

Henry Willis Position Paper - 2

Concerning Issues of Importance to the Future of Wickenburg

Wellhead Protection Program The Town of Wickenburg was “the first municipality in the State of Arizona to implement a Wellhead Protection Plan on a voluntary basis.” In doing so, the Town expressed a commitment “to providing safe and healthy drinking water to its residents/customers.” The plan was adopted by Resolution 1357 with the implementation of Ordinance No. 855 Well Head Protection Overlay Zoning District and Ordinance No. 856 Environmental Nuisances. As noted in the original document, the Plan was the first step in developing the Wellhead Protection Program.

And for a time, this program did protect the town's wells from recognized hazards and contamination. Unfortunately, that level of protection changed when the Council repealed the Environmental Nuisances ordinance, which contained effective hazard enforcement measures that both encouraged and ensured compliance with effective penalties. In the opinion of the water management experts I have spoken with, the program is now a “toothless tiger.” Without penalties and fines to await those who follow high risk or sloppy practices, the Town's wells are now at risk. The Wellhead Protection Program needs to be strengthened and brought back to its original standard.

Zoning Issue with Wellik Property at Saguaro and W. Wickenburg Way This is the location where the Gorman Company plans to build a large federally funded 208-unit apartment complex that was originally presented as “Workforce Housing.” But there is no such thing unless the buildings are owned or leased by the person who actually employs the workforce. How can these apartments be restricted only to employed individuals and denied to someone not working? How could they be denied to someone working outside the Wickenburg town limits? I think that not only runs contrary to logic, but also to federal rules and regulations. So now the sales pitch shifts from “workforce” to “low income” to “affordable” to “income restricted” – the names just keep changing.

The original Ordinance acceded to Vi Wellik's request to change the zoning district classification of this property and made it RM-PAD (Residential Multifamily housing – Planned Area Development) and set a 3-year time limit. At the end of three years, the owner could seek an extension, or the property would revert from RM-PAD to its original zoning district after a public hearing. The owner did not apply, but the requirement of the Ordinance was not carried out by town staff. Twenty years passed and a sale and development are pending. Nearby residents are dismayed and seeking legal counsel.

Unfortunately, for more than a year the Town staff knew of the requirements stated in the Ordinance, but failed to tell all members of the Council. In pushing for acceptance of a \$10 Million dollar Intra-Government Agreement, senior staff insisted that the land was ready for development and that the zoning was clear. But it was not.