

**CITY OF WILCOX  
MAYOR AND CITY COUNCIL MEETING  
AGENDA-STATEMENT OF LEGAL ACTIONS**

**Monday, October 19, 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. 2009-63**

**Ordinance NS298**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, October 19, 2009 at 7:00 p.m. and appreciates those that took time to come this evening and sharing agenda items.
2. **ROLL CALL** -Mayor Lindsey stated all Council members are present except Councilman Christopher Donahue who may join us later.

**PRESENT**

Mayor Gerald W. Lindsey  
Vice Mayor Larry Schultz  
Councilman Elwood Johnson  
Councilman Jimmy Norris  
Councilwoman Monika Cronberg  
Councilman Stephen Klump  
Councilman Christopher Donahue-7:28 p.m.

**STAFF**

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

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.
4. **CALL TO THE PUBLIC**-There was no response from the public present.
5. **DECLARATION ON CONFLICT OF INTEREST**-Vice Mayor Schultz declared conflict on Agenda #10 relating to request from Rex Allen Arizona Cowboy Museum.
6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented. **CARRIED.**

7. **PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**Public Hearing:** The Mayor read that the Mayor and Council will hold a public hearing at the regular meeting on **Tab 1** Monday, November 2, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive regarding Application for Liquor License New License, Limited Liability Co., Keeling Schaefer Vineyards, Rodney Edward Keeling, 154 N. Railroad Avenue, Willcox, AZ

All members of the public are invited to attend. For those persons wishing to comment and are unable to attend written comments will be accepted in the Office of the City Clerk until 4:00 p.m. the day of the public hearing.

8. **PRESENTATION BY CHRIS THOMPSON REGARDING A MEAT PACKING PROCESSING COMPANY** **Tab 2**  
**IN THE CITY LIMITS**

Mr. Efren Estrella, Contractor, Dave Walker, President/Electrical Contractor, and Chris Thompson, Manager, addressed the Mayor and Council M&C and the community members present. They each explained their plans to open a Meat Packing Processing Company here in the City of Willcox. They will teach workers skills needed to work in meat packing processing plant. If, for instance, they were to relocate they could take their trade with them. They intend to hire, purchase materials, etc., as much as they can here in Willcox to help the Tax Base. They are Federally Inspected, have a Veterinarian on staff

and USDA Inspectors on site. They work according to local Codes. Goals include energy conservation and water conservation. The septic tanks are sealed which creates less odor, and the cement floors and cast walls are washed at every shift change. They will capture methane gas to run generators to produce electricity to sustain themselves, and recycle their own water. Trucks will bring livestock from 12:00 a.m. to 5:00 a.m. only to minimize traffic on City streets. They are doing cattle, dairy cows, regular fat cattle, their own cattle which they will bring from Buckeye, and pigs. They plan to bring in over 100 head of cattle and 250-260 pigs each day. Most pigs are going to Mexico, cows to Los Angeles, and boneless to Texas and Colorado. The byproducts will be taken away because they are money. Waste will not go into City sewer system because they get paid for processing the blood and if in sewer they do not get paid. They will kill and process everything daily unless sometimes equipment breaks. They will have an Inspector and Vet on premises at all times, and cattle will be feed if staying overnight. When sale is finalized they plan to start immediately and hope to open by the end of the year. To avoid problems they hire only people that are eligible to work here. To begin need ramps for trucks, office building, two bathrooms, paint, work on plumbing, and drain freezer. They are bringing in panels, coolers and freezers. To begin want to start small with 30-40 head of cattle per day to show people and train them and then they in turn train the next group and so on. Housing will be the next issue because they do not want to live in RV's. The benefit of hiring locals is they will honestly tell you how you are doing. They will be talking to neighbors once they have spoken with the Mayor and Council so that if and when they get questions the neighbors know what is going on. And if need to they will later talk to them too. Trailers are theirs and trucking they can take two loads of pigs and one load of cattle going out everyday.

The Mayor thanked them very much. City Attorney added tonight set up for discussion; however, he wanted to point out to Mayor and Council that he and the City Manger have looked at City Code. The Code does not permit this type of industry in the City limits; however, the Code was done many years ago when the process was nauseous and smelly and that is why built outside the city limits. What they described tonight is no what our Code envisioned at that time. The Mayor and Council can discuss what feeling is about having something like that in our community. If so desirable by majority and with that he and the City Manager will provide a draft amendment or clarification to that provision so that it will be allowed and advisable to do it.

City Manager stated barring any other direction he and the City Attorney will prepare possible revision for Mayor and Council. Mayor Lindsey directed staff to prepare possible revision needed in City Code and bring back to Mayor and Council for consideration. They also have LEEDS Certified Architect on Board for green construction and green building. They thanked the Mayor and Council for this opportunity to speak.

9. **DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES HELD ON OCTOBER 5, 2009** Tab 3  
It was moved and seconded to adopt the regular meeting minutes held on October 5, 2009. **CARRIED.**
10. **DISCUSSION/DECISION REGARDING CONFIRMATION OF A REQUEST FROM REX ALLEN ARIZONA COWBOY MUSEUM AND WINE FESTIVAL AS EVENT SPONSORS OF REX ALLEN DAYS RAILROAD PARK ACTIVITIES, AND ARIZONA WINE GROWERS FOR THE WINE FESTIVAL BE ALLOWED TO SECURE ONE BUSINESS PERMIT FOR EACH EVENT TO SECURE TAX INFORMATION FROM THE VENDORS, TO PROVIDE VENDOR INFORMATION TO THE CITY, AND TO WAIVE THE REQUIREMENT THAT EACH VENDOR OBTAIN A BUSINESS PERMIT FOR THE EVENT.** Tab 4  
It was moved and seconded to approve the confirmation of a request from Rex Allen Cowboy Museum as sponsor of the Railroad Avenue events for Rex Allen Days, and Arizona Wine Growers Association as sponsor of the Wine Festival, to secure one business permit for each event. **CARRIED 6-0-1** Vice Mayor Schultz declared conflict.
11. **DISCUSSION/DECISION REGARDING RESOLUTION 2009-62 TO APPROVE THE ARIZONA DEPARTMENT OF WATER RESOURCES APPEALABLE AGENCY ACTION WAIVER RELATING TO THE APPLICATION FOR DESIGNATION AS HAVING AN ADEQUATE WATER SUPPLY, AUTHORIZING THE SUBMITTAL OF THE EXECUTED WAIVER, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 5  
It was moved and seconded to adopt Resolution No. 2009-62, as stated, relating to ADWR Appealable Agency Action Waiver relating to the Application for Designation as having an adequate water supply. **CARRIED.**
12. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-63 RATIFYING AND APPROVING THE SUBMISSION OF THE LETTER OF SUPPORT AND APPLICATION BY THE ELSIE S. HOGAN COMMUNITY LIBRARY TO THE ARIZONA STATE LIBRARY, STATE GRANTS-IN-AID FUNDS, ["SGIA"] RATIFYING THE LETTER OF SUPPORT** Tab 6

**AND AUTHORIZING AND DIRECTING CITY OFFICIALS TO SUBMIT APPLICATION DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.**

It was moved and seconded to adopt Resolution No. 2009-63, as stated relating to ratifying and approving submission letter of support and application by Library to Arizona State Library and SGIA. **CARRIED.**

**13. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-64 APPROVING AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE US DEPARTMENT OF HOMELAND SECURITY UNDER OPERATION STONE GARDEN [“OSG”] ON BEHALF OF THE WILLCOX DEPARTMENT OF PUBLIC SAFETY [“WDPS”] FOR THE PURPOSE OF RECEIVING AWARD FUNDS FOR COLLABORATIVE LAW ENFORCEMENT ACTIVITIES 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. 2009-64, as stated relating to submittal of an application to the US Department of Homeland Security under Operation Stone Garden. **DISCUSSION:** Councilwoman Cronberg asked for clarification that the cost will be paid by the City and reimbursed from the grant in the current budget and Finance Director stated she was correct. City Manager stated there are no matching shares. **CARRIED.**

**14. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-65 APPROVING AND AUTHORIZING THE INMATE WORK CONTRACT BETWEEN THE CITY AND THE STATE OF ARIZONA, DEPARTMENT OF CORRECTIONS, [“DEPARTMENT”] FOR THE PURPOSE OF RENEWING THE CONTRACTUAL RELATIONSHIP AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE CONTRACT AND DECLARING AN EMERGENCY TO EXIST.** Tab 8

It was moved and seconded to adopt Resolution No. 2009-65, as stated relating to Inmate Work Contract between the City and State of Arizona Department of Corrections. **DISCUSSION:** Councilman Norris asked Dave Bonner if there were any downside to this. Mr. Bonner replied only couple things added: the boots and statement on the DOC Officer pay and only time applies is if the Officer is directly supervising inmates. Typically he is patrolling and Councilman Norris asked if we pay his salary and Mr. Bonner said “no, we don’t.” **CARRIED.**

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

**Tab 9**

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

- **Report on Railroad Park Electrical**-Dave Bonner, Public Services & Works Director, reported Mr. Pacheco working on digging up location for conduit and will continue this week because he is hand digging it due to proximity of water lines. Oscar Hudson, Parks Supervisor is talking with him on timeframe for completion. Material was purchased and we determined what we wanted and added another electrical location. City Manager stated it will be done in time for Christmas decorations.
- **Report on Chamber of Commerce Restrooms**-Jeff Stoddard, Building Inspector-City owns this building and we fix the bathrooms to ADA standards and now the standards have changed. Chamber pursued a Grant to procure materials to upgrade restrooms to current standards. City Manager stated that Mr. Stoddard has been putting in a few hours on that project. Mr. Stoddard stated working about a month ago that project and has added new handicap toilet, utility sinks and a new sink. Added two (2) new instant hot water heaters and electrical outlet. Mr. Bonner stated when Mr. Stoddard said “we” he means “he.”
- **Report on Energy Efficiency Grant**- Pat McCourt, City Manager-staff became aware early this month and told had until October 30 to submit for the \$64,000 and had to hurry up and send letter before they can send us letter to apply. That was done. Deadline was extended to November 30 and will have grant application presented to the Mayor and Council before send it off to the State. These are Federal monies which are part of the Stimulus Package and said “yes have to do environmental impact study.”
- **Report on September 30, 2009 Financial statements**- Ruth Graham, Finance Director-handed out an additional item to the Financials.
- **Mayor/Manager Meeting**-will be held on Wednesday, October 21, 2009 in Bisbee. The Cochise County Board of Supervisors is hosting and there are four going. City Manager plans to leave City Hall shortly after 10:00 a.m.
- **Reminder- Mayor and Council approved the City Manager’s participation in the Arizona Town Hall Meeting and he will be absent for the next City Council meeting.**

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

Vice Mayor Schultz reported successful events at the Wine and Art Festival, and National Rifle Association held this past weekend. NRA was one of the biggest and City Attorney Figueroa is Chairman and thanked him for bringing that to Willcox. Councilman Norris thanked Mr. Figueroa for the NRA and he was sorry he was not here this weekend. Councilman Johnson stated the Wine and Arts Festival was a big hit and looking forward to the 3<sup>rd</sup> Annual Festival next year.

Councilwoman Cronberg enjoyed the Wine Festival and thought it was extremely successful. Stating she did her part to support them and said they better come back next year.

Councilman Donahue apologized for his tardiness this evening.

Mayor Lindsey heard that it was a great success and quite a few people down town although he did not attend.

Councilwoman Cronberg reminded everyone that you did not have to drink to be there.

Vice Mayor Schultz said they are talking about doing two Wine Festivals next year.

**17. DISCUSSION/DECISION TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES §38.431.03(A)(7) DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY** Tab 10

It was moved and seconded to enter into an Executive Session pursuant to ARS §38.431.03(A)(7), as stated regarding real estate acquisition /disposition. **CARRIED.**

**18. RECESS TO EXECUTIVE SESSION, IF APPROVED-7:54 p.m.**

**19. RECONVENE FROM EXECUTIVE SESSION-8:24 p.m.**

**20. DISCUSSION/DECISION REGARDING REAL ESTATE ACQUISITION/DISPOSITION AND DIRECTION TO STAFF ON HOW TO PROCEED**

It was moved and seconded to direct staff to proceed as discussed in Executive Session. **DISCUSSION:** Mayor Lindsey stated it was discussed to schedule a special meeting and invite Mr. Stout. **CARRIED.**

**21. ADJOURN-8:26 p.m.**

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**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.