

**CITY OF WILLCOX
MAYOR AND CITY COUNCIL AGENDA
STATEMENT OF LEGAL ACTIONS**

Monday, June 18, 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- 61
Ordinance NS311**

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1. **CALL TO ORDER** –Mayor Robert A. Irvin called the regular meeting to order on Monday, June 18, 2012 at 7:00 p.m
2. **ROLL CALL**–City Clerk Virginia A. Mefford, called the roll

PRESENT

Mayor Robert "Bob" Irvin
Vice Mayor William "Bill" Holloway
Councilman Gerald W. Lindsey
Councilman Elwood A. Johnson
Councilwoman Monika Cronberg
Councilman Earl B. Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Attorney Hector M. Figueroa
City Clerk Virginia A. Mefford
Library Director Tom Miner
Public Safety Director Jake Weaver
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Human Resources Sherry Lynn Van Allen
Development Services Jeff Stoddard

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**–Led by Mayor Irvin.

4. **CALL TO THE PUBLIC**

Paul Sheats stated he wanted to thank Mr. Bonner and Pat McCourt for there help over the last six months for their assistance with the Skate Park

Jake Carrington- Addressed the Council regarding a building for sale and if the City of Willcox was interested in leasing or buying it as it was available.

5. **DECLARATION ON CONFLICT OF INTEREST** - No Conflicts were declared by Council Members or Staff

2. **ADOPTION OF THE AGENDA**

MOTION: It was moved and seconded to adopt the agenda as presented, removing agenda items #15 and items 31-34 related to the Executive Session - **CARRIED**

5. **PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

Tab 1

Public hearings: Mayor Irvin read: The Mayor and Council will hold a Public Hearing on Monday, July 2, 2012 at 7:00pm at the City Council Chambers, 300 W. Rex Allen Drive, relating to the Licensing Agreement with Valley Connections, LLC. Mayor Irvin read the Notice of Public Hearing.

Communications: Mayor Irvin read the Declaration for Service on the City Council to former Councilmen Stephen Klump and Christopher Donahue and presented them with a certificate of Declaration for Service (Applause) **Tab 2**

8. 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 on the City's web site or 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.

MOTION: It was moved and seconded to remove all items (8A-8C) from the Consent Agenda **CARRIED.**

8A. RESOLUTION NO. 2012-53 RELATING TO THE GRANT AWARD FROM THE ATTORNEY GENERAL'S OFFICE OF VICTIMS' RIGHTS PROGRAM ["VRP"] ON BEHALF OF THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ["WDPS"], AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND ACCEPTANCE OF THE AWARD AND DECLARING AN EMERGENCY TO EXIST. **Tab 3**

It was moved and seconded to approve resolution No. 2012-53 relating to the grant award from The Attorney General's Office of Victims' Rights Program ["VRP"] **CARRIED**

8B. RESOLUTION NO. 2012-60 APPROVING AND ADOPTING THE FY 2012-2013 UTILITIES CONTRIBUTION AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, ["SEACAP"] AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST **Tab 4**

MOTION: It was moved and seconded to adopt resolution No. 2012-60, as stated, relating to the FY 2012-2013 Utilities Contribution. **CARRIED**

8C. RESOLUTION NO. 2012-54 RELATING TO THE FY 2012-2013 AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, ["SEACAP"] AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST. **Tab 5**

MOTION: It was moved and seconded to adopt Resolution N0. 2012-64, as stated, relating to the FY 2012-2013 Agreement between the City of Willcox ["City"] And The Southeastern Arizona Community Action Program, INC, ["SEACAP"] **CARRIED**

9. PRESENTATION BY JASON JONES ON THE TWIN LAKES MUNICIPAL GOLF COURSE **Tab 6**

Consideration and/or discussion on the presentation by Mr. Jones on the Twin Lakes Municipal Golf Course.

Mr. Jones gave a presentation on the Twin Lakes Municipal Golf Course he stated the revenues have declined 30% since the take over; he gave examples, of the sprinkler system and the problems he has faced. The irrigation PH level has a 9 when the average to have is a 7 because of this is very difficult to grow grass and has created brown spots. He has scaled back labor due to the revenue decline and stated him and his wife and a part time person helps with the outside and one person runs the inside. It takes about 160 hours of labor to maintain the golf course and has focused on the tee box area. He explained the short term, because "I do care about it," and he indicated he has put a lot of band aides to maintain but the long term situation he is very worried about. It is very hard to maintain and has had fundraisers from local groups and the schools extra curricular are being taken care of. I am struggling with the direction the Golf Course is going and don't like it. It has not only declined here in Willcox, but also in Tucson.

Councilman Johnson asked if we closed the golf course what would it do the community. You are struggling and it is hard, how much do you think the City of Willcox would save by closing the golf course \$40,000.

Mr. McCourt stated it would be about \$40,000 plus \$12,000 for the sewer pond for a minimum of \$52,000.

Councilman Johnson stated the Golf course is a quality of life without the golf course we would not have anything else left in Willcox, plain and simple the golf course is a quality of life.

Councilwoman Cronberg thanked Mr. Jones for coming before Council and informing them of the issues he is facing.

Mr. Jones will appear before Council at a later date with his recommendations for improving the Golf Course and suggestions for amending his contract with the City of Willcox.

10. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-55 THE AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND EMPLOYEE SOLUTIONS GROUP ["ESG"] FOR SERVICES TO ACT AS **Tab 7**

ADMINISTRATOR OF EMPLOYEE BENEFIT PLANS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: It was moved and seconded to adopt Resolution NO. 2012-55, as stated, relating to agreement between City and ESG for services to act as administrator Employee Benefit Plan. **CARRIED**

11. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-56 THE AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND METLIFE FOR THE FY2012-2013 RENEWAL OF THE EMPLOYEE LIFE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 8

MOTION: It was moved and seconded to adopt Resolution NO. 2012-56, as stated, relating to agreement between City and MetLife for FY 2012-13 renewal of the employee life insurance. **CARRIED**

12. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-57 THE AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND HEALTH NET OF ARIZONA, INC. ["HN"] FOR THE FY2012-2013 RENEWAL OF THE EMPLOYEE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 9

MOTION: Councilman Lindsey moved to approve the Resolution NO. 2012-57, as stated, relating to agreement between City and Health Net renewal of the employee insurance plan.

DISCUSSION: Councilman Johnson stated that \$376, 383 is the budgeted expenditure for employee benefits and he believes the taxpayers need to know who much is being spent by the city of Willcox, Mr. Stewart stated he went out to bid quotes he received no bids lower then Health net. We did look at Blue Cross & Blue Shield, and that Cigna, ATENA, and HUMANA all declined. He stated the City has an increase of 5.5 %. However, to give you an overview the total average increase County Wide has been 11%, Willcox's increase was only half of the normal average. **CARRIED**

13. **DISCUSSION/DECISION REGARDING OBTAINING A BOOTH AT THE LEAGUE OF CITIES AND TOWNS ANNUAL CONFERENCE** Tab 10

MOTION: it was moved and seconded to obtain a booth at the League Conference without electric. **CARRIED**

14. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-58 ADOPTING THE TENTATIVE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2012-2013, ADOPTING THE ESTIMATED AMOUNTS REQUIRED TO MEET THE PUBLIC EXPENSES AND THE ESTIMATED REVENUES, AUTHORIZING AND DIRECTING PUBLICATION OF STATEMENTS AND SCHEDULES OF THE TENTATIVE BUDGET AND DECLARING AN EMERGENCY TO EXIST** Tab 11

MOTION: It was moved and seconded to approve the Resolution NO. 2012-58, as stated, adopt the tentative budget of the City of Willcox for FY 2012-13

DISCUSSION: Councilman Johnson asked the Mayor to explain the budget to the public. Mayor Irvin asked City Manager McCourt to explain the budget to the community present here tonight. Mr. McCourt explained the budget to those present. Councilman Johnson asked is \$ 22 million enough money. Mr. McCourt stated not to a lot of people. Councilman Johnson asked again is \$22 million enough. Councilman Goolsby stated he would like to add an additional \$22 million but that is not possible. Councilman Johnson asked is the council comfortable with this budget. Councilman Goolsby replied yes I am and I am voting for it. Councilman Lindsey stated we won't know exactly where we are at until after June 30. Councilman Johnson asked if we had enough for legal services until the end of the year. Mr. McCourt stated we did project for this. Councilwoman Cronberg called for the question. **Ayes-** Mayor Irvin, Vice Mayor Holloway, Councilwoman Cronberg, Councilman Goolsby, and Councilman Nigh, **Nays** Councilman Johnson. **CARRIED 6-1**

15. ~~**DISCUSSION/ DECISION REGARDING RESOLUTION NO. 2012-59 THE ELSIE S. HOGAN COMMUNITY LIBRARY ["LIBRARY"] LIBRARY GENERAL POLICY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**~~ Tab 12

~~Consideration, discussion and/or decision regarding Resolution No. 2012-59, as stated, relating to the Library General Policy. (This item was removed per motion).~~

17. **DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE HISTORIC PRESERVATION ADVISORY COMMITTEE.** Tab 13

Mayor Irvin appointed Stephen Klump to serve as ex-officio to the Historic Preservation Advisory Committee.

Mr. McCourt explained that on agenda items 17, 18, and 19 the practice has been every two years to reorganize the Committees and Commissions.

18. **DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE LIBRARY ADVISORY COMMITTEE** Tab 14
Mayor Irvin appointed Christopher Donahue to serve as Ex-Officio member to the Library Advisory Committee.
19. **DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE PARKS AND RECREATION ADVISORY COMMITTEE** Tab 15
Mayor Irvin appointed Councilman Nigh to serve as Ex-Officio member o the Parks and Recreation Advisory Committee.
20. **DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE PLANNING AND ZONING COMMISSION** Tab 16
Mayor Irvin appointed Councilman Goolsby to serve as Ex-Officio member to the Planning and Zoning Commission.
21. **DISCUSSION/DECISION REGARDING APPOINTMENT TO THE ARIZONA LEAGUE OF CITIES RESOLUTION COMMITTEE** Tab 17
Mayor Irvin appointed Councilman Lindsey to serve as Representative on the Arizona League of Cities Resolution Committee.
22. **DISCUSSION/DECISION REGARDING RE-APPOINTMENT OR APPOINTMENT OF A COUNCIL MEMBER TO THE AD HOC STEERING COMMITTEE FOR THE WWTP PER REVIEW** Tab 18
Mayor Irvin appointed Vice Mayor Holloway to serve as representative to the Ad Hoc Steering Committee for the WWTP PER Review.
23. **DISCUSSION/DECISION REGARDING CITY APPOINTMENTS TO THE INPUT COMMUNITY ADVISORY COMMITTEE (SENIOR CITIZENS COMMITTEE)** Tab 19
Mayor Irvin appointed Councilman Lindsey, Councilwoman Cronberg and Director Miner to serve on the Community Input Advisory Committee (Senior Citizens Committee).
24. **DISCUSSION/DECISION REGARDING APPOINTMENT TO THE SEAGO EXECUTIVE COMMITTEE** Tab 20
Mayor Irvin appointed Councilman Lindsey to the SEAGO Executive Committee.
25. **DISCUSSION/DECISION REGARDING APPOINTING SUE BALL TO FILL THE VACANCY ON THE LIBRARY ADVISORY COMMITTEE** Tab 21
It was moved and seconded to appoint Sue Ball to fill the vacancy on the Library Advisory Committee, term ending June 30, 2016. **CARRIED**
26. **DISCUSSION/DECISION REGARDING APPOINTING CHRISTOPHER DONAHUE TO FILL THE VACANCY ON THE LIBRARY ADVISORY COMMITTEE** Tab 22
It was moved and seconded to appoint Christopher Donahue to fill the vacancy on the Library Advisory Committee, term ending June 30, 2016.
DISCUSSION: Mr. McCourt explained that as the ex-officio Mr. Donahue would not have a role to vote. Councilwoman Cronberg stated it would better serve the Library to have ex officio Donahue also serve as a voting member. **CARRIED**
27. **DISCUSSION/DECISION REGARDING APPOINTING JAMES "JIM" FUSCO TO FILL THE VACANCY ON THE PLANNING AND ZONING COMMISSION.** Tab 23
It was moved and seconded to appoint James "Jim" Fusco, to fill the vacancy on the Planning & Zoning Commission, term ending June 30, 2016. **CARRIED**
28. **DISCUSSION/DECISION REGARDING APPOINTING STEPHEN KLUMP TO FILL THE VACANCY ON THE PLANNING AND ZONING COMMISSION** Tab 24
It was moved and seconded to appoint Stephen Klump, to fill the vacancy on the Planning & Zoning Commission, term ending June 30, 2016. **CARRIED**
29. **REPORTS BY THE CITY MANAGER PAT MCCOURT** Tab 25
Consideration, discussion, and/or decision regarding the following topics by the City Manager:
- **Report on the WASA Fundraiser Golf Tournament-** to be held on Saturday, June 23, 2012

- **Report on Arizona League of Arizona Cities & Towns Annual Conference**-will be held on August 28-31, 2012 at the Hyatt Regency Scottsdale at Gainey Ranch
- **Report on Collection of Donations for the 4th of July Fireworks**-The Willcox Department of Public Safety is accepting donations towards the 4th of July Fireworks!
- **Report City Manager Vacation**-City Manager is on vacation from July 24th to August 10, 2012, Chief Weaver is covering.
- **Report on Skate Park Equipment**-it has arrived and is installed by this meeting date.
- **Report on Dedication & Open House Rose C. Allan Senior Learning Center**-Mayor and Council is invited to attend this event on Thursday, June 21st from 10:00 a.m. – 3:00 p.m.
- **Mayor/Manager Luncheon**- will be held on Thursday, June 21st at 12:00 pm in Douglas.
- **Benefits Fair**- will be held on Thursday, June 21st from 8:30am – 3:30pm at the City Council Chambers.
- **Parks and Recreation Advisory Committee**- has one open vacancy.

Mr. McCourt discussed the items on the City Manager's Report to the council and the members of the audience. Councilwoman Cronberg stated she would like to have an official dedication for the Skate Park Mr. McCourt stated that is a wonderful idea he will direct Staff.

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

Attorney Figueroa stated he is negotiation a timeshare in California and would like the council to know he may put in his resignation when he gets back if all works out.

~~31. DISCUSSION/DECISION ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED _____ Tab 26 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.~~

~~32. RECESS TO EXECUTIVE SESSION, IF APPROVED~~

~~33. RECONVENE FROM EXECUTIVE SESSION~~

~~34. 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.~~

35. ADJOURN at 8:30 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.

