

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 2ND DAY OF FEBRUARY 2009**

CALL TO ORDER-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, February 2, 2009 at 7:00 p.m. The Mayor welcomed all for attending the Ribbon Cutting and Open House (300 and 320 W. Rex Allen Drive) and participating in the tours of both buildings. If citizens were not able to do the tours they are welcomed to come back.

ROLL CALL-The Mayor announced 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
Library Director Tom Miner
Public Services & Works Director Dave Bonner
HR Generalist Sherry Van Allen
Building Inspector Jeff Stoddard

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey.

CALL TO THE PUBLIC

Mr. Paul Sheets thanked the Mayor and Council for letting them come to see the new buildings and he would like to continue to come as a citizen for over 13 years and as a pastor of our community. Tonight he offered a prayer for the Mayor and Council, staff in City Government and especially to those people that make decisions and change our lives and do things for us.

Mr. Mike Bell is here tonight asking for some help from the City. WPRA (Women's Pro Rodeo Association) has planned two (2) barrel racing events on May 30-31 and September 26-27, 2009. They are trying to help City out by raising money for the entire town. The request is use of the arena and water truck. He has purchased his own tractor. Other events they are trying to get lined up for City are talking with Arizona High School Rodeo to consider coming here for their 3-day State finals. Mayor Lindsey thanked him for coming and staff will review request and get back in touch with him.

DECLARATION ON CONFLICT OF INTEREST- Councilwoman Cronberg stated *recuse herself from agenda item #7 relating to the Willcox Unified School District Soccer Field proposal. There was no further response from the Mayor, Council members or staff. (Per amended motion 02-16-2009 correct 'recluse' to "recuse.")

ADOPTION OF THE AGENDA

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

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

DISCUSSION REGARDING THE WILLCOX UNIFIED SCHOOL DISTRICT #13 SOCCER FIELD CONSTRUCTION PROPOSAL BY SUPERINTENDENT RICHARD RUNDHAUGH, Ph.D.,

Mayor Lindsey asked if there was someone here to speak on behalf of the school. City Manager Pat McCourt replied he has talked with Dr. Rundhaugh and he had other issues to take care of this evening. Mr. McCourt stated this item is for discussion only and the Mayor and Council and staff considered the following:

- Basic question is the City interested in providing space for the Community. This proposal is the most efficient for our tax payers of our community.
- Staff recommends moving forward.
- Some urgency is Cochise College is planning on starting their new building construction in the next couple of months. That will reduce green space used by the school.
- To move forward and partner with the school we will need indication at the next meeting in February.
- City's commitment questions to this project: estimate cost on manpower; equipment; initial grading of the fields; cost for the City to provide the water for their field in exchange fields available for the general public to use when the school is not using them for practice or games.

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 2ND DAY OF FEBRUARY 2009**

- Concerns: City street workers doing all the work for 3-weeks; will it get done before its time to do our street projects; street projects will have to be moved back or delayed;
- Street workers initially and then the Parks workers will be needed later for the sprinkler systems.
- Discussion needed so that community recognizes what contribution we have to put in in order to get recreational space and hold off on streets projects.
- Concerns are the financial worries coming down the road, if things get tight i.e. cut off water and is school willing to pick that up. The City is prohibited in giving our water per loan agreement. In order for City "to give water away" we have to receive something of equal or greater value in return. Our ability to utilized recreational facility is more than offset of the water.
- Field would be available to the public whenever the School does not have anything scheduled. The School would do the reservations of the field.

Staff was directed to go ahead and put together some proposals and present them to the Mayor and Council.

Consideration given to short term and long term emphasis is on short term so that the Mayor and Council do not bind future council's. A financial work session was suggested before the next meeting to review the budget on where we are at, what projects are out there, completed or not completed. The City and the School are trying to stretch our resources to satisfy the needs of the community. If it is approved recommendation is a review of projects on a quarterly basis on what the water usage is and the amount of usage of the fields.

DISCUSSION/DECISION REGARDING THE SPECIAL MEETING MINUTES OF JANUARY 20, 2009

MOTION: Councilman Johnson moved to adopt the special meeting minutes of January 20, 2009 as presented.

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

DISCUSSION/DECISION REGARDING APPROVAL OF FY 2007-08 AUDITED FINANCIAL STATEMENTS; FY 2007-08 SINGLE AUDIT REPORT

City Manager McCourt announced we have representative from the Auditor's tonight to make presentation. This is regular item that the City does to protect its citizens with an outside entity to review our records and to let the Mayor and Council know what a good job they are doing.

Ms. Robyn Sibley is a Senior Accountant of Hinton-Burdick CPA's & Advisors. Ms. Sibley was here last Fall to perform the audit and handed out copies of the PowerPoint which includes particular pages referring back to the Audit. Audit reports include Financial Statements. Joining the presentation was Mike Spikler of Hinton-Burdick via telecom.

Ms. Sibley noted we should be proud of this report there were not many findings. She thanked the Mayor and Council to allow them to come and do the Audit. She also thanked Finance Director Ruth Graham and her staff who had everything ready for their arrival which made the audit run very smoothly. Ms. Sibley and Mr. Spikler contact information is included in the handout.

Mayor Lindsey thanked her.

Mr. Spikler asked the Council if the timeliness of the Audit was appropriate or if we wanted the Audit done quicker. City Manager McCourt replied he would like to see the Audit done earlier rather than December 29. Also recognized we are small and not their sole clients and he agrees it is something we need to discuss. Councilman Johnson asked if they are able to move Audit to September or October. Mr. Spikler replied they could and try to coordinate with the City of Eloy. Mr. Spikler stated he thinks with Ms. Graham being here for a couple of years now she can get to close it out earlier and they can get it done quicker. Councilman Johnson asked if staff able to do that and the City Manager replied he certainly hopes so although he does not want to commit Ms. Graham when she is not here.

MOTION: Councilman Johnson moved to approve FY 2007-08 Audited Financial Statements; FY 2007-08 Single Audit Report.

SECONDED: Vice Mayor Schultz seconded the motion. **DISCUSSION:** Councilman Johnson asked staff for a work session on the financials really soon to do future planning so that we do not get into trouble down the road. Vice Mayor Schultz asked Ms. Sibley how our City compared to other City's. Mr. Spikler thinks from what was pointed out in the presentation the City is in sound financial condition. Although with current economy we are going to face in another year or so there are definitely some things we need to keep a tight rein on and keep conservative because it seems we have funds available but never know what to

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 2ND DAY OF FEBRUARY 2009**

expect coming up in the next year or two. Mayor Lindsey stated we all have to be vigilant on everything that happens as far as budget operations. Mr. Spikler stated we are much better than some governments and that is positive thing. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-09 APPROVING AND AUTHORIZING THE CITY TO SUBMIT FORM SP 142 TO CONTINUE ELIGIBILITY RECERTIFICATION WITH THE STATE OF ARIZONA SURPLUS PROPERTY MANAGEMENT OFFICE, DESIGNATION OF AUTHORIZED SIGNERS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, FORM SP 142 "AUTHORIZATION AND UPDATE FORM" AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Johnson moved to adopt Resolution No. 2009- 09, as stated, relating to the State of Arizona Surplus Property Management Office and authorized signers.

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

DISCUSSION/DECISION REGARDING THE APPOINTMENTS TO THE AIRPORT AD HOC COMMITTEE

City Manager McCourt reported the City Council is considering best ways to integrate the Willcox Regional Airport into it development planning. In December the Mayor and Council passed a resolution asking for interested community members to review this question. Staff advertised in the newspaper and received 13 responses within the time lines set by the Mayor and Council. Included in their packets is Resolution No. 2008-83 on what the Mayor and Council wanted to accomplish. Staff wants to know who you want to appoint and the committee will be staffed out of his office.

MOTION: Councilman Johnson moved to approve all of those that applied to the Airport Ad Hoc Committee.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson suggested that the meetings be held here instead of his office. Councilwoman Cronberg is gratified and impressed at the quality of interest that came forth. Glad to see so many people interested to better this community. There is a wealth of experience in these individuals. Mr. Phil Stratton found out today this was an agenda item and remiss that he did not put in and would like to volunteer his services. He has 50 years in aviation, has flown in and out of this airport and kept airplane there. Also he had 4-years ago a solid network to possibly bring aviation business and use Dry Lake. They are now operating out of Ft. Huachuca. He's happy to volunteer and help them and apologized for not getting letter in on time. Vice Mayor Schultz asked once committee selected is the meeting open to the public. Mr. McCourt replied our meetings are all open to the public. Ms. Cynthia Stine stated she looks forward helping the City do something with the Airport and has been in aviation over 35 years. Others present that are on the list also stated they are looking forward to working on the committee. City Attorney Figueroa explained when drafted Resolution NO. 2008-83 he received specific direction to include the wording "or as may be approved by the Mayor and Council pursuant to specific directives" which allows them to add as many members as they want to. Mayor Lindsey said there were two (2) other letters and we need to address all of them. The Mayor stated that he was a little disappointed that we had only one that is a resident of Willcox all the others are residents outside of the City. Talking about taxpayers and he welcomes additional support. **CARRIED.**

DISCUSSION/DECISION REGARDING STREET CLOSURE REQUEST BY MIKE BUSH, TUCSON CORVETTE CLUB FOR A POKER RALLYE ON SATURDAY, MARCH 21, 2009

MOTION: Councilman Johnson moved to accept the request for the street closure request by Mr. Bush, Tucson Corvette Club for a Poker Rallye on Saturday, March 21, 2009.

SECONDED: Vice Mayor Schultz seconded the motion. **DISCUSSION:** Vice Mayor Shultz thinks the way it is stated in his letter this closure is only for 8-parking spots and not the entire street. Mr. McCourt replied that is correct due to safety issue. Vice Mayor stated what is in the packets is different on what they are voting on is the whole street closure. Mayor Lindsey said the concern is turn in and having to turn around safely. The City Manager also reported they have contacted the businesses and received positive feedback. They anticipate arriving close to lunch time and will be there for about an hour. **CARRIED.**

DISCUSSION/DECISION REGARDING CRACK SEALING ON FT. GRANT ROAD

City Manager McCourt explained this agenda item is different than what was discussed during budget time. Public Services & Works Director Dave Bonner added we had discussed equipment to get it when we needed it. Cochise County has the equipment and they have provided a proposal. The City can not do chip sealing until the crack sealing is done. On any technical questions Streets Supervisor Arnold Arvizu is here to help answer. Councilman Johnson stated the County will bring the equipment down and Mayor Lindsey said proposal is to the County line, and we will do to the City limits only. Councilman Johnson said this was not a budgeted item and Mr. Bonner said it was budged at a lesser amount. Mr. Arvizu replied it was

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 2ND DAY OF FEBRUARY 2009**

\$5700. Mr. Arvizu explained crack seal project by County includes: traffic control, bring in equipment and City will not take part of that. The cost is high due to manpower, traffic, proper signage to be safe and liability for the City. It is about 3,600 feet to Joe Hines Road. Councilman Norris concern is with the price of oil and suggested we should look somewhere else because it is all made from crude oil. Mr. Arvizu stated we are looking at 1-2" wide and our cracks are wider than that. The proposed project includes man hours, equipment, planning and we can not chip seal without the crack sealing. Currently we do not have the money and recommends to do crack seal this year and next fiscal year chip seal. Councilwoman Cronberg asked if it is the same distance as planned for chip seal and Mr. Arvizu replied in the affirmative. Chip seal cost was \$23,000 and crack seal is \$20,715.00. Mr. Arvizu thinks if nothing major or significant cracking and good impact it should last a good while. Mr. Bonner thinks that once we get crack seal and then chip seal then later another chip seal before it gets in too bad a shape. Not sure when it was last chip sealed. Mr. Arvizu stated after it is swept then go back and get it stripped.

MOTION: Councilman Johnson moved to approve crack sealing on Ft. Grant Road in the amount of \$20,715.00.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Norris suggested changing language so that it does not say 'County line' and Mr. Arvizu suggested "Joe Hines Road or City Limits." **CARRIED.**

REPORTS BY THE CITY MANAGER PAT McCOURT

Consideration, discussion and/or decision regarding the following topics by the City Manager:

- **Report on the ADEQ Notice of Violations Meeting-** operations of our Wastewater Treatment Plant and disposal of effluent. When he was interviewed for the job given tour and notified. Now he hears the findings are more than minor. Meet with ADEQ informally and discussed situation. We do not want to pollute environment, we want to operate a clean plant and it will be difficult. We have started to work on that and brought expertise with Engineer. It will take some time and it will be expensive. Hopes to keep our processes as simple and low cost operations and incorporate this into our Bird Watching and Reuse of Effluent and continued reuse and maintenance of the Golf Course. Initial analysis is available in his office and this is more problem than initially anticipated.
- **Report on vacancies:** Willcox Historic Preservation Advisory Committee-there is two (2) vacancies on that Committee. This is a 5-member Committee to assist the City Council. The 2-vacancies were advertised and no one has volunteered to serve. We do have a quorum and these terms will expire in December of 2009. We will continue to solicit for interested parties to serve.
- **Report on Cochise College Progress-**building new structures in this community. Jeff Stoddard, Building Inspector, meet with Cochise College Architect and Engineer and plan to bring him the plans this month. They anticipate starting breaking ground in March and completed by August 2010. It will be an asset to our community.
- **Planning & Zoning Commission Work Session Meeting on the General Plan with Larry Harmer-**Wednesday, February 11, 2009 at 6:00 p.m., 300 W. Rex Allen Drive. This is last stop before coming to Mayor and Council for consideration.
- **Mayor's/Manager's Luncheon-**Ft. Huachuca, Wednesday, February 18, 2009 need RSVP's to City Manager.

Mayor Lindsey asked on Historic Committee if he could appoint members in opposed to having letters presented. Mr. McCourt said he can appoint members and hopes we find interested parties which makes it better. Mr. Phil Stratton stated he has served on it a number of years ago and will submit his letter of interest.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilman Klump stated it is nice to see this building completed and hopes still in process of getting the façade and signage. He thanked Public Works for getting it completed.

Councilman Norris thanked Public Services & Works Director Dave Bonner and his crew for the number of hours and anticipate hours they worked and said it is a very beautiful building. The Councilman said he is looking forward to seeing the outside when completed. Great job!

Vice Mayor Schultz echoed same thing and knows how much time was spent. Thanked staff with help on the Blacksmith Competition held last weekend. This was the Nationals and Travis Koons from California won. They are interested in coming back. He thanked Finance Director Ruth Graham and Connie Bonner for a good looking audit. Also thanked Kathy Smith, Willcox Chamber of Commerce Director, for the number of hours she helped during the blacksmithing.

Councilman Johnson stated it has taken 4-years and 7-months to complete this building and he thanked the citizens for

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 2ND DAY OF FEBRUARY 2009**

approving the Bond, he thanked past City Managers, past Council's and he thinks we did the right thing and appreciates staff that did it. It came in under budget or close to it. Good to be here and good to see the people here. Echoed Blacksmith it was a lot of fun and it is part of our Western Heritage. Housing Open House held last Thursday 75 people attended and it was a success. Plans are doing that again in another 30 days.

Councilwoman Cronberg said ditto, ditto and ditto all and echoed all. Commends extra efforts and these buildings are truly remarkable for our community. It is very nice to be meeting here and thanked everyone.

Councilman Donahue thanked crews for a good job. To the Library Director Tom Miner he stated we are moving out of your way and time for the Library to move forward. Thanks.

Mayor Lindsey stated he appreciates comments and echoed everything that has been said. This is a tremendous facility and such an improvement for the City not as much for Council but for our Public Safety Department. Where they were working at needs to be made a parking not.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:37 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 2nd day of February 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 11th day of February 2009

/s/ Cristina G. Whelan, CMC
City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this 16th day of February 2009.

/S/ GERALD W. LINDSEY
MAYOR GERALD W. LINDSEY

ATTEST:

/s/ Cristina G. Whelan, CMC
City Clerk Cristina G. Whelan, CMC