

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 19<sup>TH</sup> DAY OF JANUARY 2010**

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

**ROLL** – City Clerk Cristina G. Whelan called the roll.

**PRESENT**

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

**ABSENT**

Councilman Jimmy L. Norris

**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

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

**CALL TO THE PUBLIC**- Ms. Kathy Smith, Director Chamber of Commerce thanked M&C for all the help and had over 500 tour participants and hundreds “foot traffic” come through and very pleased.

**DECLARATION ON CONFLICT OF INTEREST-VM #20**

Vice Mayor Schultz declared conflict on agenda #20 regarding his request for reimbursement.

**ADOPTION OF THE AGENDA**

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

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

**PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**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.

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**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**

**MOTION:** Councilman Johnson moved to adopt work session meeting and the regular meeting minutes held on January 4, 2010 and work session held on January 4, 2010.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey stated "good job considering all the dialogue." **CARRIED.**

**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.**

**MOTION:** Councilman Johnson moved 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.

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

**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.**

**MOTION:** Councilman Johnson moved to adopt Resolution NO. 2010-05, as stated relating to Residential Anti-displacement and Relocation Assistance Plan for FY2010.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey explained this Resolution is a requirement to Section 104(d) of the Housing and Community Development Act of 1974 as amended and the City is required to abide by in order to receive CDBG Funding. **CARRIED.**

**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**

**MOTION:** Councilman Johnson moved 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.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson asked if several churches involved and Reverend Sheats replied he agreed to fill out the application and there are currently eight (8) pastors and churches have agreed to get together at 12:30 p.m. after their worship at their places and come together for pot luck. It is open to everyone and will be advertising in the Arizona Range News. Flyers will be sent to churches for distribution and it's for anyone to come whether they go to church or not. It is a Sunday afternoon to bring people together. Councilwoman Cronberg asked that on Attachment B of the Facilities Use Agreement outlines what the participant agrees to perform in terms of clean up and verify count of tables issued and none are marked. The Councilwoman asked if they are going to do all except for those that are not marked like vendor permit and alcohol. Reverend Sheats stated they do intend to use tables and chairs and will meet with Public Works to issue them and for representation he signed as responsible. At the end of the day if someone has complaint that they did not cleaned right or table not returned will fall back on them. Also encouraging churches to bring there own tables and chairs too. He will go back to Public Works and make that correction. **CARRIED.** Reverend Sheats thanked the Mayor and Council.

**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**

**MOTION:** Councilman Johnson moved 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.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey appreciates representative coming tonight if there were any questions. **CARRIED.**

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**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**

**MOTION:** Councilman Johnson moved to approve the renewal of street permit closure for Bo Downey on Railroad Avenue to hold Gunfights on Saturdays and moving street closure further north or south of Windmill Park and a year review rather than six (6) months.

**SECONDED:** Vice Mayor Schultz seconded the motion. **DISCUSSION:** City Manager McCourt asked if correct to approve recommendation from staff which has a few conditions. They are incorporated on the sample letter and staff looked at all the past permits and modified and pulled all together into one source or letter so that we all knew what agreeing too. Recommendation from Council Johnson is the one (1) year and is listed and City Council with prior notice can extend twice given proper notice in case of incompatible events that get set up. Mr. Downey has clearly demonstrated that he is willing to cooperate. In case something comes up they can petition the City Council to suspend two (2) times the show. That is why he is asking approving those recommendations from staff with few conditions. Councilman Johnson replied in the affirmative. Vice Mayor Schultz stated that the main thing is cooperation because it is hard to organize and event with special events people is very important. Councilwoman Cronberg echoed that and it is in fact articulated in this letter to continue with event and since it is in writing asked Mr. Downey if agreed to. Mr. Downing replied in the affirmative. All he wanted was proposal put in if someone wants to put on an event at least twice a year without the gunfight to give him ample notice so that he can advertise that because he has people that come every Saturday. In trying to build an audience it could hamper that by then asking not doing gunfight today or not doing it anymore. Thought talking with City Manager he thought it was very agreeable and his idea is trying to promote Willcox and the Western Way of Willcox. It costs him but does not cost anybody else. He loves doing it and his group loves doing it. Also felt that when Ms. Jody Clifton asked if they could make another maneuver for her to move down they agreed. Last year agreed to move to the second light by Rodney's and now she is asking to move it down again even with the Windmill. It does not hamper him and that is as far as it can go and also keep their safety in check. He would have appreciated if Ms. Clifton would have signed his paper if we go that way. Mr. McCourt stated that Mr. Downey is not aware Ms. Clifton sent fax supporting those conditions. Mr. Downing was given a copy of her letter and he said "okay we are all in sync then." Councilwoman Cronberg would content if he is able to work with other groups trying to promote Willcox and actually work together so that maybe activities suspended when during his show could become cooperative. Mr. Downey said he brought that up and overridden to speak at that event with a little problem with the Wine Festival. He called them and does not think he knew of entertainment in place and if called him ahead he would have talked to him. They only needed that one lane and did it anyway because not that many people involved. The vendors there asked him if canceling the gunfight because of this event and he said "no." Mr. Downey thinks it is great to get more entertainment in Willcox on particular situations and have people work together and would appreciate a phone call if somebody wants him not to have his gunfight. Thinks it is nice now we have that in place here and they can use that twice a year not a problem so long as willing to work with him. Councilwoman Cronberg appreciates that and thinks most parties looking for a way to work together to make it good for Willcox. She asked "who should making those calls if someone else wants to reserve it and not sure about the other events taking place?" City Manager explained we will coordinate with Public Work's for event and notifying them that there is prior event and direct them to talk to Mr. Downey. Vice Mayor stated that the main thing is to keep lines of communication open. **CARRIED.** Mr. Downey thanked the Mayor and Council.

**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**

**MOTION:** Councilman Johnson moved to approve Resolution No. 2010-06, as stated relating to use of City property at 151 W. Maley for a Skate Park.

**SECONDED:** Vice Mayor Schultz seconded the motion. **DISCUSSION:** Councilman Johnson thanked Councilman Klump for suggestion to move finally a Skate Park into community. **(APPLAUSE)** Councilwoman Cronberg said that the Skate Park Committee has done a lot of work and commends their openness to another suggestion and their patience and diligence to continue to work on this. They went before the Parks & Recreation (P&R) Advisory Committee months ago and presented Skate Park Rules. Wondering if still viable, looking to implement and post. Mr. Sheats explained it is still on the table and in P&R hands they have to go through their protocol to make that happen. They are ready and it's just about geographic. Councilwoman said that the P&R Committee has not been a full committee for awhile and if they can not get quorum how get recommendation. The

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City Manager stated they have 3 of the 5 positions filled and last couple meetings only gathered two (2) representatives. Have solicited input on items. Councilman Johnson asked if staff will move the sign from Keiller Park to new and City Manager replied "yes!" Councilwoman Cronberg asked if neighbors in this area been asked for their thoughts and is that something we should request before move forward. The City Manager replied "I don't know." Mr. Sheats stated when he spoke to Dave Bonner on that issue and indicated it was not required to do and closest neighbor is Library and Mick Easthouse and he is very supportive of The Spring and activities and would be same crowd overflow. Thinks that is a positive and the Library is usually closed after 5:00 p.m. and has not neighbor behind them and beyond that is Flower House. There are not a lot of residents. Mayor Lindsey stated that the Browns are behind the Library and are elderly couple. **CARRIED.** Mr. Sheats said Thank You Very Much!

**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.**

**MOTION:** Councilman Johnson moved to approve Resolution NO. 2010-07, as presented, 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.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey asked the City Manager to bring those figures together because talking about "robbing several funds" in order to come up with funds. City Manager McCourt approved the Library renovations at that time approved shifting some money from Public Safety account to Library account to finish some work and Contingency. There was alternate on base bid on vestibule and there was not sufficient money on the base bid for the vestibule and requested from Council to go back and negotiate. And also to see if we could find other sources of funding to support the construction and that is what staff has done. When started in order to try to get vestibule added on we were short \$28,255.23. Mr. Bonner and Mr. Miner met with Woods Construction, Inc., and mentioned added the vestibule and they reduced cost by \$12,000.00. Details on changes Mr. Stoddard can answer that. Now we are left with \$16,255.43 that we needed. Staff (Bonner, Miner and City Manager) met and had \$6,000 left from Public Safety and is asking Council to use that for Library Project and down to \$12,255.43. It was discussed in the operating budget for the Library and staff put in \$15,000 for Contingency on this project if needed. The City Manager felt comfortable taking \$3,000 and brought us now down to \$7,255.43. Mr. Miner continued to look for sources and talked with Cochise County Library District and working with them has secured \$5,000 by foregoing book purchases this year and will allows us to use for this project. Now down to \$2,255.43 and he has "twisted his arm" to use more Contingency and agreed. We still have \$9,744.57 in Contingency which means we have to be very careful on what we do on this project. We have projected a financing plan for the vestibule which will be an integral part if the Mayor and Council chose to approve the recommendation from staff.

Mayor Lindsey's concern is we are down to \$9,744 in the Contingency Fund and most projects lately have had overruns and wondering where we will be if we have a major snafu somewhere. Mr. Jeff Stoddard explained we have cut more costs recently on doors because they do not fit with 5/8" sheetrock and gone to 1/2" sheetrock for the doors. Woods Construction, Inc. is helping us to save money too.

Councilman Klump stated he has a couple of concerns. He has reviewed plans for awhile and thinks putting a door on a long wall seems to be waste of space and does not understand why we want to move it. The other concern is taking \$5,000 out of books defeats purpose of Library by removing books. Wonders if design does not show where someone sits walk across big room to desk to turn in or out books and currently the flow looks like it works. What reason to walk to get office or study room where current foyer is or entry way. It does not make sense and with economic climate at the end of the year and spend \$28,000 on something that we really don't need. It doesn't make sense to him. He is not against Library seems we could use the \$5,000 for books and do with what we have and then we are not pulling ourselves of coming close to not happening.

Vice Mayor Schultz asked what the natures of the books we are not going to purchase or category because of this. Library Director Tom Miner replied this is about 250 books out of about 2,200 we get a year. This is free money from Secondary Property Tax from the County residents and the County gives us \$9,000/year and used half of that in previous book orders throughout the year. This seems like a viable alternative considering they are under construction anyway and do not have to deal with another

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250 books. There have moved 80 plus shelves this past week. Books are in boxes, milk crates and scattered all over the place and best not to deal with more books for a couple of months. This is not taking away anything from City's budget for book purchases and line item will remain the same. Vice Mayor Schultz asked him if the 250 books in his opinion will not take away from Library. Mr. Miner replied no and said 10% and the Library does have Interoffice Loans with couriers 3-times/week inside County and about 400 books per month received and not really inconvenience at this point and viable way to get the \$5,000 we need it and when we needed it to begin the project. Councilman Klump explained as a builder and come in and put a door in bedroom or any other room in the house you almost never put it in center or close to the center of the room. It is on the side or area where there is a closet or somewhere swing or people coming in will not be affected and walking through everything. Your plans is the doors are not in exact center of long east wall but far enough that the flow does not flow. The current situation made by the last remodel people come walk in there's the desk drop their books and turn around, check out and are gone. The movement does not make sense to him and parking lot is already on the other and as a builder it does not make sense to get things moving through. Not sure there is a reason for it. Mr. Miner replied thought they had a very good reason. They have known for years going to demolish police facility and has never had adequate parking at the Library for the 14 years he has worked there and new space across the street potential for 100 spaces to enhance downtown area. Also with visibility with the removal of the police building now we are able to see on your left the Library from the street lights. Also help them to take full use of the parking lot. Fought battle with ADOT and lost about putting a sign pointing to Library. City Manager McCourt asked Councilman Klump when he said the door middle of the wall talking about interior wall and Councilman Klump said exterior wall, east wall facing the previous police station. It is basically a bunch of shelving and then a door when you come in. Mr. Miner said it is the second window directly across from the front desk. When walk in go straight to desk and also in position for self check out machine. They can observe check out and exit is a shorter distance. Right now come in take a right around the horse shoe to talk to the people at the front desk. This new entrance will allow you to walk straight in to front desk. The area on the left there is a couple of shelves they do not want to get rid of and they want to keep that area for quiet reading area. Long range plan for building is to add solarium room from the north side of the vestibule and patio on the west side of vestibule. And makes perfect sense to have the door where it is. Councilwoman Cronberg stated with new floor plan gaining an area for people to sit and study and what is now vestibule looks enclosed and becomes additional study area. Traffic flow is good and ability to see people what they are doing. It makes sense to her in that placement and what it opens up to other. Mr. Miner stated that also minimizes the amount of shelving to move which was one (1) row instead of nine (9). Councilwoman Cronberg said that she remembers some discussion on why to have the vestibule there and for the future if economic times change. Mayor Lindsey stated with door there the vestibule will become energy savings. Concern is Contingency Fund and Councilwoman suggested may have to come up with fundraiser for the City Library. Mr. Miner said ideas they had ahead of plan and Woods came up very close to match they had talked about themselves. They are ahead of schedule. Councilman Johnson stated that the completion is part of voter approved bond of 2004 and asked if handicapped parking still on north side of vestibule or do they have to park across the street. Mr. Jeff Stoddard replied handicap has to be close to the door as required by ADA. **VOTE: Ayes-**Mayor Lindsey, Vice Mayor Schultz, Council members Johnson, Cronberg and Donahue. **Nays-**Councilman Klump. **Absent:** Councilman Norris. **CARRIED 5-1-1.**

**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.**

**MOTION:** Councilman Johnson moved 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.

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

**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-09 APPROVING AND AWARDED 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**

**MOTION:** Councilman Johnson moved 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.

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

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**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-10 APPROVING AND AWARDDING A 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**

**MOTION:** Councilman Johnson moved to approve Resolution NO. 2010-10, as stated relating to approving and awarding a contract between the City and Tetra Tech to perform ER.

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

**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.**

**MOTION:** Councilman Johnson moved to approve Resolution NO. 2010-11, as stated relating to Commerce Contract No. RO16-10-63 between the City and ABS-EECBG funds.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey asked who is doing the work and is this going to be put out to bid. City Manager McCourt replied it would be going out to bid. The Mayor asked if the contractor would comply with Davis Bacon Act and the City Manager replied in the affirmative. **CARRIED.**

**DISCUSSION/DECISION REGARDING REIMBURSEMENT COUNCIL MEMBER LARRY SCHULTZ**

**MOTION:** Councilman Johnson moved to approve the reimbursement for Council member Schultz.

**SECONDED:** Councilman Klump seconded the motion. **CARRIED 6-0-1 Abstained.**

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

City Manager McCourt stated the Finance Director will do the presentation. He explained staff has attempted to keep format very similar to the budget format to make it easier and consistency. Two (2) conference calls were held with the League of Arizona Cities & Towns (LACT) on the concern with the budget at the State level. The State has mortgaged State property which has given them enough cash think able to pay bills until June 30<sup>th</sup>. Anticipated new fiscal year not enough cash and will issue IOU's and most the likely form is called a Warrant. A Warrant looks like a check and difference is when you and I issue check there is cash to back it up. A Warrant is a promise to pay at some future time. Warrant goes to Bank and Bank goes to the State and says “I want my cash” the State can say “Well we can't do that right now” the Bank keeps them in their portfolio and earns interest on them. This instrument is used a lot by Government usually done for cash flow. City's concern if there are enough of these Warrants out there and Banks are in weak condition they may not be comfortable accepting Warrant from the City when we go to cash them in. If we would reach that situation we would take Warrants into our own and we hold them and earn interest. Difference would be how liquid cash flow is and currently it is very liquid. If it got bad enough that might create problem in long term not problem in short term. We do not believe the State will go out of business. The State revised some of there projections of revenue for the next fiscal year instead of 14% decline Sales Tax now predicting 7%. Urban Revenue is still down 25% drop; current Legislation appears will take all LTAF monies I and II. That is monies from Lottery and in HURF \$17,000 for our roads and LTAF II for mass transit. The City accepted and passed on to providers in community that funding and we would not have that in the future. More gas sales looks slight increase to HURF for City. Sales Tax projection staff met with the Mayor and Council last October about reducing expenditures to match projected shortfalls. Still reviewing and feel projections are accurate. Vice Mayor Schultz stated that a property is the State Capitol. Past said mortgage State Capitol, Kartchner Caverns and other property and Mayor Lindsey added issued Certificates. The City Manager stated they have borrowed from future to take care of current expenses.

Finance Director Graham presented her power point and stated Revenues are coming back a little. She explained the mid-year financial reports General and HURF funds are running below expenses in all areas and staff is trying to restrain spending. Next year will not be any “prettier” and will be extremely difficult. Year from now should see some signs of recovery. (Ms. Graham discussed each line item).

Mayor Lindsey asked if the County will be increasing tipping charges and City Manager replied he will be attending a meeting at the end of this month and we know increasing tipping fess by another \$2/ton. The Mayor asked about adjusting our rates or



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contract and the City Manager explained we need to look very closely at all Enterprise operations and decide what we are going to do. Right now we have enough cash and cost going up such as tipping fees and get more customers can offset some of that. The other is to reduce some expenses and invest money in recycling to reduce tonnage going to landfill and therefore reduce tipping fees. These are discussions needed in Solid Waste and some council members concern is the need to address the Gas Fund. Currently we are taking care of existing but we are not accumulating capital expenses. Every resident and business will be affected with rates. Anticipate rate hearing this summer and decide where we need to go and how we need to get there.

Councilman Johnson said the Mayor and Council trust staff and he personally asked for certain things, which he has not received, and this scares him to death. He has asked for specific breakdowns from each department and City Manager given report he has seen and wants to see each department and include those plans that have been put on hold. Also Councilman Johnson wants list of positions filled after he and others requested freeze on hiring. He only heard today the Chief's hold on Travel & Training. Work Sessions are needed to help plan for the future which will be more difficult than this year and we need to be more "participatory rather than trusting." No one has a crystal ball and he hopes to get projects underway like the gas regulator station. At the work sessions he thinks the Mayor and Council need a little bit more detail.

City Manager McCourt explained there is a vacant position In Dispatch, Community Services and three (3) in the Public Works area. We all need to recognize that every reduction has impact. There is reduction in service with cutbacks in spending. Goal is to minimize impact on public. We do not have a freeze on hiring although department reviews each position and how it has impact on services. Staff has downgraded positions and less job skills required. As City we must be available to provide services to community and we are conscience of that. Discussed how to get through and plan is to maintain current service level. If the Mayor and Council want staff cutting positions they need to tell us what services to cut which is reduction in positions. Example and not a suggestion would be to not open the pool next year. That would result in bodies not being hired at pool, chemicals purchased, and material to operate the pool. The question is do you (Mayor and Council) want to cut that service. Need to discuss what service the Mayor and Council want to reduce. Try to trick public no consequence, cut position or expenses there is because cutting services to the public and that is discussion we need to do. Mayor Lindsey thanked Ms. Graham for her presentation and appreciates information.

**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.

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 19<sup>TH</sup> DAY OF JANUARY 2010**

**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.

**ADJOURN**

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:50 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 19<sup>th</sup> day of January 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 9<sup>th</sup> day of February 2010**

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

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of FEBRUARY 2010.

/S/ GERALD W. LINDSEY  
MAYOR GERALD W. LINDSEY  
Signed: February 16, 2010

ATTEST:

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