

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

Monday, November 2, 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. 2009-68
Ordinance NS299**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, November 2, 2009 at 7:00 p.m. And welcomed the public here tonight and asked for their participation if needed.
2. **ROLL CALL** -Mayor Lindsey announced all Council persons are present

PRESENT

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

STAFF

Public Safety Director Jake Weaver
City Attorney Hector M. Figueroa
City Clerk Cristina G. Whelan, CMC
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Code Enforcement Jeff Stoddard

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.
4. **CALL TO THE PUBLIC**-Robert Haynes, addressed the Mayor and Council, and stated that about a week ago while at the Cemetery, and knows everyone in the community has family there, there has been criminal acts, destroying graves, moving headstones and stealing them. Thinks it is good to get some kind of security infra-red cameras and catch the people behind this. Talked to local law enforcement and they said this has happened before and in order to keep it from happening again he thinks cameras would be good. The "Cops continue to do their job" and a system with camera's in each cop cars with a screen to see what is going on at the Cemetery and monitor and thinks it would be an easier way to do their job. To stop all this that is going on at the Cemetery Mr. Haynes thinks cameras are the best way to go. He understands that there is talk about the Stimulus Package and feels Willcox should be able to get one to fix the roads, hospital or whatever to improve the City. Again he stated that the camera idea would be a great asset to the City or do a fund raiser. Mayor Lindsey explained we can not discuss this issue tonight and information is duly notated. The investigation is ongoing and thanked Mr. Haynes for bringing that information to them.

Mr. Gary Thrasher, knows at this time the item he is interested in is not to be discussed today, and introduced himself and stated he is a veterinarian and has practiced in this area for 38 years. Spends money in Willcox and took a lot of Willcox money home. Practice mostly agriculture primarily beef cattle and operates the feed in Cochise. As Veterinarian he has contact with outside neighbors of the City and Willcox is Center for Trade. One of the biggest problem as Director of the Cochise-Graham and Cattle Growers (beef cattle) in Arizona it is grown and finished and not harvested in Arizona due to dairy industry has taken over all the commercial packing houses in the State. Gap left because Arizona cattle produced in this area have to leave this area to be finished and grown. Most of the corn or products used for animal feed are also transported elsewhere. Packing House businesses he has been working on for several years. Most medium size ones have closed in the entire State. There are 6-million people in Arizona and 60 pounds of beef cattle is consumed each year. Yet almost every one of the beef cattle is sent out-of-state. When finish cattle here, and our yards are no where as big as Texas type yards, and only place to harvest and sell them to get premium for quality cattle they have to be sent to Amarillo, Texas or transporting 700

miles. To transport costs on every animal is \$40-\$60 additional charge to get it to a point to harvest and then that meat is transported to Phoenix. There are 6-Million people eating 300-Million pounds of beef in this State and yet a majority of it of the quality, commercial beef canned or hamburger is in produced and harvested in Arizona but not the quality beef that these producers here are trying to get the most money out of it. A Packing House in this area would make a tremendous market for calves produced in this area and then would also make market for us to feed here and won't have to transport them out. Most what he does is back grounding, get lean calves started and healthy enough and sent somewhere else for pasture and end up primarily in pan handle and leave this area. Basis for price figured and determined by the amount of transportation, shrinkage, cost and commission have to transport to be feed. Or make a difference of 4-8 cents difference in every pound when sold in this area. That is a tremendous amount of money when come down in number of cattle in this area that has to be transported out. Packing Houses today are completely different today as far as 50 years ago. Today he talked to the two (2) presenters that came at the last meeting for about 15 minutes and never meet them before or anything about their operations. He can tell us that Packing Houses can be operated properly. Advantage in corporate City limits is that you can put controls on them that you can't put controls on Packing Houses right outside city limits. You can do things to help control. Will probably be back on the 16th and if any questions call him he is listed in phone book under Veterinarians and does not do dogs and cats only cattle and horses. Mayor Lindsey thanked him for commenting tonight and plan on joining us on the 16th.

5. **DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Mayor, Council members or staff.

6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented. **CARRIED.**

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

Tab 1

Communications: The Mayor read the Second Reading of Ordinance NS298 Amending The City Code, Title 5, Health And Sanitation, Title 5, Chapters 1, Section 5-1-5, By Reference, Repealing The Current Section 5-1-5 And Part Of Ordinance NS292 Relating To Repealed Section 5-1-5 Enumerated Therein.

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

Mayor Lindsey opened the public hearing at 7:13 p.m. and asked if there were any comments and asked Mr. Keeling if he would like to make any comments at this point. Mr. Keeling thanked the Mayor and Council for consideration of Application for Series #13 Farm Winery License and facility will be serving a taste of locally produced wine and sales of cases or bottles hopefully will go out the building. Probably open 3-days per week and after 5:00 p.m. except on special events. It would be an afternoon operation. He asked Council if they had any questions for Mr. Keeling. Thanked Mr. Keeling for his comments and asked if anyone would like to comment since this is a public hearing and comments would be appropriate. Again asked any other comments and hearing none the Mayor closed the public hearing at 7:14 p.m.

(2) The Mayor announced that the Mayor and Council will hold two (2) public hearing at the regular meeting on **Tab 3** Monday, November 16, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive regarding (1) Application for Liquor License New License, Limited Liability Co., Carlson Creek Vineyard, LLC, 114 N. Railview Avenue, Willcox, AZ; and

(2) Ordinance NS298 Amending The City Code, Title 5, Health And Sanitation, Title 5, Chapters, Section 5-1-5, **Tab 1** By Reference, Repealing The Current Section 5-1-5 And Part Of Ordinance NS292 Relating To Repealed Section 5-1-5 Enumerated Therein.

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. **DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES HELD ON OCTOBER 19, 2009 AND THE WORK SESSIONS HELD ON OCTOBER 14, AND 19, 2009** **Tab 4**

It was moved and seconded to adopt the regular meeting minutes held on October 19, 2009 and the work sessions held on October 14, and 19, 2009. **CARRIED.**

9. DISCUSSION/DECISION REGARDING REQUEST FOR APPLICATION FOR LIQUOR LICENSE NEW LICENSE, LIMITED LIABILITY CO., KEELING SCHAEFER VINEYARDS, RODNEY EDWARD KEELING, 154 N. RAILROAD AVENUE **Tab 2**

It was moved and seconded to approve the request for Liquor License as stated for Keeling Schaefer Vineyards, Rodney Edward Keeling, 154 N. Railroad Avenue. **CARRIED.**

10. DISCUSSION/DECISION REGARDING 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 **Tab 5**

It was moved and seconded to adopt Resolution No. 2009-57, as stated relating to increased rates and charges during specific times for Wastewater System of the City of Willcox. Utilizing Exhibit A-1 (3rd option). **VOTE: Ayes:** Mayor Lindsey, Council members Norris, Cronberg, Klump and Donahue. **Nays:** Vice Mayor Schultz and Councilman Johnson. **CARRIED 5-2.**

11. DISCUSSION/DECISION RESOLUTION NO. 2009-67 APPROVING THE PARKING LEASE AGREEMENT BETWEEN THE CITY OF WILLCOX [LESSEE] AND ROBERT BRUCE YUNGEWAELTER AND SANDRA KAY YUNGEWAELTER [LESSORS] FOR PARKING LOT KNOWN AS PARCEL NO: 203-28-187 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 6**

It was moved and seconded to approve Resolution No. 2009-67, as stated, relating to the Yungewaelter Parking Lease Agreement. **CARRIED.**

12. DISCUSSION/DECISION REGARDING WILLCOX YOUTH FOOTBALL AND CHEER REQUEST FEES WAIVED FOR THEIR CLOSING CEREMONIES AT THE COMMUNITY CENTER ON SATURDAY, TUESDAY NOVEMBER 10, 2009 **Tab 7**

It was moved and seconded to approve the Willcox Youth Football and Cheer request fees waived for their Closing Ceremonies at the Community Center on Saturday, November 10, 2009. **CARRIED.**

13. REPORTS BY THE CITY MANAGER PAT McCOURT (Chief Weaver reporting)

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

- **Report on electric & Tennis Court lights**-Dave Bonner, Public Services & Works Director-electric referring to Railroad Avenue Park and volunteer Jose Pacheco. Staff has not seen much work since before the Wine Festival and Parks Supervisor Oscar Hudson will contact him as to when it will be completed. Mr. Pacheco's wife is working on the Christmas Lighting. Tennis Courts: he is happy to report they are up and operating on 1-hour timer and beacon notifies person to push button again or go away. They do not have hardly any excess lighting off the Courts and thanked everyone for their support.
- **Report on Skate Park** -Dave Bonner, Public Services & Works Director –Councilman Klump requested staff to bring to the Parks & Recreation Advisory Committee his suggestion to utilize the old pad at the Police Facility as the beginning of a Skate Park. The Skate Park committee and himself will be having a meeting and if approved will present to Mayor and Council. Paul Sheats stated the young people like it and thinks it is a win-win for everybody and we will all get more for the buck
- **Report on Annual Banquet**-Ruth Graham, Finance Director –The City has scheduled a Holiday Banquet at the Elk's and City Manager has directed staff to talk to Elks and the school about catering at the Community Center. We usually have 100-110 attend.
- **Vice Mayor Schultz asked about Senior Center**-Mrs. Graham reported Account Clerk II Crystal Hadfield is working with Engineer from the Hospital and ADOH on discussion if there is a need for another Environmental Study.

14. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Mayor Lindsey wanted to add to newspaper article on Patti Ackerson-Rodriguez and Jeff Stoddard for their volunteer activities that benefit the community and all of us. He stated it is great when we get recognition on employees that deserve that recognition.

Vice Mayor Schultz congratulated Jeff Stoddard because he too is "big on Volunteers: that is backbone of community." Councilman Norris said "ditto."

15. ADJOURN-7:48 p.m.

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.