

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 16TH DAY OF AUGUST 2010**

CALL TO ORDER – Mayor Gerald W. Lindsey called the regular meeting to order on Monday, August 16, 2010 at 7:00 p.m. and those from work session welcomed them.

ROLL CALL-City Clerk Cristina G. Whelan, CMC, called the roll:

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Monika Cronberg
Councilman Elwood A. Johnson
Councilman Stephen Klump
Councilman William Holloway
Councilman Robert Irvin

STAFF

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

ABSENT

Councilman Christopher Donahue

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey

CALL TO THE PUBLIC-There was no response from the public present.

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

ADOPTION OF THE AGENDA

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

SECONDED: Councilman Klump seconded the motion. **DISCUSSION:** City Attorney Figueroa stated when adopt agenda as presented but when get to Consent Agenda #10 any Councilmember may remove any item from the Consent Agenda for discussion and a separate vote as deemed necessary. **CARRIED.**

**DISCUSSION/DECISION ENTER EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES § 38-431.03A(3)
DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC**

BODY-City Attorney Figueroa said he has nothing today and Mayor asked Council member any issue and there was no response and moved to next agenda item.

RECESS TO EXECUTIVE SESSION, IF APPROVED

RECONVENE FROM EXECUTIVE SESSION

CONSENT AGENDA

Items that are considered to be routine by the City Council will be enacted by one motion without discussion. The Consent Agenda is a timesaving device and Council members have received documentation on these items for their review prior to the open meeting. Any Councilmember may remove any item from the consent agenda for discussion and a separate vote as deemed necessary. The public may view the documentation relating to the consent agenda 24 hours prior to the meeting at the City Clerk's Office, 101 S. Railroad Avenue, Suite B, Willcox, AZ from 8:30 a.m. to 4:30 p.m. or at the Elsie S. Hogan Library, 100 N. Curtis Avenue during normal working hours Monday-Saturday.

10A. MINUTES OF THE REGULAR MEETING OF AUGUST 2, 2010

10B. RESOLUTION NO. 2010-86 RATIFYING, APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LIBRI FOUNDATION FOR THE PURPOSE OF APPLYING FOR FUNDS THROUGH THE BOOKS FOR CHILDREN PROGRAM TO BE USED FOR PUBLIC LIBRARY BOOKS AND DECLARING AN EMERGENCY TO EXIST.

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- 10C. RESOLUTION NO. 2010-87 APPROVING AND AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE CITY AND THE ARIZONA DEPARTMENT OF HEALTH SERVICES (“ADHS”) RELATING TO THE LAB AT THE WASTEWATER TREATMENT PLANT (“WWTP”), AUTHORIZING AND DIRECTING CITY STAFF TO PAY THE SETTLEMENT AMOUNT AND DECLARING AN EMERGENCY TO EXIST.**
- 10E. RESOLUTION NO. 2010-89 RATIFYING, APPROVING AND AUTHORIZING THE SUBMITTAL OF THE APPLICATION TO THE UNION PACIFIC FOUNDATION FOR THE PURPOSE OF APPLYING FOR \$5,000.00 TO BE USED FOR THE RELOCATION OF THE HISTORIC MASCOT & WESTERN PASSENGER CAR TO RAILROAD PARK AND DECLARING AN EMERGENCY TO EXIST.**

MOTION: Councilman Klump moved to approve the consent agenda items as presented with exception to Consent Agenda item #10D (relating to Resolution NO. 2010-88).

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

Mayor Lindsey read by title item removed from Consent Agenda:

10D. RESOLUTION NO. 2010-88 APPROVING AND AUTHORIZING THE RENEWAL AND EXTENSION OF THE USE, MAINTENANCE AND STIPEND AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND THE WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE, A NON-PROFIT CORPORATION, [“CHAMBER”] AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Klump moved to approve Resolution NO. 2010-88, as stated.

SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Mayor Lindsey stated he wanted to hear from Ms. Kathy Smith, Willcox Chamber of Commerce & Agriculture and told her to make it short and sweet. Ms. Smith read the Mission Statement of the Chamber. It is to attract the traveler, keep them overnight, to put heads in beds to collect Bed Tax. Numbers are down a little this year and blame the economy and know it has nothing to do with Visitor Center. This year the number of visitors is 17,550. It is through July and still has the events of Rex Allen Day’s (RAD), Wings Over Willcox, Birders and hopes goes up to 23,000. Overnight visitors spend average \$130 in our community. Day tripper will spend about \$54/day. U-Pick Guide brings lots of day tripper. New brochure to promote U-Pick farms send to all State of Arizona, Deming and Lordsburg, NM. A lot too sent to Green Valley and some turn into overnight stays. Best kept secret is Chiricahua National Monument and have visitor say came for one day and stay for five. Host WOW, Cowboy Hall of Fame, and Christmas Apple Festival, promotes RAD’s starting in June and do sell the tickets at Visitor Center for rodeo and also help with other events if asked to around town. They try to be available if need help for event or project. Continue to work on Cochise County Tourism Council and elected President this year and added responsibilities and means will be going to Governor’s Conference next year and will have to budget for that. Added new picnic table at Visitor Center and people are enjoying it and continue to work make Visitor Center as a Welcome Center. Eddie Browning is also using one of their offices as his “office away from home” and does USDA work. One day Mr. Browning said “I really hate to say this since I was in this position it is a friendly environment.” That was huge compliment. Outside is billboard it looks really good. Working with Wine Country in Tucson Guide on wineries and sent out to Tour Operators and would like to get it updated at a cost of about \$6,000 and is on list and hopes to get it done. Also Willcox, AZ Discover will get done. Handout estimated Visitor Center costs: 2-Fulltime staff and 1-Part time Accountant Connie Bonner who also does the Gift Shop and ordering. It would be very difficult to give accounting on how much time spent on Chamber, Visitor Center and Economic Development and opposed doing time sheets for that. Utilities and Seminars conference fee \$1,000 for Grand Impressions Work Shop and mandated by State of Arizona to attend for Cochise County and will have to put more money into conferences this year.

Mayor Lindsey asked where the sign located in the Bowie area is and Ms. Smith replied it is in a field before get to Bowie and would like to have it on I-10. The Mayor stated the billboard in Benson looks great too. Councilman Klump asked about information on Economic Development. Ms. Smith explained the State of Arizona has just about killed the Department of Commerce. When they were getting leads from the State usually it was four (4)/week and now one (1)/week and have they not responded to many. She has responded to a few asking about economy here, and specific buildings. They keep trying and send letters out. Ms. Smith was asked today about Cracker Barrel and she talked to persons and sent letters but we do not have funds to fly out to Nashville. They are forming a Southern Arizona Chamber Alliance with Benson, Bisbee, Douglas, Tombstone, Willcox and Safford in Graham County and meet and talk about issues that affect small chambers. They are all

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looking for ways to market like Cochise County Tourism Council someday. **CARRIED.**

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

PUBLIC HEARING: Mayor Lindsey announced that the Mayor and Council will hold its second public hearing on Monday, August 16, 2010 regarding the Fiscal Year 2010-2011 Budget

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643.

Mayor Lindsey opened the public hearing regarding the Fiscal Year 2010-2011 Budget at 7:24 p.m. City Manager McCourt reported in the Council members packet are three (3) memos from him and result from comments received at the last budget hearing and no other comments from public has been received. The first memo focus is on General Fund User Fees concerns. Included in the packet are pages from the League of Arizona Cities & Towns Budget Manual that further describes those types of revenue sources. The second memo dealt with discussion on Skate Park revenues and expenditures for that particular project and traced back in particular line item. Staff had projected local income during FY11 and we have projection and not received that money and can not spend until it is received. The third memo addresses comments made and response. Also discussed various funds and break down of the \$31M and end up in General Fund difficulties. General Fund it has been declined the past 4-years and FY11 is less that FY10 budget. That is despite the fact seen increases in operations costs and held most services the same and increased some such as the Senior Citizen building. There are minor increases in services and decreasing in overall General Fund. Staff committed to addressing that and feel did address the Street Fund and presented 5-Year Plan and confident will get to General Fund and may have to do service area reductions and if have too we are very concerned.

Mayor Lindsey asked are there any comments. The Mayor asked if there were any comments from the Council. Asked again if there were any further comments from those present and hearing none he closed the public hearing at 7:28 p.m.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-89 ADOPTING THE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2010-2011

MOTION: Councilman Klump moved to approve Resolution NO. 2010-89, as stated, relating to the FY 2010-11 Budget.

SECONDED: Councilman Irvin seconded the motion. **DISCUSSION:** Councilman Johnson stated in this budget erasing property tax to levels in Schedule B and Finance Director Ruth Graham nodded her head in approval. The City Manager explained it is not up to the maximum and secondary revolves on the approved bonds that voters approved. **VOTE: Ayes-**Mayor Lindsey, Vice Mayor Cronberg, Council members Klump, Holloway and Irvin. **Nays-**Councilman Johnson. **Absent:** Councilman Donahue. **CARRIED 5-1-1.**

DISCUSSION/DECISION REGARDING THE APPOINTMENT TO FILL THE ONE (1) VACANCY ON THE LIBRARY ADVISORY COMMITTEE

City Clerk Cristina G. Whelan, CMC, announced that she received email from Ms. Suellen L. Chapin who had to withdraw her application.

MOTION: Vice Mayor Cronberg moved to nominate and appointment Kay Marie Boughton to fill the one (1) vacancy on the Library Advisory Committee, terms to expire June 2014

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

REPORTS BY THE CITY MANAGER PAT McCOURT

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

- **Report on 2009 Police Officer of the Year and Firefighter of the Year-**Pat McCourt, City Manager, explained that in the Arizona Range News reported that in 2009 during the All Employee Meeting held in 2010 Chief Weaver presented these awards to Officer David Reno and VFF Gary Adams.
- **Report on Mayors & Manager Luncheon-**Pat McCourt, City Manager, will be hosted by City of Sierra Vista on Thursday, August 19, 2010. Please RSVP your meal selection if able to attend by Friday, August 13, 2010 to the City Clerk.

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- **Report on Special Meeting Wastewater Treatment Plant**-Pat McCourt, City Manager, asking for Special Meeting on Monday, August 30, 2010 at 6:00 p.m. to discuss the Bridge Loan and presentation by the Bond Attorney and decision on the WWTP WIFA Bridge Loan. Does not anticipate a long meeting.
- **Report on Historic Willcox Billboard**-Pat McCourt, City Manager, the first Historic Willcox billboard is up on I-10 and the west side of Benson. Both are up now as reported by Ms. Smith.
- **Report on Mayor's/Manager's Luncheon**-Pat McCourt, City Manager, the City of Willcox will host on September 16, 2010 at 12 noon at the Brass Rail. Topic: Willcox Wine Growers County and Mr. Rod Keeling has said he will make that presentation and asked M&C to check calendars and plan to attend..
- **Report on Schools are Open!**-Pat McCourt, City Manager, reports that the schools are open Drive Carefully! Road crew have painted the crosswalks.
- **Report on Exploring Possibility On Private Collection Company to Collect All City Sales Tax**-Pat McCourt, City Manager reports at City Manager's meeting had vendor Revenue Discovery Systems. They do collection at local level instead of State. Some major cities have always done it and this company specializes in working with smaller cities. Flagstaff and Douglas are working with them. Seems to happen is there is greater diligence in following up on who is paying or not and money gets to City much faster, therefore, 13 months receipt and then later 12 months period. Staff has been examining this and he discussed this with the City Manager meeting the possibility on private collection company to collect all City Sales Tax instead of the State of Arizona. Vendor will be at the League Conference and encouraged them to stop and talk to them and find out how system is working. They work throughout Arizona and staff is looking at that possibility.
- **Report on Hazel Johnson Park**-Pat McCourt, City Manager, reports on the Hazel Johnson Park which is a small park south of the Community Center. At the beginning of this year only a few trees and couple of picnic tables and dirt. Staff has been watering that and moving sprinklers around and staff under their own initiative used supplies in stock and put in irrigation system. Immediate effect (1) reduces our loses in sprinkler and hoses; (2) also reduced labor go out and move and position sprinklers and (3) we have grass all over that Park.! That is a vast improvement and service availability and savings in operational costs.
- **Report on Attendees to the 2010 League of Arizona Cities & Towns Annual Conference**-Pat McCourt, City Manager, reports that Mayor Lindsey, Public Works Director Bonner, City Manager are attending. Councilman Holloway is attending on Wednesday only. At this time Mayor, Councilman Holloway will be attending a portion of the conference, Public Services & Works Director and himself. They will be manning a booth and City flag barrier will be the Mayor.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilman Irvin stated he knows they have taken a big step as far as budget and as he has stated in the past he has full confidence in the City Manager and Ms. Graham especially in this period of tough times.

Vice Mayor Cronberg agreed with Councilman Irvin.

Councilman Holloway stated he is happy to see that the private enterprise is alive and well. Keeling-Schaeffer has a really nice billboard coming from Tucson about Wine Tasting and that is a good thing. It is also in conjunction with what Kathy Smith (Willcox Chamber of Commerce & Agriculture) was talking about. The sign Historic Willcox is very nice and attractive.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 7:39 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 16th day of August 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 16th day of February 2010-2011

/S/ CRISTINA G. WHELAN, CMC .
City Clerk Cristina G. Whelan, CMC

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PASSED, APPROVED AND ADOPTED this 21ST day of FEBRUARY 2010. 2011

/S/ GERALD W. LINDSEY
MAYOR GERALD W. LINDSEY
Signed: 02-21-2011,

ATTEST:

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