

**THE MINUTES OF THE WORK SESSION MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 14TH DAY OF OCTOBER 2009**

CALL TO ORDER-Mayor Gerald W. Lindsey called the work session meeting to order on Wednesday, October 14, 2009 at 6:00 p.m.

ROLL CALL- Mayor Lindsey called roll.

PRESENT

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

STAFF

City Manager Pat McCourt
City Attorney Hector Figueroa
City Clerk Cristina G. Whelan, CMC
Public Works Director Dave Bonner
Finance Director Ruth Graham
Building Inspector Jeff Stoddard

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey.

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

ADOPTION OF THE AGENDA

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

SECONDED: Councilwoman seconded the motion.

AMEND MOTION: Councilman Klump moved that agenda #8, regarding Resolution No. 2009-66 relating to amount of monthly septage be considered before agenda #7 regarding Resolution No. 2009-57 relating to septage rates.

AMENDMENT SECONDED: Vice Mayor Schultz seconded the amendment. **AMENDMENT CARRIED.**

ORIGINAL MOTION: CARRIED.

DISCUSSION REGARDING PROPOSED RESOLUTION NO. 2009-61 APPROVING AND ESTABLISHING A MONTHLY SEPTAGE DELIVERY AMOUNT TO BE ACCEPTED FROM SEPTAGE HAULERS AT THE CITY OF WILLCOX WASTEWATER TREATMENT PLANT AND DECLARING AN EMERGENCY TO EXIST.

Discussion was held by the Mayor and Council, City staff, Public Services & Works staff, City Attorney and septic haulers present: K&K Stamback, Ted Zickert and Cook's Septic (John and Kathy Hernandez) regarding the amount of septage to be accepted by septage haulers at the City of Wilcox WWTP.

City Manager Pat McCourt summarized need to do pre-treatment; sample testing was done and no difference accepting higher or lower amount of septage; staff is comfortable removing 30,000 gallon current cap; need to continue monitoring; need to know what is coming in, and monitor what is going out to see if something happens and if it does we can respond. Testing is costly and City would have to increase pumping charge 2-3 times more which is better than the alternative of the City not taking the septage at all. The costs needs to be paid by the people on septic that have their tanks pumped and staff thinks it is reasonable to take that septage and treat it and haulers should be charged for that and not the users in the City. The 30,000 limit should be lifted; we should continue to monitor, because all septage is not equal and other people bringing in "bad or not quite as bad" septage and we need to say 'okay but real bad have to stop;' we have to have pre-treatment system, sludge or mechanical and need to find what will work and handle what we are doing now and for future growth. Rates should be what it costs to take care of it. In order to trace septage Public Services & Works Director Dave Bonner stated staff needs to know the physical address of all septic coming in so that if something does happen staff can trace it back and we can say we can accept normal septage but can not accept it from them. If stored or blended in holding tanks before bringing to WWTP the haulers would still have the addresses of what went into that tank. Haulers would have to keep a log too. (Discussion ended at 7:08 p.m.)

DISCUSSION REGARDING PROPOSED RESOLUTION NO. 2009-57 APPROVING AND ADOPTING THE INCREASED RATES AND CHARGES DURING SPECIFIC TIMES FOR THE WASTEWATER SYSTEM OF THE CITY OF WILLCOX AND SETTING AN EFFECTIVE DATE.

After discussion by those present, including Vonn Jones from Rural Water Association of Arizona, City Manager McCourt stated what is proposed is instead of charging for service raise rate totally and provide service whenever the haulers want it and everyone has to pay. Both systems work for him. Public Services & Works Director Bonner believes that what we have seen

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from Notice of Violations the problems from the lab is due to lack of staffing. We do not have time to have him there because doing work elsewhere. We also do not have a person dedicated to lab or WWTP and it was suggested to staff the lab with partially or fully funded employee and paid by septic hauling. That is why proposed that during regular hours no fee but if called from other job, they have to stop what they are doing, accept it, and get back to job then lose 1-hour. If there are all 4-haulers calling at one time and if all show up at one time there is one charge shared by all three haulers. Concern by Cook's Septic is they have to tell customer in the morning one price and afternoon another charge. Mr. Ted Zickert stated it is better to tell them that than to not being able to dump at all.

In summary City Manager McCourt said on this Resolution staff is to bring it back with restructure with times available and include some increase to current \$25/1,000 gallons because we do not know what that is at this time. It appears we can accept more than 30,000 and the 30,000 would be lifted and staff will continue to monitor to see if deterioration will cut that. Hours are 8-3 Monday-Friday except Holidays, weekends; and call outs would have extra charge. There needs to be a lot more thinking, discussion on whole septic and the City Manager's opinion is the rates are going to increase and dealing with 3-4 haulers and no reason to think that might not increase to 10 haulers in the near future. Other WWTP plants in our area have closed down or stopped accepting septic dumps and we could be accepting from septic from larger distances. Staff sees our primary obligation is to the citizens of Willcox and that does not mean we do not see damage to our environment. Mayor Lindsey stated he thinks this was a good session and all of us learned something from it and hopes those here have had opportunity to discuss that with the Council.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 7:08 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the work session meeting of the City Council of the City of Willcox held on the 14th day of October 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 26th day of October 2009

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

PASSED, APPROVED AND ADOPTED this 2nd day of NOVEMBER 2009.

/S/ GERALD W. LINDSEY
MAYOR GERALD W. LINDSEY
Signed: November 3, 2009

ATTEST:

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