

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012**

**CALL TO ORDER** – Mayor Robert A Irvin called the regular meeting to order on Monday, May 7, 2012 at 7:00 p.m. and welcomed all to this City Council meeting and is happy to have all of them here and thinks will be hearing from some of you.

**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

**PLEDGE OF ALLEGIANCE TO THE FLAG** - Led by Mayor Irvin

**CALL TO THE PUBLIC**

**DECLARATION ON CONFLICT OF INTEREST**

No Conflicts were declared by Council or Staff

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Lindsey moved to adopt the agenda as presented and removing agenda items 21-24 relating to Executive Session and on the consent agenda **DISCUSSION:** On Consent agenda why are we looking at minutes from July 18, 2011.

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

**PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**PUBLIC HEARINGS:** Mayor Irvin Read -

**Communications:** First Reading of: (1) Ordinance NS311 Relating To Taxation: Levying Separate Amounts To Be Raised For Primary and Secondary Property Tax Levies Upon Each One Hundred Dollars (\$100.00) of the Assessed Valuation of Property Subject To Taxation within the City Of Willcox for the Fiscal Year Ending June 30, 2013 And Declaring an Emergency to Exist

**Public Hearing:** The Mayor and Council will hold Public Hearing on Monday, August 6, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, relating to: Public Hearing on Property Tax Levy 7:05 pm. Closed 7:06 pm.

- (1) Ordinance NS311 Relating To Taxation: Levying separate amounts to be raised for Primary And Secondary Property Tax Levies upon each one hundred dollars (\$100.00) of the assessed valuation of Property subject to Taxation within The City Of Willcox for the Fiscal Year ending June 30, 2013 and declaring an emergency to exist.

**Proclamation:** Mayor declares October 4-7, 2012 as the 61<sup>st</sup> Annual Rex Allen Days  
***"61 Years from Horses to Horsepower"***

**CONSENT AGENDA**

**MOTION:** Councilman Lindsey made a motion with removing Item 8a from consent agenda I agree with Monika to ask the question approving from July 18, 2011. Mr. Bonner explained Virgie has gone through and organized the minutes and these are minutes that have not been finished. Councilman Lindsey stated I would like to have some corrections from minutes of July 2<sup>nd</sup> and the 9<sup>th</sup>; Councilwoman Cronberg stated I contest my statement and would like clarify this with City Clerk to.

**SECONDED:** Councilman Johnson to remove item 8a for minutes to be corrected **CARRIED**

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012**

**8A. ~~MINUTES OF REGULAR MEETING Regular Meeting on July 18, 2011, Regular Minutes on July 2, 2012, Work Session Minutes of July 9, 2012.~~**

**9. PRESENTATION/DISCUSSION REGARDING REPORT FROM MS. BRENDA HAAS ON GOVERNOR' CONFERENCE ON TOURISM**

**DISCUSSION:** Ms. Haas thanked the Council for sending her to the Governor' Conference on Tourism. She indicated she has been in the hospitality business for about 40 years. To which she stated I started when I about five years old (**laughing**), she didn't think anyone one would believe her, but she thought she try (**laugher**). Mr. Figueroa asked who paid for you. Ms. Hass stated the City. I have been here for three year and there is so much good about this city, there is so much potential and would like to the community to come together and realize that potential. Some of the reports that are listed here are the travel generated earning and employment for the county. One of the disturbing things on this report was our annual percentage has changed form20108 to 2011 we were down approximately 4% there were 98-11 we were up 3.9% and there were only three counties that were down and we one of them the things that impacted tourism to this was, the SB 1070, the boarder fear, and the boycott Arizona it is so important do something that is talked about in your community taking inventory of your assets right know I see our town who is divided and we need to come together. I have spoken to the chamber and Alan Baker about the Historic District as much as you all know I'm located by the holiday Inn I want County as a whole and especially Willcox as a whole to become a destination for tourist to come, like in The Rex Allen parade and The Wings Over Willcox. Bisbee has the Thousand Stair Climb and they won an award for it at this year's conference. I have stride to be the best, I want our community to win an award for something unique like this. What I got out of this years conference was the networking and would like for us to do the something in Willcox. I am not going to read the summer you do have a copy of this. If anyone has any good ideas Mr. Baker and I would be more than happy to hear them. I know we could do whatever we wanted to do. I thoroughly enjoyed the conference and it was a wealth of information. Thank You.

**10. DISCUSSION/ DECISION REGARDING CITY OF WILLCOX HOSTING MAYOR/MANAGER LUNCHEON SEPTEMBER 20, 2012.**

**MOTION:** Vice Mayor Holloway moved regarding City Of Willcox Hosting Mayor/Manager Luncheon September 20, 2012.  
**SECONDED:** Councilman Lindsey seconded the motion **DISCUSSION:** None **CARRIED**

**11. DISCUSSION/ DECISION REGARDING ACCEPT LETTER OF RESIGNATION FROM EARL GOOLSBY FROM THE PLANNING AND ZONING COMMISSION.**

**MOTION:** Councilman Lindsey moved accept letter of resignation from Earl Goolsby from The Planning and Zoning Commission with great reluctance and appreciate his service for this. **SECONDED:** Councilwoman Cronberg seconded the motion **DISCUSSION:** Mayor Irvin stated their loss is our gain. Councilman Lindsey stated yes it is. **CARRIED**

**12. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-71 PLACEMENT BEFORE THE QUALIFIED ELECTORS OF THE CITY A NEW TWENTY-FIVE (25) YEAR FRANCHISE AGREEMENT FOR THE SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE ("SSVEC") TO CONTINUE TO USE CITY PUBLIC RIGHT-OF-WAYS TO SUPPLY ELECTRICITY TO THE CITIZENS OF THE CITY; AUTHORIZING AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.**

**MOTION:** Councilwoman Cronberg moved on Resolution NO. 2012-71 Call of Election for Franchise SSVEC. **SECONDED:** Councilman Goolsby seconded the motion **DISCUSSION:** Councilman Johnson asked are we bonded by stated land lease or something like that? Could you explain it to us further? Mayor Irvin asked Mr. Figueroa to further explain this. Mr. Figueroa stated Mayor and Council the City has had agreement for 25 years, either you renew it or you don't. This is just saying you are going to submit it to the voters and they either vote on it or they don't, the other issue is the resolution which deals with the agreement and what the ballot looks like. What you are doing is stating is do you want this on the ballot. On the agreement language is the recommendation from legal council as to what should be on sections 16 under invest of stock and it was our position to include it; they included it in Benson and in Sierra Vista they did not; it is my position to approve this agreement with the section 16 as it reads. Councilwoman Cronberg stated with the change on the law what would be the effect if the voter public decided not-approve. Mr. Figueroa stated this use to be by ordinance but now it is by statue, they wouldn't have a franchise and what have the pull out all the polls and stuff, the public doesn't really have a real choice, the only choice they have is to re-approve this with our language that you agree to, they are not disagreeing to this agreement just to the pacific language. We are all have a conflict and this is because we all own a piece of SSVEC we have certain interest in SSVEC we

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012**

don't have to agree with this but we all have a certain interest. Cronberg stated that is the next item. The legal council does not have problem with this. **CARRIED**

**13. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-72 FINDING AND DECLARING THAT SAME DEEM THE GRANTING OF A CERTAIN UTILITY FRANCHISE BENEFICIAL TO THE MUNICIPAL CORPORATION PURSUANT TO A.R.S. § 9-502(B); ORDERING THE SUBMITTAL OF THE QUESTION TO THE QUALIFIED ELECTORS AS TO WHETHER OR NOT THE FRANCHISE SHALL BE GRANTED TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE ("SSVEC"); PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION TO ALL QUALIFIED ELECTORS; PRESCRIBING THE FORM OF BALLOT TO BE USED; AUTHORIZING AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.**

**MOTION:** Councilman Lindsey moved on Resolution NO. 2012-72 finding and declaring that same deem the granting of a certain Utility Franchise Beneficial To The Municipal Corporation Pursuant To A.R.S. § 9-502(B); Ordering The submittal of the question to the qualified electors as to whether or not The Franchise shall be granted to Sulphur Springs Valley Electric Cooperative ("SSVEC"); providing for the giving of notice of said election to all qualified electors; prescribing the form of ballot to be used; authorizing and directing authorized city officers and agents to carry out the purposes and intent of this resolution. **SECONDED:** Councilwoman Cronberg seconded the motion **DISCUSSION:** Councilman Johnson asked if this is for the November election vote. Mayor Irvin stated, yes November 6<sup>th</sup>. Mr. Figueroa explained the section here is the language, is to approve it here with excluding section 16 or approving with section 16 with my recommendation. Mr. Mayor called on Mr. Chris Hitchcock introduced himself as the legal council for SSVEC. As Mr. Figueroa has stated we do agree with most of the language in the agreement we would accept section 16 if we could add the word solely and read section 16 with the word solely in the language. For us to be really comfortable with this we are asking for you to add this word into the agreement and I would be happy to take this agreement to our Board for approval. I would like to add this has not been approved by our Board of Directors yet it would go back to them for the meeting on the fourth Wednesday of the month and we will vote on that at that point of time. Councilman Holloway asked what the difference on solely or not solely is. Mr. Hitchcock stated he is a belt and suspenders guy and as everyone know this is 25 years old and this is to be the way I understand the city interprets no stock will be issued by SSVEC as this franchise being an asset and we just want to make sure the courts should look at this later down the road when were not here to explain it, it reads so it can follow what was to be interpreted and it would limit the finance of the Board of Directors of SSVEC later down the road 15 years from know the court could interpret it oh that is what the parties wanted with this agreement with that I would feel comfortable. In Sierra Vista they removed it entirely and in Benson they included this and quite frankly we missed that. Mr. Massey's interpretation and the staff agree with this interpretation and Mr. Massey is the City Attorney of Benson. Mr. Goolsby asked does the word solely by reciprocal. Mr. Hitchcock stated it restricts the issuance of stock to that citation. Mr. Goolsby stated that is what I am asking. Mr. Hitchcock stated yes it does, I miss understood you, are there any other questions? Councilman Johnson asked Mr. Figueroa your recommendation is. Mr. Figueroa stated let the courts decide on this interpretation. I specifically asked Mr. Bonner to contact the attorney to ask why they put the specific language as they did there was a specific financial working and clause they want to accomplish. Sierra Vista decided to leave it out that was my only questions they either accept the language that is there or they take a chance of not approving the franchise. I will not agree to have solely in there. This is a disagreement on the language and the two parties need to agree with this. Mr. Hitchcock stated once City Council and SSVEC agree to this agreement then you put this agreement up to the voters and as the city requirement we put this out on the voter to agree up or down and as state law requires we would publish the whole agreement so the voters know exactly what they are voting upon prior to the vote. Councilwoman Cronberg stated we are stuck on one word. Mr. Hitchcock stated yes. Councilwoman Cronberg stated and we are to put this in front of the voters to read upon and legal parties can't even come together on this and now we as a body have to agree on this. That is amazing. Mr. Hitchcock stated that is our position. Councilwoman Cronberg stated I am not a lawyer I have worked in an attorney's office and was a court reporter and I find this rather interesting we are stuck on one word: inclusion or not. And were going to hang this up there for one word and put it to the public and trust that everyone is going to do the right thing. Mr. Figueroa stated In my opinion you have more to lose than SSVEC in Willcox. They can only have what you are giving them you are giving them an out and after tonight I am not going to be here but I am here tonight and it is my legal obligation to give you my legal advice. Mr. Hitchcock stated if it is not to be agreed upon to add this word solely, I will take this back to our board and see if they agree with this wording. Councilman Goolsby asked if we are at a point of not accepting this agreement. Mr. Hitchcock stated I don't know, I can't speak for the Board. What this does is allows SSVEC to be in your right-away its not to say SSVEC is able provide the electricity to your citizens of Willcox that is determined by the Arizona Corporation commission. This is simply asking for us to be in your right away. Vice Mayor Holloway stated what we have on the table is not to have the word "solely". Councilman Lindsey stated it

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012**

doesn't matter if the word "solely" is in there or not the meaning is the same. Councilman Goolsby asked Attorney Mr. Figueroa it is your opinion to not have the word solely in the agreement. Mr. Figueroa stated that is correct. **CARRIED**

- 14. DISCUSSION/ DIRECTION REGARDING RESOLUTION NO. 2012-73 THE HAZARD MITIGATION PLAN ("PLAN") DEVELOPED THROUGH A GRANT SECURED BY THE ARIZONA DIVISION OF EMERGENCY MANAGEMENT AS PART OF THE PROCESS TO HELP MITIGATE FUTURE HAZARDS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**MOTION:** Councilman Goolsby moved regarding the Hazard Mitigation Plan ("plan") developed through a grant secured by the Arizona division of emergency management as part of the process to help mitigate future hazards **SECONDED:** Councilwoman Cronberg seconded the motion **DISCUSSION:** None **CARRIED**

- 15. PRESENTATION/DISCUSSION REGARDING JUNE 30, 2012 FINANCIAL STATEMENT AND INVESTMENT REPORT FROM RUTH GRAHAM.**

**DISCUSSION:** Ms. Ruth Graham gave a presentation on the statement and investment report and described each of the Revenues, Expense and fund balances. She stated we are recovering in the General Fund and that is good news. The Grant funds are a wash. We have a deficit due to fireworks, state park, and debt service fund should be a break even fund it varies a bit. The Capital Improvement fund the Gas has a revenue of. Ms. Graham explained the expenses on the second page are the same information as the first page. She explained the different accounts the city maintains in various funds and explained the liquidated funds and stated no money has been withdrawn out of this account. When we receive interests on the accounts we allocate it to different funds with the biggest VM Holloway asked if the heading were wrong it has 2010-2011 Ms. Graham apologized and said yes it is this is FY 2012-2013. We have smoothed out the data and we have matching numbers we have come up to 1.9% on the bed tax this is also recovering we are about 30,000 below of where we need to be. We are about 6% lower of where we should be.

- 16. DISCUSSION/DECISION REGARDING REX ALLEN DAYS SPECIAL EVENTS LIQUOR LICENSE AT QUAIL PARK ON SATURDAY, OCTOBER 6, 2012 FROM 11:00 A.M. TO 7:00 P.M., AND SUNDAY, OCTOBER 7, 2012 FROM 12 NOON TO 6:00 P.M.**

**MOTION:** Councilman Johnson moved regarding Rex Allen Days request for Special Events Liquor License at Quail Park on Saturday, October 6, 2012 from 11:00 a.m. to 7:00 p.m. and on Sunday, October 7, 2012 from 12 noon to 6:00 p.m. **SECONDED:** Councilman Lindsey seconded the motion **DISCUSSION:** None **CARRIED**

- 17. DISCUSSION/DECISION REGARDING REX ALLEN DAYS SPECIAL EVENTS LIQUOR LICENSE AT KEILLER PARK ON SATURDAY, OCTOBER 6, 2012 FROM 11:00 A.M. TO 10:00 P.M.**

**MOTION:** Councilman Johnson moved regarding decision regarding Rex Allen Days request for Special Events Liquor License at Keiller Park on Saturday, October 6, 2012 from 11:00 a.m. to 10:00 p.m. **SECONDED:** Councilman Lindsey seconded the motion **DISCUSSION:** None **CARRIED**

- 18 DISCUSSION/DECISION REGARDING REX ALLEN DAYS REQUEST FOR NEW PARADE ROUTE DOWN HASKELL AVENUE FOR THE 61<sup>ST</sup> ANNUAL REX ALLEN DAYS PARADE ON SATURDAY, OCTOBER 6, 2012 FROM 6:00 A.M. TO 12:00 P.M.**

**MOTION:** Councilman Johnson moved regarding Rex Allen Days Request for New Parade Route down Haskell Avenue for the 61<sup>st</sup> Annual Rex Allen Days Parade On Saturday, October 6, 2012 from 6:00 A.M. To 12:00 P.M.

**SECONDED:** Councilman Vice Mayor Holloway seconded the motion **DISCUSSION:** Councilman Johnson asked one question, they use to set up on Railroad Park where the judge's stand and the parade come through and the band performs and the cheerleaders perform where are you going to set that up know? They congregated there, where are we going to do this know. Ms. Mullins stated it was decided to put it by the old bank building on the side of Maley so it will be on Haskell in front of that building and it is wide enough for this. Councilman Johnson stated it is usually where the parade stops it will spread out. Councilman Lindsey stated this whole item is little misleading as it reads for the new parade route it looks like we are not voting at all for the new parade route but the closure of the streets and I have a problem with that. I think it is a direct slap to the people Railroad Park I see no reason for that or a vote on that. Ms. Mullins explained some years ago there was an accident at the Tucson Rodeo Day Parade a young girl was killed. Since

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012**

that accident the State of Arizona has been bombarded with people who are sue-happy. the State wants protection and last year just before Rex Allen Days, so we got lucky, they now want a \$5,000,000 rider for protection to using a state highway. We actually close two Maley and Haskell, so what we decided on because we would have to ask people to come up with almost \$6,000 extra for just the parade and what we were planning to do and this is what we are up to is changing the parade route. It uses to just down Haskell from people we have spoken to. We are just putting it back to the way it was making it a straight stretch. It is safer with us not having any turns it has nothing to do with the Museum. This is not how I look at this; this is a way we can afford to have a parade to bring Rex Allen Days to Willcox. Councilman Lindsey asked what extra would this cost you? Ms. Mullins stated it would cost us about \$6,000 on top of the \$5500 we already pay. Councilman Lindsey asked in what. Ms. Mullins stated in insurance. Councilman Lindsey stated you are already closing Haskell and now Maley where will the additional cost be? Mr. Alfred Telles stated here is the difference, without the parade route having any turns they are letting us have a \$1,000, 000 rider because what was determined in the accident in Tucson was at a turn. The difference between the million dollar rider which costs about \$1,300 and a five million dollar rider at a cost of \$5500 to \$5,800 they determine because of the turns in the parade route it will be \$5,000,000 rider according to Armando from ADOT, this is what we were told. It has nothing to do with Downtown or Railroad Park because we know putting the parade with the trees is a beautiful thing. Councilman Lindsey state I just feel it is waste of space that could be utilized by more people and there is more out there than just the museum. Mr. Telles stated I agree with you and this is just what we were told by Armando form ADOT. The difference is \$5500 for a five million dollar rider verses a \$1300 million dollar rider. Councilwoman Cronberg asked are you looking lining up at Austin and Jessie. Mr. Telles stated what we talked about is moving it one street down to Jessie and go to McCourt and why we are looking at starting at Jessie is on the detour map we were going to use Railroad Avenue and come back on Soto for the traffic of the State Highways it would give us an extra block so we don't have a turn on the parade. Councilman Holloway stated Rex Allen Days seems to have a straight shot on Railroad Avenue, you still have to contend with the state Highway as you cross Maley. We have gone round and round for the last six months and we have tried to get all the input and consideration and we thought of Austin all the way down was the best route with insurance cost. Councilwoman Cronberg stated I appreciate the clarification on this as this was my big question too. That is historical area where all the performances are and what I consider Rex Allen Square. Mr. Telles stated this is where we are with ADOT we knew this was coming. Councilwoman Cronberg stated obviously you had to wrestle with it for quite a while. Mr. Telles stated our group has thrown this around for quite awhile. Councilman Lindsey stated I need to clarify maybe with council are we voting for a new parade route or the closure of the street routes. Councilwoman Cronberg stated I think by approving the closure we're approving the new route. Mr. Figueroa stated that is correct. If you make a motion you will dictate what you want done. If you make a motion then that is what the motion is going to be, you can always make one motion and then make another motion to close Haskell and make another motion for a new parade route. In essence if you agree to the closure of the street route you are agreeing to the new parade route. Mayor asked all in favor, Six Ayes'- Mayor Irvin, Vice Mayor Holloway, Councilman Johnson, Councilwoman Cronberg, Councilman Goolsby, and Councilman Nigh with one Nay- Councilman Lindsey. **CARRIED**

**19. CITY MANAGER REPORTS**

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

- **Skate Park dedication** will be held on August 11, 2012 at 8:30 a.m. the time has changed to 3 pm and Councilman Johnson will be MC for this event.
- **Willcox Unified School District** will return to school on August 13, 2012
- **City Manager Pat McCourt** returns on August 13, 2012
- **Joint Work Session with Parks and Recreation** for Park Fees on August 27, 2012 this is their normal meeting night time the time is yet to be determined it is normally at 6:00 pm.
- **The Arizona League of Cities & Towns Annual Conference** will be held on August 28-31, 2012 at the Hyatt Regency Scottsdale at Gainey Ranch

**20. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.**

Mr. Figueroa stated to Mayor and City Council, I have submitted my resignation to the Mayor and City Manager. The City Manager is not here tonight but it is primarily due to health of my eye problems the doctor said it is incurable OSD, and the other one is to do with my optic nerve. In order to do my assignments and my work I need both my eyes, in order to do my work, I don't want to cheat you by the money that you pay me. My contract calls for me to be able to assign someone to fulfill my contract and I have one year left on it until June 30, 2013. I have been in contact with two attorney's

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012**

Ms. Ann Roberts she is the County Attorney and her dad is Mark Battaglia who some of you were on the Council when I first started and he covered for me, and she is willing to take this position; and Mr. Allred who is also interested. I will at the next Council meeting, I will give my assignments to Ms. Roberts if the Council so chooses. I will be available if my consultation is needed. My junior partner Patrick would be ecstatic to do this but he just took over for South Tucson, I want to thank Mayor and Council not just you but also the ones that came before you. As you know I am homegrown I here to do my job for what you hired me to do, I have come here not to make a bunch of money but with the true intent to help the City. I think I have never been the one to say this is what I wanted to do anything to this person or that person; I hope this continues to be a long-lasing operation. I am a democrat and I was born on Ronald Reagan's Birthday I am very conservative and what I have observed is some of you are liberals and have agreed to the budget when our economy is so bad you need to look at yourself in the mirror and say to yourself, am I doing the right thing. Another thing I need to tell you is no one on the City Council sitting up here has the authority or the right to go to any of the departments and tell them how they need to run their department. If you have a problem with it, you should go to the Mayor and let him know what the problem is; one of your council members is doing it, you all better wake up and tell that council member you can't do that. I applauded the fact that when I gave you legal advice if you didn't understand it you would ask me and if I didn't know the answer I would tell you "I don't know the answer but I would get back to you with an answer," and I appreciate each and every one of you for that. I will work with the City Manager to get this on the next agenda and your options are: you don't have to accept my resignation, if you all wish you can put it out for bid, in today's economy you may get someone to do this. I did this for 40% less. I did not do this for the money. I want to thank you from the bottom of my heart. You can always come to me after this meeting; I will be there. Councilman Holloway stated I thank you for your service. Mayor Irvin stated I appreciate your comments and appreciate your service. Councilman Lindsey stated I also offer my appreciation and your goodwill and I have enjoyed working with you and I consider you my friend. Councilman Johnson stated I have worked with Hector since he has been here he has helped us and I consider him a very close friend I probably won't accept his resignation. Councilman Nigh stated him nothing to add.

**~~21. DISCUSSION/DECISION ENTER INTO AN 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~~**

~~—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.~~

**~~22. RECESS TO EXECUTIVE SESSION, IF APPROVED~~**

**~~23. RECONVENE FROM EXECUTIVE SESSION~~**

**~~24. 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 and/or  
consultation for legal advice from City Attorney.~~

**25. ADJOURN at 8:21 pm.**

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Willcox held on the 6<sup>th</sup> day of August 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 6<sup>th</sup> day of August 2012

  
City Clerk VIRGINIA A. MEFFORD

THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF AUGUST 2012

PASSED, APPROVED AND ADOPTED this 4th day of September 2012.

  
MAYOR ROBERT A. IRVIN

Signed: 09-18-2012

ATTEST:

  
City Clerk Virginia A. Mefford