

**CITY OF WILLCOX**  
**MAYOR AND CITY COUNCIL MEETING**  
**AGENDA-Statement of Legal Actions**  
**Monday, February 16, 2009**

**7:00 p.m.**

**City Council Chambers**

**NOTE NEW LOCATION: 300 W. Rex Allen Drive**  
**Willcox, AZ**

(Mayor or Designee will read only **BOLD** print of each agenda item,  
except for Public Hearings, Petitions and Communications.)

**Resolution No. 2009-12**  
**Ordinance NS292**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the regular meeting to order at 7:00 p.m.
2. 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  
Chief Jake Weaver  
Library Director Tom Miner  
Public Services & Works Director Dave Bonner  
Finance Director Ruth Graham  
Building Inspector Jeff Stoddard

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.
4. **CALL TO THE PUBLIC**-Ms. Revonda Laws, Chairman of the Parks & Recreation Commission, reported on the Parks & Recreation 3<sup>rd</sup> Annual Senior event. A Senior Sweetheart Dance will be held on Friday, February 27, 2009 at the Willcox Community Center for Senior citizens and guests from 6:30 p.m. to 8:30 p.m. The cost is \$2 each and everyone is invited to come and dance to the music of "Partners," a two member band that sounds like a whole band. Ms. Laws left brochures at the back of the room for everyone to take with them to their homes or offices.
5. **DECLARATION ON CONFLICT OF INTEREST**  
Vice Mayor Schultz declared Conflict of Interest on Agenda #12 & #13 relating to the appointments to the Airport Ad Hoc Committee and appointments to the Historic Preservation Committee. Councilwoman Cronberg declared a Conflict of Interest on Agenda #11 relating to the IGA with Willcox Unified School District.
6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented. **CARRIED.**
7. **PETITIONS, PUBLIC HEARINGS AND COMMUNICATIONS** Tab 1  
**PROCLAMATION:** The Mayor will read and proclaim February 23-27 as "**Willcox FFA Week**"

**COMMUNICATIONS:** The Mayor read the First Reading of Ordinance NS291 Amending Title 17 "Zoning" Of The Willcox Municipal Code, In Accordance With Section 17.92.230 To Rezone Parcel Number 203-03-001B From TR-36 (Residential) To R-1, R-3, R-4 (Residential) And H-1 (Highway Service). Tab 2

**PUBLIC HEARINGS:** The Mayor announced that the Mayor and Council will hold a public hearing on Monday, March 2, 2009 regarding Ordinance NS291 Amending Title 17 "Zoning" Of The Willcox Municipal Code, In Accordance With Section 17.92.230 To Rezone Parcel Number 203-03-001B From TR-36 (Residential) To R-1, R-3, R-4 (Residential) And H-1 (Highway Service).

All members of the public are invited to attend. For those persons unable to attend written comments will be accepted in the Office of the City Clerk, Cristina G. Whelan, 101 S. Railroad Avenue, Suite B, until 4:00 p.m. the day of the public hearing.

- 8. DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES OF FEBRUARY 2, 2009** Tab 3  
It was moved and seconded to adopt the regular meeting minutes of February 2, 2009. **DISCUSSION:** Typographical error on page one (1), Declaration of Conflict on Agenda Item #5 to remove the letter 'l' from the word 'recluse' to have it read 'recuse.' **CARRIED.**
- 9. DISCUSSION/DECISION REGARDING REQUEST FROM THE QUILT SHOW CHAIRMAN, RUTH JENSEN, FOR WAIVER OF BUSINESS PERMIT FOR THE THIRD ANNUAL QUILT SHOW TO BE HELD AT THE WILLCOX METHODIST CHURCH ON MAY 16, 2009 FROM 9:00 A.M. TO 5:00 P.M.** Tab 4  
It was moved and seconded to approve the request from the Quilt Show Chairman, Ruth Jensen, for waiver of business permit for the 3<sup>rd</sup> Annual Quilt Show to be held at the Willcox Methodist Church on May 16, 2009 from 9:00 a.m. to 5:00 p.m. **CARRIED.**
- 10. DISCUSSION/DECISION REGARDING THE REQUEST FOR STREET CLOSURE ON RAILROAD AVENUE FROM MALEY TO STEWART FOR THE 18<sup>TH</sup> ANNUAL TRIBUTE TO MARTY ROBBINS BEGINNING FRIDAY, MARCH 6, 2009 AT 8:00 A.M. TO SATURDAY, MARCH 7, 2009 AT 6:00 P.M.** Tab 5  
It was moved and seconded to approve the request for Street Closure on Railroad Avenue from Maley to Stewart for the 18<sup>th</sup> Annual Tribute to Marty Robbins beginning Friday, March 6, 2009 at 8:00 a.m. to Saturday, March 7, 2009 at 6:00 p.m. **CARRIED.**
- 11. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-10 APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE CITY OF WILLCOX ("CITY") AND THE WILLCOX UNIFIED SCHOOL DISTRICT #13 ("DISTRICT") FOR THE PURPOSE OF CONSTRUCTING A SOCCER FIELD FOR DISTRICT AND CITY USE AND AUTHORIZING THE MAYOR TO EXECUTE THE IGA AND DECLARING AN EMERGENCY TO EXIST** Tab 6  
It was moved and seconded to adopt Resolution No. 2009-10, as stated, regarding WUSD #13 Soccer Field Construction Proposals. **CARRIED 6-0-1** Councilwoman Cronberg declared Conflict of Interest.
- 12. DISCUSSION/DECISION RESOLUTION NO. 2009-11 APPROVING AND APPOINTING MEMBERS OF THE "WILLCOX AIRPORT AD HOC COMMITTEE" AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 7  
It was moved and seconded to adopt Resolution No. 2009-11, as stated, relating to the appointment of members to the Willcox Airport Ad Hoc Committee. It was moved and seconded to amend the motion on page 1 and page 2 to reflect the addition of five (5) members, not four (4) as originally stated. **AMENDMENT CARRIED. ORIGINAL MOTION CARRIED. BOTH CARRIED 6-0-1** Vice Mayor Schultz declared Conflict of Interest.
- 13. DISCUSSION/DECISION REGARDING THE 2-APPOINTMENTS TO FILL THE VACANCIES ON THE WILLCOX HISTORIC PRESERVATION ADVISORY COMMITTEE** Tab 8  
It was moved and seconded to appoint Phil Stratton and Chuck Broeder to fill the vacancies on the Willcox Historic Preservation Advisory Committee. **Vote for Phil Stratton** 4-Ayes: Mayor Lindsey, Council members Norris, Donahue and Klump. 2-Nays Council members Johnson and Cronberg. **4-2-1 Conflict Vice Mayor Schultz CARRIED.**  
**Vote for Chuck Broeder** 5-Ayes Mayor Lindsey, Council members Johnson, Norris, Klump and Donahue. 1-Nay Councilwoman Cronberg. **5-1-1 Conflict Vice Mayor Schultz CARRIED.**
- 14. DISCUSSION/DECISION REGARDING THE PURCHASE OF NEW SELF-CHECK SYSTEM FOR THE ELSIE S. HOGAN COMMUNITY LIBRARY** Tab 9  
It was moved and seconded to approve the purchase of new Self Check System for the Elsie S. Hogan Community Library. **CARRIED.**
- 15. DISCUSSION/DECISION REGARDING THE REPLACEMENT AND PURCHASE OF FIVE (5) FIRE HYDRANTS** Tab 10  
It was moved and seconded to approve the replacement and purchase of 5-fire hydrants. **CARRIED.**

**16. DISCUSSION/DECISION REGARDING TO AWARD DESA ARCHITECTURE TO PERFORM ARCHITECTURAL SERVICES FOR PHASE II OF THE CDBG GRANT FOR THE COMMUNITY CENTER**

Tab 11

It was moved and seconded to award DESA Architecture a contract to perform Architectural Services for Phase II of the CDBG Grant for the Community Center. **CARRIED.**

**17. UPDATE PUBLIC SERVICES & WORKS DIRECTOR DAVE BONNER**

- The Well Project marches on. We are well into the Grant monies awarded by USDA-Rural. Sometime ago Dave presented change order #8 which included equipment replacement and work on Well #3. When we took the pumps out of Well #1 and Well #3 additional needs were noted and the Engineer came to us with work needed. Well #3, the back up well, has a capacity of 340 gallons per minute. For low volume needs it could be turned on or during the winter or be left on. However, costs per gallon are lower with the use of a more efficient pump with higher horsepower. Change order to do the work on the casing will be coming up to Mayor and Council once finalized. There is some damage at 160' cascading. They want to seal that off or add casing from that point up. The \$17,000 additional cost will be covered with the Grant monies. Tonight he is not asking for approval just heads up. We need about \$20,000 for additional for control work and are trying to use that money on Well #1. Right now there are old controls in the control room with large motor starters that are losing efficiency. Staff will be bringing this item to the Mayor and Council at its next meeting.
- Public Safety Complex Building-hoping to have good news tonight. While working on design façade computer crashed and hopes will not have to redo all his work. Will have work sent out for contractor and he will continue to work on lighting on parking lot and landscape.
- Briefing on the 340 Enhancement Grant-the preliminary work that was done by company assigned, DMJM, the design and cost are out of line by twice the amount. Staff has to go back to them. The work to be done is on both sides of Ft. Grant Road east from Travel America to Quail Drive. It includes a walking trail and landscaping on both sides of the road. The grant is for a little over \$400,000. Staff has been in contact with SEAGO a couple weeks ago and we have time to complete. ADOT wants to see everything done.

Mayor Lindsey asked if there was anything to report on the signage. Mr. Bonner will be working on that after the façade. Councilman Norris asked if Mr. Bonner is able to discuss the road deal and if he is starting to prepare anything. Mr. Bonner explained the calculations necessary to get this work under way have been prepared. Bids have been received. Councilman Norris feels that is something City needs to attack. Mr. Bonner stated by the end of March staff will have something to present to the Mayor and Council. Councilman Norris asked Finance Director Graham if the 1% is still designated for streets and she replied in the affirmative. He wants to see as much as possible get done this year.

**18. REPORTS BY THE CITY MANAGER PAT McCOURT**

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

- **Update on Library Renovations**-Asked Tom Miner to do that update. Library Director Miner reported finally moving forward. There first meeting was held February 24, with Dawn K. Brown, Architect designer for Libraries and is with the firm of Dick and Fitch Design DFGD.com based in Phoenix. Items considered were the specified budget amount overall, amount spent-to-date of \$11,000 on the metal roof, projected expenditures, project scope of work, and background configuration. Ms. Brown took lots of photos and measurements. Last Friday night he received a copy of the proposal and will meet with Mr. Bonner and the City Manager to discuss that proposal.
- **Update Smart Growth**-The new Smart Growth score card requirement was mentioned earlier during the budget work session. Building Inspector Jeff Stoddard reported this project was started six months ago. Planning & Zoning have graded it and adjustments were made. Most cities are going with a lower score to allow room for improvement. We are at 62.5%, which the State rates as transition. The score card is required for all State funding requests including GADA and CDBG. The score card will affect residents and businesses outside the City limits as well. It includes our surrounding area and will also assist companies and farmers outside the City if they are looking for grants. The State will look at the closest municipality to see if it has filed a Smart Growth score card. Mr. McCourt added the requirement affect other entities such as joint projects with the Chamber. If the City does not have its score card on file, the application may not be considered. The score card has been completed and a copy will be in the Council members mail boxes and available for public to review. Mr. Stoddard will file it on-line this week, and it can be updated at any time. Mayor Lindsey thinks the score card requirement won't survive the new administration and until that time comes we have to get it done.

- **Planning & Zoning Commission will hold a Public Hearing regarding the General Plan on Wednesday, February 25, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive**-some Council members attending summary review and encouraged them to attend on the 25<sup>th</sup>.
- **Mayor's/Manager's Meeting at Ft. Huachuca** – the City Manager, Mayor and Vice plan to attend and if any one else wants to attend to let City Clerk Whelan know.

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

Mayor Lindsey liked to compliment Pat (City Manager), Ruth (Finance Director) and staff that worked on the budget update. They presented vital information which has given a good indication of the direction the Council needs to take. The hours spent on preparation were very helpful to them. Detailed information which stands out he talked already discussed with the City Manager. The City Manager has told us we can be thankful in the position we are in. When we consider the State as a whole, and he has looked at other cities, we are in good shape. The Mayor has received numerous compliments on the new Public Safety and Council facilities. It has been a long struggle and we are here now enjoying the benefits of the work that was put in.

Councilman Johnson reported the Marty Robbins Fund Raiser was held on Saturday and was well attended. March 6-7 is the 18<sup>th</sup> Annual Marty Robbins event. Our community supports one another and proud to be a member of this community. Councilwoman Cronberg requested for couple of items to be on a future agenda: discussion on Work Force Housing and discussion on Independent Management entity for Quail Park.

Councilman Donahue stated that first he is really happy with results of agenda #11 regarding WUSD. With the present state of our economy it's important that we all pull together. Cochise College is expanding and that means our community is getting more trained workers. In Willcox behind Rodeo events Soccer is very popular. It is very important to attend meetings and he asked those in the audience to continue to attend meetings for the school, hospital, and council. He complimented Jeff Stoddard about when he had the opportunity to see him at work dealing with a Contractor. Mr. Stoddard was very pleasant and polite. He asked if the contractor had secured a Business License and gave him the information about where to obtain it.

Vice Mayor Schultz also reported that Marty Robbins was "somewhat successful" and thinks they did make a little money. Compliments Pat for the short time he has been here he has a good handle on what is going on in the City and complimented staff for keeping them out of trouble.

Councilman Norris thanked everyone for their hard work and it is good to know where we are in the budget. Ruth and Pat did a good job and so did everybody. Need to look at what we need to do for next year's budget.

Councilman Klump stated this is the most informative meeting he has attended. It was easy to understand because staff did a good job. Requested the Council packets are prepared and delivered earlier in the week. He thanked the community for the overwhelming support given to his family after their recent tragedy.

**20. ADJOURN – 8:10 p.m.**

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**Misc. Tab: 12**

**NOTE:** People with disabilities may request reasonable accommodations. Requests must be made 48 hours prior to the meeting by contacting City Hall at 384-4271 during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.