

**CITY OF WILLCOX  
MAYOR AND CITY COUNCIL MEETING  
SPECIAL MEETING AGENDA**

**Statement of Legal Actions**

**Note Date: Tuesday, January 19, 2010**

**7:00 p.m.**

**City Council Chambers  
300 W. Rex Allen Drive  
Willcox, AZ 85643**

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

**Resolution No. 2010-12**

**Ordinance NS299**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the special meeting to order on Tuesday, January 19, 2010 at 7:00 p.m.

2. **ROLL CALL**

**PRESENT**

Mayor Gerald W. Lindsey  
Vice Mayor Larry Schultz  
Councilman Elwood A. Johnson  
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 Safety Director Jake Weaver  
Library Director Tom Miner  
Finance Director Ruth Graham  
Building Inspector Jeff Stoddard  
Utilities Supervisor John Bowen

**ABSENT**

Councilman Jimmy L. Norris

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.

4. **CALL TO THE PUBLIC**- Ms. Kathy Smith, Director Chamber of Commerce thanked the Mayor and Council for all the help they received from City staff during the Wings Over Willcox event this past weekend. There were over 500 tour participants and hundreds of "foot traffic" come through and very pleased.

5. **DECLARATION ON CONFLICT OF INTEREST**-Vice Mayor Schultz declared conflict on agenda #20 regarding his request for reimbursement.

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**

**Public Hearing:** The Mayor and Council will hold a public hearing on (1) Tuesday, January 19, 2010 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, due to Monday is a Holiday, regarding Use of CDBG Funds; and

Mayor Lindsey opened the Public Hearing regarding CDBG at 7:06 p.m. and asked if anyone wanted to comment on the Use of CDBG Funds. City Manager Pat McCourt explained the current proposal there are two (2) requests for the CDBG Funds. The first request is the Regional Account which is CDBG Funds from the Feds and distributed through Southeastern Arizona Government Organization (SEAGO). We receive allocation every two (2) years. Proposed use is to continue renovation and repairs of the Community Center. The second application is under the State Special Projects Monies and flows to the State and then allocated out on a competitive basis. We are applying for the same project for that. If we receive that money our

Regional Account will be expanded to allow some additional work that we could not bid under existing funding levels. This is multi-year progress that will make basically rehab the Community Center.

Councilman Johnson stated improvements made at Community Center were well received especially this year at Wings Over Willcox. His question that he has been asked is how much money will it take to complete the Community Center as far as plans for rehabilitation and how many more CDBG cycles we are looking at. The City Manager replied last year we thought we had some minor renovation to the adobe. Once it was opened up it was found the problem was more than minor it was very extensive. The adobe needs to be repaired as well as underlying problem which is water being drawn up the adobe like a straw. That has been causing deterioration and need to fix drainage. We thought we would be done by the next allocation. Due to extensiveness of the problem staff is estimating if we do not receive the State Special Project money we probably have round and a half to finish the project.

Mayor Lindsey asked if there were any other comments. Again he asked any comments and hearing none he closed the public hearing at 7:09 p.m.

- 8. DISCUSSION/DECISION REGARDING THE WORK SESSION MEETING AND THE REGULAR MEETING MINUTES HELD ON JANUARY 4, 2010, AND THE WORK SESSION HELD ON JANUARY 4, 2010** **Tab 2**  
City Attorney Hector Figueroa stated correction during the Tri Western Work Session discussion under his explanation of the stipulations in the Resolution the 3<sup>rd</sup> paragraph the word should be "shall" and not "hall." (City Clerk will make correction.) It was moved and seconded to adopt the work session meeting and the regular meeting minutes held on January 4, 2010. **CARRIED.**
- 9. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-04 AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR FY 2009 STATE SPECIAL PROJECT AND FOR FY 2010 REGIONAL ACCOUNT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATIONS MEET THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.** **Tab 3**  
It was moved and seconded to adopt Resolution NO. 2010-04, as stated relating to Submission of Applications for FY 2009 State Special Projects and for FY 2010 Regional Account CDBG Funds, Certifying application meets Community's previously identified housing and Community and Development needs. **CARRIED.**
- 10. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-05 ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR FY 2010, AS REQUIRED UNDER SECTION 104 (d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.** **Tab 4**  
It was moved and seconded to adopt Resolution NO. 2010-05, as stated relating to Residential Anti-displacement and Relocation Assistance Plan for FY 2010. **CARRIED.**
- 11. DISCUSSION/DECISION REGARDING EXTENDED HANDS MINISTRIES REQUEST FEES WAIVED AT THE COMMUNITY CENTER ON SUNDAY, FEBRUARY 21, 2010 FOR A CITY-WIDE AFTER CHURCH POT LUCK** **Tab 5**  
It was moved and seconded to approve Extended Hands Ministries request fees waived at the Community Center on Sunday, February 21, 2010 for a City-wide After Church Pot Luck. **CARRIED.**
- 12. DISCUSSION/DECISION REGARDING REQUEST FROM SACRED HEART CATHOLIC CHURCH FOR A SPECIAL EVENT LIQUOR LICENSE AT THE COMMUNITY CENTER TO HOLD MARDI GRAS ON SATURDAY, FEBRUARY 13, 2010** **Tab 6**  
It was moved and seconded to approve the request from Sacred Heart Catholic Church for a Special Event Liquor License at the Community Center to hold Mardi Gras on Saturday, February 13, 2010. **CARRIED.**
- 13. DISCUSSION/DECISION REGARDING RENEWAL OF STREET PERMIT CLOSURE FOR BO DOWNEY ON RAILROAD AVENUE TO HOLD GUNFIGHTS ON SATURDAYS AND MOVE STREET CLOSURE FURTHER NORTH OR SOUTH OF WINDMILL PARK** **Tab 7**  
It was moved and seconded to approve the renewal of street permit closure for Bo Downey on Railroad Avenue to hold Gunfights on Saturdays and move street closure further north or south of Windmill Park and a year review. **CARRIED.**

14. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-06 APPROVING THE USE OF CITY PROPERTY AT 151 WEST MALEY FOR A SKATE PARK PURSUANT TO A REQUEST BY THE SKATE PARK COMMITTEE WITH THE CONCURRENCE OF THE PUBLIC WORKS DEPARTMENT AND THE PARKS AND RECREATION COMMITTEE AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 8  
 It was moved and seconded to approve Resolution No. 2010-06, as stated relating to use of City property at 151 W. Maley for a Skate Park. **CARRIED.**
15. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-07 APPROVING AND ADOPTING A CHANGE ORDER UNDER THE CONTRACT AGREEMENT BETWEEN THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] AND WOODS CONSTRUCTION, INC. [“CONTRACTOR”] FOR THE PURPOSE OF APPROVING THE ADDITION OF A VESTIBULE AT THE EXISTING LIBRARY BUILDING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 9  
 It was moved and seconded approve Resolution NO. 2010-07 request for a Change Order under the Contract Agreement between the City and Woods Construction, Inc. for addition of a vestibule at the Elsie S. Hogan Library building. **Vote: Ayes-** Mayor Lindsey, Vice Mayor Schultz, Council members Johnson, Cronberg and Donahue. **Nays-**Councilman Klump. **Absent:** Councilman Norris. **CARRIED 5-1-1.**
16. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-08 TO APPROVE AND ADOPT GRANT FUNDS FROM THE BORDER ENVIRONMENTAL COOPERATION COMMISSION [“BECC”] FOR THE PURPOSE OF PERFORMING A PRELIMINARY ENGINEERING REPORT AT THE WILLCOX WASTEWATER TREATMENT PLANT [“WWTP”], AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 10  
 It was moved and seconded to approve Resolution No. 2010-08, as stated relating to Grant Funds from BECC for the purpose of performing a Preliminary Engineering Report at the Willcox WWTP. **CARRIED.**
17. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-09 APPROVING AND AWARDDING A CONTRACT TO PERFORM A PRELIMINARY ENGINEERING REPORT (‘PER’) BETWEEN THE CITY OF WILLCOX [“CITY”] AND TETRA TECH [“T-T”] AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 11  
 It was moved and seconded to approve Resolution NO. 2010-09, as stated relating to approving and awarding a contract to perform a PER between the City and Tetra Tech. **CARRIED.**
18. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-10 APPROVING AND AWARDDING A CONTRACT BETWEEN THE CITY OF WILLCOX [“CITY”] AND TETRA TECH [“T-T”] TO PERFORM AN ENVIRONMENTAL REPORT (‘ER’) AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 12  
 It was moved and seconded to approve Resolution NO. 2010-10, as stated relating to approving and awarding a contract between the City and Tetra Tech to perform the ER. **CARRIED.**
19. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-11 APPROVING AND ACCEPTING COMMERCE CONTRACT NO: RO16-10-63 BETWEEN THE CITY AND THE ARIZONA DEPARTMENT OF COMMERCE ENERGY OFFICE UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM (‘ABS-EECBG’), AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 13  
 It was moved and seconded to approve Resolution NO. 2010-11, as stated relating to Commerce Contract No. RO16-10-63 between the City and ABS-EECBG funds. **CARRIED.**
20. **DISCUSSION/DECISION REGARDING REIMBURSEMENT COUNCIL MEMBER LARRY SCHULTZ** Tab 14  
 It was moved and seconded to approve the reimbursement for Council member Schultz. **CARRIED 5-0-1-1.** (Councilman Norris was absent and Council member Schultz Declared Conflict.)

**21. PRESENTATION/DISCUSSION OF CITY MID-YEAR FINANCIAL REPORTS**

City Manager McCourt stated the Finance Director will do presentation. Ms. Graham presented handout and power point presentation on the City of Willcox Mid-Year Financial Reports.

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

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

- Mayor/Manager** –meeting is tomorrow in Benson and only the Mayor and City Manager will be attending.
- Rotary Fundraiser**- the fundraiser for the City for the Fire Department 4<sup>th</sup> of July Fireworks is through the Rotary. The City Manager stated this is the last time he has opportunity to remind everyone that the drawing is a week from Thursday. There are still tickets available and he has tickets as well as other Rotarians.
- Employee meetings** -when the City Manager was hired he was directed by the Mayor and Council to hold and he has held a couple of all employee meetings already. The next one will be held this Friday from 1:00 -3:00 p.m. The City Manager will talk with the employees, opportunity to listen to the employees concerns, and will tell them about the budget.
- Report on Library Renovation**- Tom Miner, Library Director presented a power point on the Library Renovation especially on the work done in the 5-days! So far they have 350 pictures on web site and plan to have updated photos daily.
- Report on Monthly Investments**-Ruth Graham, Finance Director-will report on this at the next meeting.
- Set Special Meeting Date and Time**- Pat McCourt, City Manager, setting a date and time to hold a special meeting regarding the Airport Ad Hoc Committee final report and going forward with decision. Mayor Lindsey suggested Tuesday, February 2<sup>nd</sup> for a work session. Councilman Johnson asked for work session before the Council meeting. Councilwoman Cronberg for her it is better before the meeting and Vice Mayor Schultz agreed too. Staff is to prepare a work session on Monday, February 1, 2010 at 5:00 p.m. and invite members of the Ad Hoc Committee.
- Financial Disclosure Statement for Council due January 31, 2010 for 2009**-Pat McCourt, City Manager, reminder to all Council members.
- Report on Wings Over Willcox**-Pat McCourt, City Manager –report was given by Ms. Smith during Call to the Public.
- Budget** -some like debt service are fixed. The City Manager would like to propose and have short work sessions before regular Council meeting to discuss some sections of the budget and format. During work sessions we would have more time to discuss expenditures, therefore suggested meetings before regular meeting and keep relatively short and precise on specific areas of the budget.

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

Councilman Johnson reported Wings Over Willcox this was a good year and better than expected. A lot of vendors appreciated the improvements to the Community Center. Lots of people stayed around and shopped and vendors were happier. Good success this year.

Councilwoman Cronberg stated relating to WOW she saw beautiful photographs on Channel 9 by Guy Atchley. He had a variety of photos taken and he talked about the event and that was very good promotional advertising for our community. Vice Mayor Schultz said if anyone has detailed questions to talk to him later about DMV (Department of Motor Vehicle). The decision on closing our local office has not been made. They took over 470 names last Thursday to our State Legislature’s in Phoenix. The reason given by the State for closing Willcox is because it was a leased facility. Before they left the room they had that problem solved. It has not been decided yet and we still have a chance.

**24. ADJOURN-8:50 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.