it. Garza then asked about what Finance Director Hadfield had said about compensation for shelter volunteers and did that mean worker's compensation. Hadfield replied that is correct.

**MOTION CARRIED**

**RESOLUTION 2019-01 – A RESOLUTION APPROVING AN IGA WITH THE CITY OF PHOENIX FOR THE BUSINESS INTELLIGENCE (BI) TOOL FOR TAX REPORTING**

**MOTION:** Vice Mayor Bowlby made a motion to approve the Resolution.

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

**DISCUSSION:** Finance Director Crystal Hadfield presented a PowerPoint Presentation outlining the history and capabilities of the Business Intelligence (BI) Tool for tax reporting. Hadfield mentioned that it is a \$1,500 setup fee and \$275 annually to maintain the system. Councilmember Rowden said she can see the benefits of the tool for economic development and how we can analyze businesses. Rowden also pointed that on the Council Action Form it says further instead of further. Councilmember Sheats asked about real-time and how far out is the data to which Hadfield replied that the information is about a month behind. Sheats said we could look at November or December to see the affects of Rex Allen Days for example. Hadfield replied yes, and it depends on how fast we get the information from the Department of Revenue. Rowden asked how much of a cost difference is this from when we had Revenue Discovery Systems (RDS) to collect our taxes. Hadfield said that when we had RDS it cost between \$28,000 to \$30,000 a year and now that we are with the Department of Revenue it is about \$8,000 to \$9,000 a year. Vice Mayor Bowlby clarified that we would still be with the Department of Revenue only the tool is through the City of Phoenix for navigation of data. Rowden said she went through the Department of Revenue's website to find out how our bed tax is made up and it was terribly confusing. Hadfield said that she agrees with Rowden and most of the reporting that we get from the department is very hard to navigate and the system is hard to work with. Councilmember Garza said that on the scope of agreement, it does not guarantee accuracy or timeliness of the data and what do we have to back it up. Hadfield said it is a disclaimer and the data comes through the Department of Revenue, and this is just a sorting tool. Sheats said that this tool could assist in looking at tax information that Rowden was looking for. Hadfield replied that what Councilmember Rowden was looking at was a tax table. The information that we receive is sensitive information that

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cannot be provided; however, we can provide charts and graphs of the makeup of the data. Garza asked about the no payment report and asked if it is local businesses that we will be able to see. Hadfield said that if someone sets up a Transaction Privilege Tax (TPT) and doesn't pay, it will alert us in the report. Garza asked what if they haven't set up a license. Hadfield said we know who those businesses are, and we are working on it. Vice Mayor Bowlby asked about the logistics of the setup. Hadfield replied that it is setup through the Core FTP website and if we have questions, we will be calling Valley (IT) for assistance. Councilmember Johnson said that the teeth through the Department of Revenue is like that of the IRS. The questions that were asked were good. Johnson asked if the department sends the City of Phoenix a spreadsheet and then if Phoenix sorts it for us. Hadfield replied that it is all done on the Core FTP website. It's more of an add on. Johnson said to his knowledge we haven't had to go to someone's business if they weren't paying. Hadfield said that when we were with RDS, they were supposed to audit on our behalf and that never happened. Rowden said that this will give us the information that we need if we do need to do an audit. Johnson said this will tell us who our major taxpayers are and how much they are paying. Hadfield said we can get that information now, but it is hard to navigate. Johnson said for \$275 a year after the \$1,500 setup, it's a bargain. Councilmember Akes asked if it is a contract to which Hadfield replied it is an Intergovernmental Agreement (IGA) with the City of Phoenix. Hadfield also said there is a provision to get out of it if we aren't satisfied with the tool. Bowlby said it is a 30-day provision or either party can cancel. Hadfield said they have done this with success with other cities. Hadfield said we did a webinar and realized that this tool is exactly what we need. Mayor Laws said that this Council is business friendly and if there are any discrepancies down the road we need to give them every opportunity that we can. Hadfield replied that we do and that we offer information for the businesses such as the forms and how to fill them out and we are helpful with businesses setting up or those that are non-complying.

**MOTION CARRIED**

**WILLCOX HISTORICAL THEATER UPDATE: GAYLE BERRY**

Gayle Berry presented an update on the Willcox Historical Theater through PowerPoint. Berry discussed the recent theater renovations, what was played in the theater throughout the year, revenue received by the theater, and gave an update on Studio 128. Studio 128 offers concerts and activities for all ages and for everyone in the community. Berry discussed the summer camps that are offered. Berry said that the theater is really a special place. Berry said that you don't have to go to Tucson or other communities to see movies and participate in activities; they are in Willcox. Berry said that the theater is a community hub that is central to quality of life and it brings something special that would lack if it wasn't there. Berry said that they are a non-profit corporation and they have a board that consists of some of the finest people in the community. They have accountants, financial people, and education people. The theater would not be who it is today without the strength of the board. Berry encourages everyone to come to the 82<sup>nd</sup> Anniversary of the theater on January 31<sup>st</sup> at 7:00 p.m. Mayor Laws said that City Manager Blaschke let the cat out of the bag and there is a presentation on Rex Allen that Studio 128 made. Laws said we would like to see you do more of it. Sheats said you used the word art and community and it is a real definition of what a community center really is. It is a living breathing community center. Councilmember Rowden, having been on the original board, said it was a delight to see how the progress has been made and what it is for our community. It is a community hub and has gone beyond expectations as to what it could be. It serves a purpose that there is nowhere else that we have in Willcox. Rowden then asked Berry if they still allow volunteers in the theater. Berry said yes. Rowden asked if you can you still do recordings to which Berry replied yes, we do have the recording facility, but we do not have a significant mixer, but we can do a podcast. Rowden said that she encourages everyone to go on Wednesdays and listen to the jam sessions. Councilmember Johnson said you nailed it by saying quality of life. Councilmember Garza said the only thing she can say is that they have brought so much into the community. Sometimes there is too much to do and you don't know which direction to go to. Garza would like to see more coordination within the organizations as there is so much to do. Garza also said there is so much fun education that is offered. Mayor Laws said that there are a lot of people wanting to come here. When we go to Mayor-Managers meetings we hear about all the problems, but we brag about Willcox. City Manager Blaschke said we sat down with the theater, WASA, the hospital, and school district we are putting together a profile and will send out something showing upcoming activities. To address the Mayor's comment, there will be another video to show in the future. Wesley has put together a package showcasing what they can do for us. We don't have a lot of brochures, videos, and information for our events and it is something that they can provide.

**PROCLAMATION: WILLCOX HISTORIC THEATER**

Mayor Laws read the Proclamation for Willcox Historic Theater and presented the Proclamation to Gayle Berry.

**APPROVE THE SPECIAL EVENT LIQUOR LICENSE FOR REX ALLEN DAY'S INC FOR A RODEO TO BE HELD ON FEBRUARY 9, 2019 FROM 10:30 A.M. TO 6:00 P.M.**

**DISCUSSION:** This item was removed due to a scheduling conflict for Rex Allen Day's Inc.

**APPOINT A COUNCILMEMBER TO THE SENIOR CENTER ADVISORY COMMITTEE**

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**MOTION:** Mayor Laws made a motion to appoint Councilmember Rowden to the Senior Center Advisory Committee.

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

**DISCUSSION:** Councilmember Rowden said she would not mind being on the board because she is over sixty. Councilmember Johnson said that he thinks Rowden would be a fantastic representative.

**MOTION CARRIED**

**DISCUSSION ON CODE AN IT'S RELATION TO ECONOMIC DEVELOPMENT – CALEB BLASCHKE**

City Manager Caleb Blaschke presented a PowerPoint Presentation on City Code and on its relation to economic development. Blaschke discussed the importance of code enforcement and how it maintains a safe and healthy environment. Blaschke said that hopefully, Title 5 will be provided to Council in February or March and Council will have the opportunity to review it thoroughly. Blaschke discussed how weed height is only permitted at six inches currently within 150 feet from a structure. This is a fire recommendation to protect your property. However, if you have ½ an acre that is undisturbed, you are exempt if you do not have property on the area therefore you would not have to abide by this. Blaschke said that Matt Klump's property for example, if he was to annex in to the City, he would be responsible for keeping his 400 acres mowed based on the current Title. Because he does have a structure on the property the 150-foot rule would apply. It is important to consider those things while going through the code. Exemptions to grass height will be considered during the monsoon season. Councilmember Garza said on occasion the City has gone through alleys and asked if that is something that happens three or four times a year. Blaschke said that has been done as a courtesy. Your property is from the middle of the alley to the curb. We will be sending out education to the residents regarding the code. Willcox is unique in that there are alleys behind almost all homes in Willcox. Rowden clarified that it is six inches and as much as 18 inches for a period of no longer than two weeks during the monsoon season. Councilmember Johnson said back in 2004 hell broke loose so we want to make sure that we do this right. Willcox is Arizona and natural as can be and needs to stay that way unless you want to be a Tucson or other large city. That is what makes Willcox where it is at. Six inches is not very tall, eight inches could be a minimum. Sheats asked Mr. Klump if that is fair and reasonable. Klump said that makes sense for a fire safety hazard. Administrator of Development Services, Jeff Stoddard, said 150 feet is standard for fire safety. Rowden said this is basically to address the in-city residential areas or areas that are open that do not have structures on it. It seems to her that it will not affect natural habitat along Rex Allen Dr., but it will address areas that are not only is it not appealing but a fire hazard during the dry season. Blaschke used his home on a map as an example. Stoddard said the old code said that the whole area had to be mowed and there are areas that are zoned for cattle, etc. Rowden said the area across from where she lives, it will be detrimental to sell based on the property across from her. Blaschke then discussed junk vehicles within city limits according to the code. In Marana, you can only have two junk vehicles. In our code, it is unlimited, and it says it must be a six-foot fence that you cannot see through. On the new code, there would be an exclusion on five acres or larger that the vehicles could be stored on the back part of the acreage so as not to become a nuisance, so we would have a diagram that would show people how to store things. Blaschke said we could put a limit under five acres. Mayor Laws asked if a fence would be defined as to what a fence is. Sheats said we are known for pallet fences. Interim Chief Hadfield said the old junk yard on 1<sup>st</sup> Ave., he added a fiberglass fence. Stoddard says that Title 17 tells you what kind of fence is allowable. Vice Mayor Bowlby asked if there are provisions on boats. Blaschke said that the definition on vehicles includes RVs, trailers, and boats. Stoddard said we are talking about Title 17. Title 17 and 5 has contradictions which need to be fixed. Sheats asked if someone has four lots, for example, would they be able to have more junk vehicles based on the size. Rowden said it needs to be specific per lot. Blaschke said we will look at that and bring some options back to Council. Johnson said you must define what is a junk vehicle; is it licensed, insured, broken down. Rowden asked how long it has been sitting there to be considered a junk vehicle. Stoddard said it now says 30 days. Blaschke gave the current definition for a junk vehicle from our current code. Rowden said it would help if we had copies of the code with changes in red. City Attorney Roberts said the best way to handle this is to have a work session after staff has put it together. Rowden said we can go get ordinances on our website. Blaschke said you can't see the changes online, but we will bring it forth with changes later. Rowden said you shouldn't have any junk vehicles on your property. Blaschke discussed the enforcement process through a flow chart. In our current code, we could put a lien on properties; however, property values have not gone up and we would have to pay back-taxes. In Marana, most people comply through outreach and education. Marana has only had to do one lien. Marana also has trailers and equipment that they will drop off at someone's house and they can fill it up with metal or brush and then the City will haul it off. Marana also has a process for dilapidated buildings and most complied. Blaschke reiterated that it is all about educating people. Garza asked does this apply to owners or renters. Sheats asked who do we go after, the owner or renter. Blaschke said multiple people. Roberts said go after the owner and renter. Blaschke said a lot of times it is in the rental agreement. We will bring the code back and get you a copy of the changes and red-lined version. The new code has been cut back quite a bit because half of the section was solid waste. There are quite a few sections we are moving to different areas of Title 5. Will have another workshop on it and then bring it to a vote.

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**EXECUTIVE SESSION PER ARS §38-431.03A(1) FOR CITY MANAGER'S SIX MONTH EVALUATION**

**MOTION:** Mayor Laws made a motion to go into Executive Session at 7:54 p.m.

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

**MOTION CARRIED**

**RECONVENED FROM EXECUTIVE SESSION** – Reconvened at 8:31 p.m.

**DISCUSSION/DECISION RELATED TO CITY MANAGER'S SIX-MONTH EVALUATION**

**MOTION:** Vice Mayor Bowlby made a motion to continue with the contract to include a \$5,000 raise and make a change to the accrual of vacation. February of 2020 will be the next City Manager evaluation.

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

**MOTION CARRIED**

**CITY MANAGER REPORT**

City Manager, Caleb Blaschke reported to Council that he has an agenda of items for the next six months. At the next meeting, we will be reviewing the Chamber's contract. There was a request from Stephen Klump to look at annexing properties and that will be coming down the pipe as well. The City Magistrate contract will be coming up as well. On Feb 11 and 12<sup>th</sup> we will have a Council Retreat to go over the strategic plan where we will be going out and looking at infrastructure. Blaschke said we can take Council out later if they can't make it. The February 28<sup>th</sup> meeting will be moved to the 27<sup>th</sup> so that SEACOM can come to discuss the dispatch center.

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

Councilmember Johnson said 2019 is off to a good start. He wishes everyone a good year and thanked everyone for the vote of confidence for our City Manager.

Councilmember Garza said congratulations to Blaschke. We knew he would stay with us and we are happy to have him and look forward to the future.

Councilmember Rowden said job well done and keep up the good work to City Manager Blaschke. Rowden encourages everyone to visit Wings Over Willcox. There are some local vendors. Rowden said to go out on the tours, there are some good ones. In the past, she has led a crane tour. Wings Over Willcox is a big draw for Willcox and we are one of the premier birding areas in the world. There has been a lot on Facebook about the bed tax recently. The Department of Revenue website is hard to navigate and because of the way that the business code is, 044 is not part of the bed tax but 144 is. They have lumped those two together and until recently, Rowden didn't understand the difference between the codes until she looked it up. Rowden also went in and printed out the bylaws for the Chamber and the requirements for the director. Being a chamber member and working out there, Rowden said she is wondering if the board members have read the bylaws. She encouraged everyone to read them. City Manager Blaschke let the Council know that we will be working on a memo regarding the bed tax and the history of it. Rowden said she thinks 2019 is going well and to go ahead and continue with that momentum.

Councilmember Akes said congratulations to Blaschke and is looking forward to working with him. Akes said congratulations to Rowden for serving on the senior citizens board.

Councilmember Sheats said thank you to each one of you on the staff for what you do. He is looking forward to some of the upcoming events and finishing some projects. Sheats said when you come to us at our next meeting please bring more than one option to the table. Sheats said he has read the Chamber's bylaws and that might help us understand moving forward. Sheats has heard about some rodeo stuff coming forward and let's look at that potential contract. Sheats said he is going to SEACOM on Monday for a tour. Sheats offered to take other Councilmembers or ask questions if there are any.

Vice Mayor Bowlby said congratulations to Blaschke and thanked the rest of the staff as well. For the Nursing Home Association that Bowlby is president of, there is a current market study going on. The Association has received a few grants from SSVEC and others. They are currently on the questioning and leg work of the study and they may go into a feasibility study. Bowlby said he heard the high school is going to honor the 1979 championship team. They are honoring them tomorrow night against Thatcher and nine out of the ten members are coming. It starts at 7:00 p.m.

Mayor Laws said congratulations to Blaschke and a job well done. Laws also congratulated Councilmember Rowden. Laws said the City is on a good path and good things are happening. We will be receiving the new police car quickly. Laws said he received a phone call from Martha McSally asking him to come to Sierra Vista tomorrow to meet with her

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to set up a Mayor's Council for southern Arizona. That will put us in further with the Governor's office and he is looking forward to that.

**ADJOURN**

**MOTION:** Vice Mayor Bowlby made a motion to adjourn the meeting with no further business at 8:47 p.m.

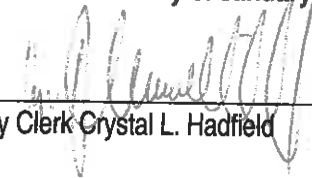
**SECONDED:** Councilmember Rowden seconded the motion.

**MOTION CARRIED**

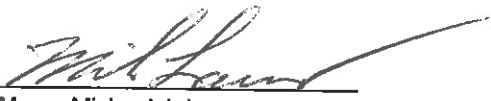
**CERTIFICATION**

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 17<sup>th</sup> day of January 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

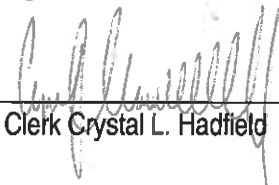
**Dated this 17<sup>th</sup> day of January 2019**

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

**PASSED, APPROVED AND ADOPTED** this 7<sup>th</sup> day of February 2019.

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

**ATTEST:**

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

