

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA**

Held on this 5th Day of January 2004.

CALL TO ORDER:

Mayor Marlin S. Easthouse called the regular meeting to order at 7:00 p.m., on Monday, January 5, 2004.

ROLL CALL:

PRESENT

Mayor Marlin S. Easthouse
Vice Mayor Roy G. Ard

Councilman Dorman Brown
Councilman Frank Petersen
Councilman Wm. Kelly Rowden
Councilman Timothy A. Atwell
Councilman Joseph A. Long

STAFF

City Manager Gilbert Davidson
City Clerk Cristina G. Whelan,
CMC
City Attorney James E. Holland
CIO Ronald W. Allen
Library Director Nancy Guerrero
ADS Frank R. Gonzales
Public Srvs. & Works Dir. Ryan
Benavides

OTHERS PRESENT

Rusty Harguess Jack Light Elwood Johnson Chele Brewer Donald Bardella
Phillip Rodriguez Kathleen Post Arizona Range News – Carol Broeder

PLEDGE OF ALLEGIANCE:

Mayor Easthouse

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 Councilmen or staff.

ADOPTION OF THE AGENDA:

MOTION: Councilman Long moved to remove agenda item #8, Mid Year Technology Improvements for FY04, and to adopt the remainder of the agenda as presented.

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

**STAFF PRESENTATION REGARDING MID YEAR “FOCUS AREA” PROJECTS FOR
DEPARTMENT OF PUBLIC SAFETY**

City Manager Gilbert Davidson announced that Chief of Police Jake Weaver is on much needed vacation and had prior commitments and stated there will not be staff presentation on this item tonight.

STAFF PRESENTATION REGARDING MID-YEAR "FOCUS AREA" PROJECTS FOR PUBLIC SERVICES & WORKS

Public Services & Works Director Ryan Benavides handed out his report and is made a part of these minutes. The Mayor and Council were given a few minutes to review and he would answer any questions they may have.

Councilman Petersen asked where the funds came from for items not budgeted. Response from staff was they took from several lines that had a budget and each section or division had to purchase from those line items. The City Manager added the copier was approved by the Mayor and Council about a month ago and the radios from each equipment line were approved by Mayor and Council during budget discussions.

He had a huge savings on the Street Sweeper which was purchased for \$55,000 and had budgeted \$110,000.00.

Councilman Rowden asked what the cost for doing South Bowie and South Cochise he thought it was around \$81,000.00. He asked is that money from CDBG or is that actual City dollars expended on materials and man hours. Mr. Benavides replied it was labor and materials. The Councilman also had concern on the street sweeper leaving a lot of debris on the street about 6-weeks ago. Response was adjustment has been made on the brush. Our streets are different from Tucson streets, and the operator had to make several different passes to correct, and a new brush was purchased and adjusted.

Councilman Long explained at Dos Cabezas 132 hours at \$6,924.57 and asked how much are we going to recoup from them to relocate meters and gas services. Mr. Benavides will check into that because it is prior to his arrival.

There being no further questions, Mr. Benavides thanked the Mayor and Council.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2004-01 A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, TO ESTABLISH THE USE OF THE COCHISE COUNTY ELECTRONIC VOTING TABULATION SYSTEM THROUGH AN INTERGOVERNMENTAL AGREEMENT

MOTION: Councilman Brown moved to adopt Resolution NO. 2004-01, as stated.

SECONDED: Vice Mayor Ard, Councilmen Petersen and Long seconded the motion. **DISCUSSION:** Mayor Easthouse stated this is a move in the right direction and will know the results within minutes instead of hours. **CARRIED.**

DISCUSSION/DECISION REGARDING AUTHORIZATION TO PURCHASE UTILITY VEHICLES FOR PUBLIC SERVICES & WORKS (NOT MORE THAN 3-VEHICLES AND NOT TO EXCEED NET \$30,000)

Mayor Easthouse announced the amount should be \$40,000.00.

MOTION: Councilman Brown moved to approve the purchase of the utility vehicles at \$30,000.00.

SECONDED: Councilman Long seconded the motion. **DISCUSSION:** Councilman Rowden asked if modify bids now and City Manager Davidson explained if City procures vehicle it has to be put out to bid and we could do purchase on a used vehicle without bid process. This also gives staff ability to buy locally. The Councilman asked the City Attorney Jim Holland do we stand "cull Val.". Mr. Holland if we ask different individuals or entities and so long as allowing all parties to participate. Mr. Davidson it has been advertised and currently in bid process. By going locally everyone can look at the vehicle. Councilman Rowden then asked by setting aside normal bid process are we in jeopardy. Mr. Holland stated the concept meets same formality, concept is spirit ability to purchase be used. Comparative contact have been made and if not then in jeopardy. We have in times past, and will in the future and that is we do not have to take the lowest bid if it is not in City's best interest. He is not sure the procedure the City is taking, but we must be sure taking the most for City's money. The Vice Mayor added he hopes there are documents of the places staff has visited to cover ourselves. City Manager Davidson explained the City's position is trying to purchase used vehicles and if brand new then we must use a different bid procedure. Used dealer will not hold vehicle for a month for the Mayor and Council to make decision. We will have documentation to prove that and will bring back report on what was purchased. Councilman Brown stated it is important to expedite this procedure. He also thinks should give leeway to local purchase and Mayor Easthouse said that process is in our Purchasing Policy. Candidate Kathleen Post asked how many local vendors and Candidate Chele Brewer replied "just one." Mayor Easthouse replied Lou's Auto, Joe Thatcher Auto Sales and Harry Owens. Mr. Davidson said we have advertised and have not received any bids and it closed on the 7th. If staff does not receive any bids then shop locally. Some local vendors may not have utility trucks. City Attorney Holland encouraged staff to look at outside vendors and document. It has happened that sometimes the City does not get any bids or sometimes just gets one.

AMEND MOTION: Councilman Brown moved to amend his motion by increasing it to \$40,000.00.

AMENDMENT SECONDED: Councilman Long amended his second.
CARRIED.

DISCUSSION/DECISION REGARDING TO CANCEL OR RESCHEDULE THE SECOND REGULAR MEETING IN JANUARY DUE TO LEGAL HOLIDAY MARTIN LUTHER KING, JR. DAY (OBSERVED)

Councilman Brown thinks the City Manager should make that decision if special meeting is needed.

MOTION: Councilman Petersen moved to cancel the second regular meeting due to Martin Luther King Holiday.

SECONDED: Vice Mayor Ard seconded the motion. **DISCUSSION:** City Manager Davidson explained he thinks we will have to have a Special Meeting regarding the Street Project on Wednesday, January 14, 2004 at 6:00 p.m. here in the Council Chambers. **CARRIED.**

REPORTS BY CITY COUNCIL MEMBERS, NO DISCUSSION

Councilman Long reported as the ex-officio member of the Parks & Recreation Commission things "are still up in the air."

Vice Mayor Ard reported Ag Day will be held on February 4, 2004 at the Community Center. This is the 25th Anniversary of Ag Day.

Councilman Rowden received a call from Wayne Crane, SSVEC that Manny Alvarez will be at the Desert Rose tomorrow at noon.

Councilman Brown stated the Historic Preservation Commission did not meet during December and January and he was out of town. It has been quiet for the last 3-months because they did not have a quorum.

City Manager Davidson explained this was placed on the agenda for benefit to the Mayor and Council and public. If the Council has a specific item we will put it on the agenda, therefore they do not have to feel obligated to report.

Report by Mayor Easthouse concerning Cemetery Policy Committee - he thanked Dan Douglas and the Ms. Gene Buck for bring to the Mayor and Council's attention changes needed at Sunset Cemetery, i.e., height of monuments. The Committee met this afternoon and they will compile recommendation. Ms. Vanessa Cohorn Landscape Architect is offering her services free of charge. She recently buried her father and proposed a Master Plan for landscape that can be done in stages with volunteers and donations. Also will be bringing the fee schedule and present it to the Mayor and Council for approval and he thanked those for serving in this committee.

CONSIDERATION, DISCUSSION AD/OR DECISION ON THE FOLLOWING TOPICS BY THE CITY MANAGER GILBERT DAVIDSON

City Manager Davidson reported on the following topics:

1. **Financial Disclosure Statements for 2003** - are due January 31, 2004.
2. **Cemetery Proposal for Master Plan** - staff is considering taking her, Ms. Cohorn, on her offer. An excellent meeting was held earlier this evening and staff will be preparing a Resolution to present to the Mayor and Council soon.
3. **Future items:** none scheduled

ADJOURN:

There being no further business before the Mayor and Council, Mayor Easthouse adjourned the meeting at 7:42 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 5th day of January 2004, and I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of January

2004.

City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2004.

MAYOR MARLIN S.
EASTHOUSE

ATTEST:

City Clerk Cristina G. Whelan, CMC