

CITY OF WILLCOX
MAYOR AND CITY COUNCIL
AGENDA – Statement of Legal Actions
Monday, March 19, 2012
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. 2012-18
Ordinance NS311

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1. **CALL TO ORDER-** Mayor Gerald W. Lindsey called the regular meeting to order on Monday, March 19, 2012 at 7:00 p.m. and is glad to see everyone and happy to be here this evening.
2. **ROLL CALL-** City Clerk, Cristina Garcia Whelan, CMC, called the roll:

PRESENT

Mayor Gerald W. Lindsey
Councilman Elwood A. Johnson
Councilman Stephen Klump
Councilman Christopher Donahue
Councilman Bob Irvin

ABSENT

Vice Mayor Monika Cronberg
Councilman Bill Holloway

STAFF

City Manager Pat McCourt
City Clerk Cristina Garcia 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

3. **PLEDGE OF ALLEGIANCE TO THE FLAG-**Mayor Lindsey.
4. **CALL TO THE PUBLIC-**There was no response from the public present.
5. **DECLARATION ON CONFLICT OF INTEREST-**There was no response from the Mayor and Council members or staff.
6. **ADOPTION OF THE AGENDA-**It was moved and seconded to adopt the agenda and to remove items #16-19 relating to Executive Session. **CARRIED.**

7. 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.

- 7A. **THE MINUTES OF THE WORK SESSION FEBRUARY 20, 2012; REGULAR MEETING OF FEBRUARY 6th** Tab 1
- 7B. **ACCEPT FUNDS DONATED TO HUMANE SHELTER** Tab 2

It was moved and seconded to adopt the Consent Agenda items. **CARRIED.**

8. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Public Hearing: The Mayor and Council will hold a Public Hearing on Monday, April 2, 2012 at 7:00 p.m., **Tab 3**
City Council Chambers, 300 W. Rex Allen Drive, to discuss the potential projects. (See attached for Ad and project names and descriptions.)

COMMUNICATIONS: Results of Primary Election: there were three (3) candidates running for the March 13, 2012 Primary Election; Earl B. Goolsby, 174; Elwood "Woody" Johnson 187; and William "Bill" Nigh 119. There were No Official Write In Candidates for the Primary Election.

9. PRESENTATION BY CHIEF WEAVER TO MAYOR AND COUNCIL, REGARDING NIXLE INTERCONNECT PROGRAM

Tab 4

Chief Jake Weaver addressed the Mayor and Council and presentation tonight is to give him the opportunity to introduce to all a program, Department of Public Safety, called Nixle. It is interconnected web based program and allows Department of Public Safety to send mass information message out to the public: via text message, internet or web based. The program is free and it does not cost the City or Department of Public Safety to participate in. It is used by over 4,600 various other Law Enforcement Agencies. Power Point presented and explained further in detail.

Nixle is partnered with Verisign for the fastest distribution. Protected by 99.9999% of up time and security Nixle service has run over 2-years in production with no failures or security compromises. When messages sent out to public it is secure data base must be authenticated, passwords before send message to public. The City was enrolled in the program on February 6, 2012 and due to technical glitches on the companies end we were not able to use that on March 1st and would have been very handy to send out information about what happened at the School. The company technical support contacted and they apologized and it was their fault and went back and corrected the problem. They have sent out 6-test messages since March 1st. People on program for test subject have received all the messages.

Identity certification users can trust to send their identities or means that no one can hack into their system or the Police Departments to send out bogus message. Currently the Chief is the only Administrator with Passwords only known to him and later on will add more Administrators with individual Passwords so that they can log into the system via Internet from Police Department or web based phone at the scene and send out information to the people that are signed up for the program.

Nixle is the first Identity Certified and Secure Communication service that allows local, State and Federal agencies to connect in real time, text message, and email and over the web. The Chief has personally spoken to several agencies across the State of Arizona that have been on the program for 2-years and said it has been very beneficial and have had no problems. Geographic Targeting-Government citizens' notification at any point or address with desired radius and miles outward, Police and political jurisdiction or any building or block can be targeted. Willcox has encompassed the zip code of 85643 instead of trying to limit to City Limits anybody that has zip code 85643 whether they be Kansas Settlement, Bonita area wherever that radius is that area for that zip code once they sign up they will be notified if we send out any alert message sent. Once sent it usually takes about 10 seconds before it comes across and they get notified by text or email account should they choose to sign up on email. Other features is message priority levels, alert, community and advisory and the host agency which is our Department can choose if this is Alert, which is higher priority, or target certain groups in the community i.e. there is no Fire Works because of fire danger, or announce to come on down to whatever festival on Railroad Avenue for this week, or it has been postponed if something has happened and can target those sub groups. National Alert Integration, ability to tap in with different organizations i.e. NOAA or NAVTEQ weather alerts and other information where they can us the weather alerts and things of that nature and we can turn right around and send them out to the public as well and it will come across on their phone or home computer. Functionally across Platform Distribution select key word you want to send message to and select user group and they can be send them by computers or mobile phone i.e. Blackberry device or iphone, or anything that has capability to use the web or internet. Message can be sent by the Administrator from that device. All they do is log into Nixle and go to our agency account, authenticate with our passwords established with the company and brings up our menu and we can choose from our subgroups and send the message out. It does not have to be sent from at computer at the Police Department. Message can be sent from the scene by person authorized to do that. Nixle Publishing Tools to segment marketing campaign the PD will not get too involved in. Customer can receive message either by text message on phone, email or web page login into Nixle.com. Government Citizens Notification example of what message would look like is Police Department would send out advisory for missing at risk senior with Alzheimer, gives persons name, physical description and last known location. Message sent out and comes across as text body. It is valuable because we have had Senior

citizens and other people with mental conditions, Alzheimer or Paranoid Schizophrenic, that have walked away from care centers or home and we are limited as everyone is aware of communication capability in our Community. The Range News put items on internet and Valley Telecom does great job and the Radio Station. And Tucson media we can send press releases and notifications. This will enable us for the people locally that sign up free of charge that we can send messages out to them almost instantaneously and update as rapidly as we possibly can. Registration process is very simple, take phone text message your zip code 85643 to 888777 and send. You will get a response back from Nixle saying "Congratulations you are enrolled" and couple of steps and it can be done in a matter of seconds and once completed you will receive notification from Police Department. Company has been around 5 years and no problems with hacking. Only cost by user depends on data plan. Again there are over 4,600 agencies in 50 states and major police departments, state agencies as well as Federal that are using this program. The Nixle Infrastructure and Inlets Strategic partnership helps and brand is leader in this field. Inlets the National Law Enforcement Telecommunication System and it's utilized by law enforcement all across the country. Inlets will assist those National and International government agencies, and other organizations with similar missions that enforce or aid to enforce International, National or State laws and ordinances. Tier One Data Centers which allow inscriptive data to be deployed and it is geo dispersed along with on-site and off-site backups, data security and integrity and redundant fault tolerate and false service technology and audited practices. It has been around for 5-years and no problem with security or hacking or other issues with sites going down. It does not cost the agency or the City to sign up and utilize it and only cost that may be incurred by the user depends on the data plan for individual phone. The City will not reimburse the people if they get text message and goes over to their data. The Chief thinks it is a good plan, a lot of other agencies using, and allows us to get message out in a timely manner to the people that we serve. Thanked Mayor and Council for their time.

**10. DISCUSSION/DECISION REGARDING UPDATE ON CATHOLIC COMMUNITY SERVICES AND SPONSOR Tab 5
A-SENIOR PROGRAM-** It was moved and seconded to support CCS and Sponsor-A-Senior Program. **CARRIED.**

**11. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-15 DECLARING AND ADOPTING THE Tab 6
RESULTS OF THE PRIMARY ELECTION HELD ON MARCH 13, 2012** –It was moved and seconded to approve Resolution NO. 2012-15 Declaring and Adopting the Results of the Primary Election held on Tuesday, March 13, 2012. **CARRIED.**

**12. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-16 APPROVING AND AWARDDING THE Tab 7
CONTRACT TO CASELLE ("CONTRACTOR") UNDER OPTION 1 FOR THE PURCHASE OF THE CASELLE
CLARITY SOFTWARE PACKAGE AND ANNUAL SUPPORT AND AUTHORIZING THE MAYOR TO EXECUTE THIS
RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** – It was moved and seconded to adopt Resolution NO. 2012-16, as stated relating to purchase of the Caselle Clarity Software Package and annual support. **CARRIED.**

**13. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-17 APPROVING AND ADOPTING THE Tab 8
CITY OF WILLCOX 457(b) PLAN OFFERED THROUGH THE HARTFORD AND AUTHORIZING THE MAYOR TO
EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** – It was moved and seconded to approve Resolution NO. 2012-17, as stated, relating to 457(b) Plan offered through the Hartford. **CARRIED.**

14. REPORTS BY THE CITY MANAGER PAT MCCOURT

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

- **Report on City Election** – City will be holding General Election on Tuesday, May 15, 2012 for one (1) position. Nomination papers from write-in candidates are due Thursday, April 5, 2012 to the City Clerk's Office. Those Official write in names will not appear on ballot.
- **League Arizona Cities & Towns** –Annual Convention beginning on August 28 to August 31, 2012 which gives plenty of time if Mayor and Council to look ahead and plan and if they are able to attend.
- **Library Update-** (no report given.)
- **Report City Spring Clean Up April 28, 2012**-scheduled for the last Saturday in April.
- **Report/Update on Mascot Train** –The Mascot Car down by City Hall quite a bit has been painted yellow again this past weekend. Have Volunteer who reconstructed the large sliding doors and is wearing purple sweater tonight (John Cropper).
- **Mayor/Managers Luncheon in Huachuca City**-It is this Thursday in Huachuca City and we have two (2) people scheduled to attend and if it fits your schedule please let City Clerk know so that they can go in one car.
- **New Trucks-** have purchased and have arrived and 2-are upfront for review.
- **Next Monday at 6:30 Budget Work Shop**-encouraged Mayor and Council to update calendar and will be discussing the Water and Gas Fund and both are Enterprise Funds.

15. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Councilman Irvin stated that in January the Planning & Zoning brought to the Council Title 11 and they have not seen it since. Thinks they need to pursue this and get it on the agenda and get this approved. On his street alone there is one resident that has two (2) motor homes parked in their front yard. If they pass this Title 11 Mr. Stoddard has job to do and “gives him some teeth to do it” and wants to see this brought before the Council for approval.

Councilman Klump stated his congratulations to those elected and “good luck to Mr. Nigh” in a month or two.

Councilman Johnson “Thank You for the condolences and to the others” and this is his third term. Several citizens brought up in the last week or two and in the past discussed parking lot at the pool, as far as chip seal, maybe paving or rock or something. Motorist driving through are creating dust to the residents that live across the street. It has been brought to him again and thinks looked at that a couple of years ago and worked on the drainage behind it and if we can bring that back to see where we are at now.

~~**16. DISCUSSION/DECISION ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED — Tab 9 STATUTES §38-431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY**~~

~~— Consideration, discussion and/or decision to enter into an Executive Session pursuant to ARS §38-431.03A(3), as stated, relating to consultation for legal advice with the attorney(s) of the public body.~~

17. RECESS TO EXECUTIVE SESSION, IF APPROVED

18. RECONVENE FROM EXECUTIVE SESSION

~~**19. DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION**~~

~~— Consideration, discussion, decision and/or direction to staff regarding matters discussed in Executive Session relating to advice from City Attorney.~~

20. ADJOURN-7:48 p.m.

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, or the Elsie S. Hogan Community Library during regular business hours Monday-Saturday and on the City’s website www.cityofwillcox.org .

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.