

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 5TH DAY OF JANUARY, 2009**

CALL TO ORDER

Mayor Gerald W. Lindsey called the regular meeting to order on Monday, January 5, 2009 at 7:00 p.m. He introduced our new City Manager Pat McCourt (APPLAUSE). He said it's great to have him on board but rumor has it that he has already resigned! Mr. McCourt assured the Mayor that he has not resigned. Welcome!

ROLL CALL- The Mayor announced to let the record note all Council members are present.

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Larry Schultz
Councilman Elwood A. Johnson
Councilman Jimmy L. Norris
Councilwoman Monika Cronberg
Councilman Stephen Klump
Councilman Christopher Donahue

STAFF

City Manager Pat McCourt
City Attorney Hector M. Figueroa
City Clerk Cristina G. Whelan, CMC
Chief Jake Weaver
Library Director Tom Miner
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Building Inspector Jeff Stoddard

PLEDGE OF ALLEGIANCE TO THE FLAG- Mayor Lindsey.

CALL TO THE PUBLIC

Mr. Chuck Broeder, a member of the Willcox Chamber of Commerce & Agriculture and a local businessman, addressed the Mayor and Council about the City joining with the Chamber to approach ADOT about changing the interstate signs at Exit 336 and Exit 344. The owner of Motel 8 approached Mr. Broeder about an article in the newspaper about the sign change on I-10. The exit signs at 336 and 344 used to say "Willcox" and now they say "TO Taylor Road" and "TO Stewart Road," and travelers are confused. Mr. Broeder called Ms. Kathy Smith, the Chamber Director, too. Everyone understands this is not a part of the City but is ADOT, and the concern is that tourism is down 40% at Motel 8, and 50% at his business. Mr. Broeder hopes the City Council can work with Chamber to try get the signs changed and to help increase business coming to the Historic Downtown area. Tonight he wanted make sure that the City is aware of the problem and will work with the Chamber to try to get people to town.

DECLARATION ON CONFLICT OF INTEREST-There was no response from the Mayor, Council members or staff.

ADOPTION OF THE AGENDA

MOTION: Councilman Johnson moved to adopt the agenda as presented.

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES OF DECEMBER 15, 2008

MOTION: Councilman Johnson moved to adopt the regular meeting minutes of December 15, 2008.

SECONDED: Vice Mayor Schultz seconded the motion. **DISCUSSION:** Councilwoman Cronberg noted typographic error on page 7 change "Petty Office" to "Petty Offense." City Clerk will make that correction. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-01 APPROVING THE DISTRIBUTION OF ARIZONA DEPARTMENT OF TRANSPORTATION ["LTAF II"] GRANT FUNDS TO SELECTED RECIPIENTS FOR THE PURPOSE OF FUNDING SPECIFIC PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Johnson moved to adopt Resolution No. 2009-01, as stated, relating to LTAF II Grant Funds.

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SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson asked Finance Director Ruth Graham if the three groups notified her. Ms. Graham replied that three letters are included in the Council packets. Mayor Lindsey asked how we have assurance they will provide the in-kind amounts. Ms. Graham explained each organization is already providing transportation in excess of what we are giving them. Documentation is not requested but if needed we can ask. Councilwoman Cronberg confirmed that this is an even split of the funds among the three grantees even though one asked for more and Ms. Graham replied that they have been notified of the amounts. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-02 APPROVING AND ADOPTING THE WASTEWATER TREATMENT SYSTEM EVALUATION & DESIGN CONTRACT BETWEEN THE CITY OF WILLCOX [“CITY”] AND TETRA TECH [“T-T”] FOR THE PURPOSE OF EVALUATING AND REDESIGNING THE WILLCOX WASTE WATER TREATMENT PLANT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Johnson moved to adopt Resolution No. 2009-02, as stated, relating to the Tetra Tech evaluation and design contract for the Wastewater Treatment Plant.

SECONDED: Vice Mayor Schultz seconded the motion. **DISCUSSION:** Mayor Lindsey asked Public Services & Works Director Dave Bonner to discuss this topic. Mr. Bonner explained this contract was mentioned in November when the Council granted its approval to use funds received from WIFA to contract with an engineer. Tetra Tech representatives have come to Willcox and reviewed our concerns and ADEQ’s concerns. Last Monday we received our final Notification of Violations (NOV) from ADEQ, and Tetra Tech has been provided with a copy. Most of the information will come out when they do the investigation. The contingent paragraphs are standard procedure the Mayor said and he thinks it should take about six weeks. Mr. Bonner replied in the affirmative once they receive the contract this is the first phase. Mayor Lindsey said it is important to get the problems with the sewer system resolved quickly, and he wanted to present the contract tonight instead of at the next meeting. Mayor Lindsey asked for corrected copy of the Resolution in the amount of \$50,000, and City Clerk Whelan handed it out. **CARRIED.**

DISCUSSION/DECISION REGARDING THE REQUEST FROM THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE TO REQUEST THAT THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE BE ALLOWED TO SECURE ONE BUSINESS PERMIT FOR THE EVENT, TO SECURE TAX INFORMATION FROM THE VENDORS, TO PROVIDE INFORMATION TO THE CITY, AND TO WAIVE THE REQUIREMENT THAT EACH VENDOR OBTAIN A BUSINESS PERMIT FOR THE 2009 WINGS OVER WILLCOX FESTIVAL

MOTION: Councilman Johnson moved to approve the waiver request, as stated, relating to the Willcox Chamber of Commerce & Agriculture be allowed to secure one business permit for the 2009 Wings Over Willcox Festival.

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED.**

DISCUSSION REGARDING AN INVESTMENT POLICY FOR THE CITY OF WILLCOX

Finance Director Graham explained the City of Willcox does not currently have an Investment Policy in place. The draft presented tonight is modeled after samples the League has on its web site and has been reviewed by the City Manager. The draft policy will be modified to include the City Manager in each reference to the City designee, and to have reporting be made by the City Manager and the Finance Director. Our interest income is down for the first half of the fiscal year. We are at about 36% of where we were last year at this time. The City relies on interest income in the General Fund and the Utilities Funds. She proposed that with this policy we will be able to continue in LGIP and be able to add options such as Certificates of Deposits to diversify our portfolio and increase interest income. In the year 2000 LGIP experienced losses that have not yet been fully recovered. The proposed policy is modeled after several other policies in the State. Mayor Lindsey stated he has read it and it looks like a good document and

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appreciates Ms. Graham making presentation. The proposed Investment Policy will be on the agenda on January 20th for a decision.

REPORT BY CITY MANAGER PAT McCOURT

Consideration, discussion and/or decision regarding the following topics by City Manager Pat McCourt: he thanked the Mayor and Council for being here and said that his first day went "pretty good." He also announced:

- **Reminder the second City Council meeting in January will be held on Tuesday, January 20, 2009.**
- **Mayor and Council members Financial Disclosure Statements due January 31, 2009 for calendar year 2008.**

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilman Donahue welcomed Pat on board and stated he is excited to have him and ready to move forward.

Councilwoman Cronberg said she is looking forward working with him. Welcome!

Councilman Johnson welcomed Pat and reported that Wings Over Willcox starts on January 15th.

Councilman Norris said "Welcome aboard!"

Vice Mayor Schultz state "Welcome aboard!" and recognized Chuck Broeder as "Citizen of the Year". **(APPLAUSE!)**

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 7:21 p.m.

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 5th day of January, 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 6th day of January, 2009

City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2009.

MAYOR GERALD W. LINDSEY

ATTEST:

City Clerk Cristina G. Whelan, CMC