

**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 MARCH 2009**

CALL TO ORDER-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, March 2, 2009, at 7:00 p.m.

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
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-

Justice of the Peace Trevor Ward, Precinct #4 reported on the status of the Cochise County Justice Courts. Status figures are from January to December 2008 and include when his Court took over our Magistrate Court on July 1, 2008. He also reported that the Willcox Court had over \$1 Million in uncollected fines. The Court participates in the FARE program through the State. If request for payment are not answered, State income tax refunds can be diverted or a hold put on the registration of vehicle. The Agency is averaging collections of \$12,000 a month. The County Court budget will be cut 8% this year and another 5% next year for a total of 13%. Wage allocations are 90% of the budget and Judge Ward has been told to cut 10% by June 2010. He doesn't want to take away from the wages the Clerks are paid and he appreciates all the work they do.

DECLARATION ON CONFLICT OF INTEREST

Vice Mayor Schultz declared possible conflict on agenda #11 relating to the Management of Quail Drive Sports Park and declared conflict on #13 relating to the appointments to the Airport Ad Hoc Committee. There was no further response from the Mayor and Council members or staff.

ADOPTION OF THE AGENDA

MOTION: Councilman Johnson moved to table from the agenda item #7 Petitions, Public Hearings and Communications relating to Ordinance NS292 Title 17 "Zoning" change request; and #9 Discussion/Decision on Ordinance NS292; remove from the agenda item #18 relating to WIFA; and to adopt the remainder of the agenda as presented.

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

PETITIONS, PUBLIC HEARINGS AND COMMUNICATIONS – TABLED BY MOTION

DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES OF FEBRUARY 16, 2009 AND THE WORK SESSION HELD ON FEBRUARY 16, 2009

MOTION: Councilman Johnson moved to adopt the regular meeting minutes of February 16, 2009, and the work session held on February 16, 2009.

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

DISCUSSION/DECISION 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).

Tabled by motion!

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DISCUSSION/DECISION REGARDING WELL #2 PROJECT CHANGE ORDER #9

Mayor Lindsey requested information from staff. Mr. Bonner explained that when Change Order #8 was approved he mentioned that the engineer had indicated we needed to investigate the well casings. The video has been done on all the Wells and it was found that Well #3 needed casing work before we put pump back in. On Well #1 nothing was quoted originally on controls and we want to utilize the grant money that is available. Change Order #9 is to address those issues. Change Order #8 items are fine. Mayor Lindsey said there is a crack in the well and asked if they think they can sleeve it. Mr. Bonner replied it will be cased from that depth on up for fear we could disturb it and cause it to collapse. Smaller casing is at another depth.

MOTION: Councilwoman Cronberg moved to approve the Well #2 Project Change Order #9, as presented.

SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Councilman Johnson asked how soon it can be completed and operating. Public Works Director Bonner replied he does not have timeline but should not take too long or probably by September. Councilman Johnson asked if use Well #1 and Well #3 and Mr. Bonner said he will alternate between Well #1 and Well #2 and utilize Well #3 as base line. Use of the Wells depends on pumping costs. The higher horsepower pumps are usually more efficient. Well #3 has a 50 hp pump and is more costly to operate. Councilman Johnson asked if it can pump to tank and Mr. Bonner explained that before it didn't but it will now. Mayor Lindsey asked if Well #1 is operational and Mr. Bonner replied Well #1 and Well #3 are out and will be back in service with controls completed on Well #1. **CARRIED.**

DISCUSSION/DIRECTION TO STAFF TO PROCEED WITH THE PROCESS OF SOLICITING MANAGEMENT SERVICES TO MANAGE AND/OR PROMOTE QUAIL PARK RODEO GROUNDS

City Manager McCourt reported that he talked with a few people and started to draw up a suggestion as to how a professional service contract could be done for Quail Park. A draft is included in the Council packets. There is a whole range of possibilities to consider. One extreme would be to sell it off to a private entity and the other extreme is do nothing. We are closer to the do nothing side and enter into an agreement each time it's used. This proposal essentially would give the first option to the successful bidder. Staff has to do Request for Proposal and successful party would receive some sort of stipend to encourage additional promotion. Mr. McCourt envisions that the City would receive a portion of event funds back into General Fund. Mr. McCourt stated he is not comfortable proceeding without guidance from the Mayor and Council. We also have an agenda item tonight about the ad hoc committee for Quail Park.

Councilwoman Cronberg said that she asked for this item to be placed on the agenda for discussion. There has been a lot of ideas and request for ideas not shared with the rest of the Mayor and Council. The appointment of an ad hoc committee will allow the Mayor and Council to be informed and provide a means to share ideas. Mayor Lindsey thinks there are several ideas that could work and that the committee should be given a chance to provide Council with suggestions about the management. Councilwoman Cronberg is interested in possibilities. For instance, the Golf Course is managed by a private party and asked if that could also happen with the Rodeo grounds. City Manager McCourt said that contract places more control on the private party and this one does not go that far. It has more control to the City. The Councilwoman asked if grant restrictions on the development of Quail Park would be written into the agreement for public access. The City Manager said they would. The Arizona Heritage Foundation grants place restrictions what can be done with property with public use and facilities and would be incorporated into any agreement. City Attorney Figueroa explained to the Mayor and Council that a council member's declaration of a conflict with something with on the appointment of the ad hoc committee would not prevent participation in this item. Vice Mayor Schultz thinks that management of specific types of things could be in separate management contracts instead of turning it all to one particular entity. Public could be losing possibility of use if leased. Mr. McCourt responded that can be done in that manner. There is nothing to say that the entire Park has to fall under one manager for all activities. Councilman Johnson asked if the draft contract applied just to Rodeo Grounds and Mr. McCourt replied that is correct. Councilman Johnson thinks the rodeo grounds are a Diamond in the Rough and with right person could have rodeo activities every weekend. He thinks this contract is a move in right direction but we need to have the Ad Hoc Committee and they should be asked to look for this person. Councilman Johnson thinks direction to staff is to hold off or move forward. Mr. McCourt agreed that this item was a request to Mayor and Council to provide direction. Councilwoman Cronberg wants the Mayor and Council to wait for a report from the Ad Hoc committee before making any decisions. Councilman Klump agrees that we should wait until we hear from the Ad Hoc Committee.

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Mayor Lindsey stated that the Council wants to put this matter on hold until the Ad Hoc Committee has had a chance to look at alternatives and come back with ideas. Councilman Norris asked if we will still have an Ad Hoc Committee if the lease was approved or a manager selected. Councilman Johnson said yes, that the Quail Park committee would look at how to utilize the property. Councilman Norris again asked if lease deal with Committee or City because we could get too many entities. Councilwoman Cronberg said Ad Hoc Committee is fact finding group and they will bring recommendation to Mayor and Council to look at possibilities for Quail Park overall and not to manage it.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-12 APPROVING AMENDMENT 1 TO THE FY 2008-2009 AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, [“SEACAP”] AMENDING SECTION 5 “REFUNDS” AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Johnson moved to adopt Resolution No. 2009-12, as stated, relating to Amendment 1 to FY2008-09 Agreement with SEACAP.

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

DISCUSSION/DECISION REGARDING THE APPOINTMENTS OF MEMBERS TO THE QUAIL PARK AD HOC COMMITTEE

MOTION: Councilman Johnson moved to approve all applicants to the Quail Park Ad Hoc Committee.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson named the entire applicant appointed: John Staebell, Mike Bell, Kathy Smith, Dean Foster, LaDonna Burgess, John Marshall, Sr., and Delcie Schultz. Mayor Lindsey asked for clarification on Mike Bell. City Manager McCourt replied he talked with Mr. Bell and he is interested in serving on the Ad Hoc Committee. We still have one vacancy to fill because per Resolution there are eight slots. Staff received a letter late and anticipates bringing the Resolution at the next meeting and release that name. Mr. McCourt will work with the City Attorney to accomplish that. Staff is asking for little latitude because we could receive more applications. Mayor Lindsey said bring this item back with wording. Councilman Norris asked if this is strictly an advisory committee and the Mayor replied in the affirmative. **VOTE: 6-0-1** Abstained Vice Mayor Schultz. **CARRIED.**

DISCUSSION/DIRECTION TO STAFF REGARDING THE PROPOSED HOUSING ASSISTANCE IN THE CITY OF WILLCOX

City Manager McCourt addressed the Mayor and Council with regard to the Housing Program that is designed to assist individuals get into affordable housing. The City's participation has been the WREDA Board and they have been heading this up. City has participated in public hearings at the Community Center to explain zoning questions. The City has a few lots in residential areas and has been asked to consider allowing those lots to be used for housing. Property of City belongs to all the citizens of the City. Mayor and Council operate under State Law or Common Law and that is what the State allows us to do. If it is the desire of the Mayor and Council we can go to the public hearings. Once completed how we want to promote housing, i.e. making lots available to group. Typically defined by income and there are two avenues: (1) directly solicit request for people that want to participate and receive lots then we would screen those and make decision. Method more commonly used is (2) tell community what you want to do with their property i.e. assist people to get into affordable housing, to some group. If public says fine then we can do it directly by contract which is more commonly used with a non-profit agency. Look for one with Housing and Housing Assistance, transfer property to them they would do the selection. WREDA has 3-organizations who are putting together packages to help people in mod and low income so that they can get into Affordable Housing. They are asking the City to take these residential lots as a further incentive to help other individuals to get into housing that otherwise they could not afford. Present tonight are individuals from these organizations. Another step if the Mayor and Council wished to do is hook up costs which is another process to help fill infill. Mayor Lindsey stated we are here for discussion and direction and not make decision tonight. Councilwoman Cronberg stated she is not sure what direction is needed; she is not sure what is going on or what are the expectations; what is the process; what is the municipality's; role and asked if they have had City participation and welcomed some sort of dialog.

Ms. Melissa Hartman, Sierra Housing Resource Partners (SHRP), is a Non-profit Housing and Housing Development and explained to the Mayor and Council they are a Development Authority out of Sierra Vista and authorized to work in Southern Arizona. They understand the housing problems in Willcox especially with Border Patrol. They are very interested in working here in the Willcox area, to help meet the housing needs and developing single family and perhaps multi-family housing. Tonight couple of non-profits and could provide other types of houses. Here to provide menu through Federal Grants and other

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Federal funds. As non-profit work with other non-profits agencies in area such as USDA they apply for grants to get people into new affordable housing. Councilwoman Cronberg asked is the process dependent on donation of lots from City, and Ms. Hartman replied it is not although the cost of land anytime you can get it for free then lowers cost to get that house designed. Councilwoman Cronberg asked: if infill on how they write grants and Ms. Hartman replied certain grants that are close to business or hospital but at this point it is very broad. USDA is here and they are able to get pre-screening because to qualify you have to be income eligible and the builder on-line or as TSD is doing. Vacant, abandoned or foreclosed homes can combine all. What is indication success track record with other municipalities and wondering how projects were completed elsewhere and how do we verify that this is workable and when people sign they can count on everything as it should be. Ms. Hartman replied previously with the City of Tucson they did development low charge for land and did package for funding, engineered for City as the developer. Also talked about willing to work as oversight mechanism to be sure what needs to happen will happen. There will be parameters with grants and will be notified as work progresses. Mayor Lindsey asked if SHRP completed in Sierra Vista and she said in process on completing one which is a sub division and in the process of another. Councilman Norris asked if they hired local contractor and Ms. Hartman replied present tonight is Board member Roy Vogan and he stated they do look local first. Depending on the type of grant may be required to be done by someone that is local and if contractor does not have license for i.e. 28 single or 48 townhouses then contractor has to hold large. Here in Willcox there is a need for single houses fairly quick. Mayor Lindsey asked if Ms. Hartman is aware only 4-lots available and she replied they are and Mr. Vogan did look at them. Councilman Johnson asked what municipality donated the lots and how they did it. He replied that the lots were deeded to the non-profit as sponsor and developer of record. They have already purchased 32 lots here and will build single houses. They have identified 11 buyers who have qualified for mortgages and will start probably in June or July. Asking for lot donated because of the specific low income levels in Willcox compared to County and State. Average person working here cannot qualify without assistance. They want to assist those at the lowest incomes with lots as donation and \$35,000 HP and \$10-\$20,000 with SEAGO monies. That will keep the mortgage payments at less than \$398 per month. Models 1,067 to 1,100 sq. ft. depending on income level and needs of local citizens. They would like resolution on lots if donated. Grant applications are due April 1st and applicants receive additional award points if donated land involved. It may need to go for public forum and resolution is needed to put in the application.

Mr. Terry Galligan, Old Pueblo Community Foundation, stated they have 10 years experience in Tucson. Mr. Gowan has 106 homebuyers they have helped and are doing 22 houses in Safford. Strategic move is out of Tucson and Pima County. Partner with Ed Robinson, Advanced Community Solutions, and they are Non for Profit and on the 6-lots donated would like to do single houses. He has experience dealing with City and Counties and has been doing this for 15 years in Arizona and primarily in Tucson. City Manager McCourt stated he wanted to clarify there are 6-25 ft. stripes and anticipate need 50' frontage and thinks there are 3-usable lots. Mr. Robinson stated they have no problem with 25 ft. or duplex it is 2-homes straddle and meet 10' on both sides and qualifies for \$50,000 or for people that make \$18,000/year i.e. McDonald worker, which is 31' width for each. Councilman Johnson asked about shared owners and McCourt replied he is not familiar with zoning question and deferred to Jeff Stoddard. Mr. Stoddard replied addressed this zero lot line so long as home owners have a written agreement they will share with at least 10' on each side and request would need to go to Planning and Zoning Commission. Councilman Donahue asked if lots are not usable otherwise. Mr. Stoddard explained there could be 3-lots together and a duplex can get 2-houses on a 50' lot or 6-houses compared to 3-houses. Vice Mayor Schultz asked Legal Counsel can we move forward without public hearing and City Attorney Figueroa replied "no they can not." We have to do by Resolution on shortage of lot size etc., and it depends on how it is done. In the City of Tucson it was done but they are a Charter City. County mechanism can donate land and after period of time reverts back to County. Mr. Figueroa stated he is interested what Statutory Authority used to donate property and there mechanism. Mr. Robinson replied it is a Community Land Trust established by the City with control and ownership for \$25/month on perpetuity and only sell to another affordable housing citizen. There are 186 in Arizona and Flagstaff has one. It is easily done and that would eliminate need for anything because still qualifies as donated property. Mr. Figueroa stated so there are mechanisms: 1) here are alternatives; 2) which one do we want; and 3) is that want you want to do with taxpayers' property? Direction is needed on how to proceed for staff and legal counsel to identify way to do it, it can be done. Councilwoman Cronberg stated "we can't sit back" we do need affordable housing that is more than adequate and this seems to be a good way to go about it. Donate of land she is not sure and stated we can not sit back and wait for everybody else to take action. Mayor Lindsey would like to see property on tax rolls and he also thinks we are opening a can of worms when opening city property and have to be careful. Councilman Norris property is minimum costs and asked if did donate land what is the time frame to build. Mr. Robinson replied they: 1) already has 32 lots; 2) paying \$20-25,000 for lots and they can

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make them into good lots. Address other areas the lot price goes up and anything they can do for person who makes \$18-\$20,000/year to have home ownership and they want to try. The only purpose for asking property donated at \$15,000 value is passed to the buyer. Instead of getting \$45-\$50,000 subsidy getting \$70,000 is for the buyer. Everything property donated by government entity or City, Town or Federal it brings points. It is very competitive and competing with California and Colorado. It is not for developer it is to pass it to the home buyer. Ms. Hartman stated she concurs. Mr. Robinson said the advantage over normal developer already 62% and guide lines for lending changes. Chris said they have agreements with banks to do mortgages. Mayor Lindsey asked if seeking lots in areas where we have lots and they replied "yes." The Mayor thinks the price is too high and Mr. Robinson said they have turned down some because of that. Mayor Lindsey said there is old area where lots are available and Mr. Robinson will contact him about those lots. They are working with organizations to get that accomplished. Councilman Johnson asked if both non profits work together and Ms. Hartman replied "absolutely." SHRP is also interested in working in Willcox and bring more housing options and they too are dealing with the same level of clients.

Mayor Lindsey stated direction to staff is we need to look at which has already been done is the ways we could divest this property and assist in this operation and look at alternative do we want to donate the land; if yes, then other options we have to do to get it done. City Manager McCourt understands they want more detailed information on options and steps we could take if chosen. The Mayor asked what would be the fastest way since time is of the essence. Chris replied the date limit for applying for Federal subsidy of \$30,000 is by April 1. Obligation is to show control of the land, not ownership. Donation is more than just a promise or decision pending legal work that has to be attached to that. If not done by April 1 then they have to do it by October 1 because there are two rounds. Vice Mayor Schultz thinks they need to get back with staff knowing the options we have and if donated lots we need public hearing. Mr. McCourt explained the Mayor and Council cannot make an arbitrary decision unless they go through the other process. City Attorney Figueroa added we have to handle subject matter as we did when offered \$2,000 per acre at the arena we have to put it out to bid. Other options Housing Develop have Resolution, public hearing, etc., decide to donate or Community Land Trust still have to have hearing to let the public know that these are tax payer money and have their say and maybe you do not want to do it. Community Land Trust in Flagstaff if done and very quick and City maintains perpetual ownership, and amount could be option to look at. Not going to happen today. It will take time.

DISCUSSION/DECISION REGARDING STREET CLOSURE REQUEST BETWEEN MALEY AND STEWART ON RAILROAD AVENUE BY MARSHALL BO DOWNING

DISCUSSION: Councilman Johnson moved to approve the Street Closure request by Marshall Bo Downing.

SECONDED: Councilman Donahue seconded the motion. **DISCUSSION:** Vice Mayor Schultz stated correction to name is "Downey not Downing." Mayor said have agreement from businesses there and Bo has also asked to be designated as Honorary Marshall and the City Manager visited with Chief and he has no problem. Mr. McCourt clarified that the Chief visited with Mr. Downey. Mayor Lindsey said if we offered Honorary for one person and another asks then we could have another Marshall. **CARRIED.**

DISCUSSION/DECISION REGARDING EXTENDING THE SOLID WASTE CONTRACT

City Manager McCourt reported this three year contract is scheduled to end on June 30, 2009, and the City has the ability to extend it for two years. There are a couple of reasons to exercise this option. First, we do not have enough time to successfully bid it out and the last time we only received one bid. We do not have time to do it internally. Second, many contracts have Fuel Adjustments in addition to Cost of Living Adjustments, and our current contract does not have a fuel adjustment provision. If we go out that bidder may deal with volatility and could increase the current price. He recommends that extend the contract.

MOTION: Councilman Johnson moved to approve extending the Solid Waste Contract.

SECONDED: Councilman Norris seconded the motion. **DISCUSSION:** Councilman Donahue asked if cost analysis has been done by the City and contracted employees. Mr. McCourt replied not to the best of his knowledge. Mayor Lindsey has discussed this with staff and we do not have adequate time before it has to be approved. Consideration of this later is more feasible for City to take over. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-13 APPROVING AND APPOINTING MEMBERS OF THE "WILLCOX HISTORIC PRESERVATION ADVISORY COMMITTEE" AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

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MOTION: Councilman Johnson moved to adopt Resolution NO. 2009-13, as stated, relates to the appointments to the Willcox Historic Preservation Advisory Committee, terms to expire December 31, 2012.

SECONDED: Councilwoman Cronberg seconded the motion. **VOTE: 6-0-1 Abstained:** Vice Mayor Schultz declared a conflict of interest. **CARRIED.**

DISCUSSION/DECISION REGARDING THE LEASE TO OWN 938 WHEEL LOADER

City Manager McCourt stated the general overview is the old loader has worn out. The first idea was to purchase used equipment. Staff looked at that and went to auctions. Mr. Bonner talked to him and Mr. McCourt asked why used equipment was being looked at because if it is being sold there is a reason. The City Manager asked Mr. Bonner to pursue buying a new loader which is what we need, do we have the ability to maintain once purchased and if we could financially afford it. Finance Director Ruth Graham reminded him that we could pay cash for this although he did not present that option. Mr. McCourt suggests that we keep monies in reserve since the HURF revenue stream is unpredictable. Options #1 and #2 were presented and staff recommends Option #1.

MOTION: Councilman Johnson moved to approve Option #1: the lease to own 938 Wheel Loader.

SECONDED: Councilman Donahue seconded the motion. **DISCUSSION:** Mayor Lindsey asked if pursued any other type of equipment. Mr. Bonner replied staff is looking at this model because Caterpillar has the number one equipment and it has longevity. The City of Tempe bid allows other entities to work under that bid. Mayor Lindsey asked if prices are comparable and Streets Supervisor Arnold Arvizu replied there is not much difference. Mr. Arvizu has dealt with John Deere and Caterpillar and Cat is better because of strength and how it's made. Mr. Bonner added that prior to going with the purchase of new equipment staff found that equipment with 8,000-13,000 hours of use was selling for \$65,000. **CARRIED.**

REPORTS BY THE CITY MANAGER PAT McCOURT

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

- **Skate Park Meeting Update-** Mr. Bonner reported he met with Paul Sheets and Sally Van Haren today and the amount of money is \$15,000 and asked what is next step? Going to do bid specs and get that project underway and if have to peel some things down we can. Concrete and chain link fence longer than concrete area. Next meeting is on March 18 at Public Works building at 11:00 a.m. Councilman Johnson said the bid on concrete specs talked about going to ask for donation and Mr. McCourt replied look to maximize area we can get. Mayor Lindsey stated since we waited so long he asked if Skate Committee has come up with more money. Mr. Sheets replied last he heard was \$2500 from Chamber and the kids thinking until see action do they want to continue doing this. Mr. Sheets thinks today's meeting was great progress.
- **Airport Ad Hoc Advisory Committee** – Organizational meeting Wednesday, March 4, 2009 at 6:00 p.m., here in this room to select Chairman, Vice Chairman and set a meeting date.
- **Library Update-**Library Director Tom Miner reported they are still moving forward. Received formal proposal for Architectural design Friday and he, Mr. Bonner and Mr. McCourt are finalizing this. They are meeting tomorrow afternoon in more detail. After that then it will be brought to the Mayor and Council for approval.
- **Report on the Contract with JP Court** – started in July 2008 and heard report earlier. Pleased how progressing and contract ends on June 30, and asked do we want to extend the contract.
- **Report on Crack Seal Project on Ft. Grant Road-** Mr. Bonner reported amount approved \$20,000 and received invoice for \$5,500 and another invoice should be coming because following weekend they worked and anticipates it will be less than he asked for. The item was approved on Monday and the County started work on Friday.
- **Report on the Asbestos at the old Police Building-**151 W. Maley, preliminary steps. Building Inspector Jeff Stoddard reported asbestos survey was done last week and this week after he knows what it entails he will go out to bid.
- **Smart Growth Update-**state requirements. Mr. Stoddard has submitted to State the Smart Growth Committee. Ms. Green contacted him last week and it should be on their web site we have completed it.
- **Invitation First Things First-** working with Cochise County \$1.9M presenting check for Early Childhood Development in Sierra Vista on Friday, March 6. City not directly receiving funds and anyone interested contact the City Clerk Christy Whelan.
- **Long term water supply-**we are dumping some water this week and Mr. Bonner reported beginning tomorrow morning we have to start conducting a 48 hour draw test on Well. Consists of 48 hours of continuous operation of Well #2. The water in the tank will be reduced to level of 5'6" or 250,000 gallons. If any problems the Well will come on. Need to get aquifer to

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rest and starts at 8:00 a.m. Will begin watering park, hydrants running in that area, Middle School and Keiller Park and Quail Park will be primary areas. Staff will be flushing fire hydrants at the end of Rex Allen, Jr. Road by the Golf Course.

- **Received email Gabrielle Gifford**-teleconference in Sierra Vista, and received invitation to attend on Thursday. There is limited seating contact him tomorrow immediately if not contact City Clerk Whelan.

- **Welcomed them to St. Patrick's month and keeping with the green spirit.**

- **Counsel Justice Court**-consolidation best move City did. Received information where we were, where we came from and where we are. Thanked Judge Ward who personally participated and had a hand in this consolidation and thanked him. Judge Ward stated he has a great staff and he has been asked to cut 10% wages and said "no way" and he has suggested taking it out of his wages.

- **WUSD Soccer**-The School is meeting on Tuesday and staff will be at the School Board meeting.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Councilwoman Cronberg wanted to thank Mr. McCourt and Mr. Figueroa on extra work to get her requests on agenda. Very good discussion this evening on very important matters and appreciates their work.

Councilman Johnson reminded everyone that Marty Robbins this week end.

Mayor Lindsey reminded all Council members that the League of Cities meeting is scheduled September 1 through September 4, 2009. Discussed with staff if we have funds to attend that and we may have to find funds somewhere else. The Mayor feels those meetings are critical for council members to attend. All Council members need to look at that date and adjust calendar and try to attend. Lots of information particularly with economic condition and feels we will get information and direction from that meeting that will be critical for Council.

Vice Mayor Schultz thanked Judge Ward cooperation and he does a great job. To Mr. McCourt he said he sees him everywhere and attends many meetings around town and thinks they did a good selection and thinks staff appreciates what he does. Bo Downey thanked the Mayor and Council for indulging him on Railroad Avenue and stated he looks forward to promoting Willcox.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:53 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 March 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 5th day of March 2009

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

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

/S/ GERALD W. LINDSEY
MAYOR GERALD W. LINDSEY
Signed: March 17, 2009

ATTEST:

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