

**CITY OF WILLCOX
MAYOR AND CITY COUNCIL
STATEMENT OF LEGAL ACTIONS
REGULAR MEETING AGENDA
Monday, September 4, 2012 at 7:00 p.m.
City Council Chambers
300 W. Rex Allen Drive
Willcox, AZ**

(Mayor or Designee will read only **BOLD** print of each agenda item,
except for Public Hearings, Petitions and Communications.)

1. CALL TO ORDER-Mayor Robert A. Irvin called the regular meeting on Monday, September 4, 2012 to order 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 "Woody" Johnson
Councilwoman Monika Cronberg
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Attorney Ann P. Roberts
City Clerk Virginia A. Mefford
Finance Director Ruth Graham
Library Director Tom Miner
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard

3. PLEDGE OF ALLEGIANCE TO THE FLAG- Mayor Robert A. Irvin.

4. DECLARATION ON CONFLICT OF INTEREST- None Declared

5. CALL TO THE PUBLIC

Sharon Nigh attended the League of Town and cities the people who attended were very professional and thanked Virgie for the quality you bring to the City we would like. We as of today do not have a liability for the Rex Allen Days your liability ADOT application. Please watch this.

6. ADOPTION OF THE AGENDA

It was moved and seconded to adopt the agenda as presented. **CARRIED**

7. PUBLIC HEARINGS, PETITIONS, AND COMMUNICATIONS

Tab 1

Public Hearing: The Mayor and Council will hold Public Hearing on Tuesday, September 4, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, relating to:

Liquor Licensed Series #13 for Aridus Winery Company, LLC, new liquor license
OPENED: Public Hearing at 7:10 pm. with no discussion. **CLOSED:** at 7:11 pm.

8. CONSENT AGENDA

MOTION: It was moved and **SECOND** to adopt the Consent Agenda **CARRIED**

8A. MINUTES OF PREVIOUS MEETINGS

Tab 2

Regular Meeting April 2, 2012, **Special Meetings** April 5, 2012, May 7, 2012, July 9, 2012, **Work Session** August 6, 2012, **Regular Meetings** August 6, 2012, and August 20, 2012.

9. PRESENTATION/DISCUSSION BY REPRESENTATIVE OF FROM THE WILLCOX HISTORIC THEATER PRESERVATION INC. COMMITTEE Tab 3

Ms. Berry gave a presentation on the WHTP Inc. When the doors closed in October the WHTP Inc. made an offer in April the museum would not sell or get rid of any contents; we did have some enthusiastic interest about getting the theater re-opened and WHTP Inc. did lots of research and we submitted three grants. We have one that is very interested. We increased our offer to \$35,000 but the museum still said it was not enough. We have exhausted the 120 days of the letter of intent and the roof is leaking and causing more damage; we don't know why the Museum turn their backs on re-opening we as a community we are trying to get this up and running. The museum board stated they have had interest in the theater and WHTP Inc. will support anyone who would like to re-open the theater. WHTP Inc. is very frustrated with the museum board but we will continue to do whatever it takes to get this re-opened.

Councilman Lindsey asked is there anything you are asking for the City of Willcox to do. I understand both sides and I know both sides are working to make this work. I just hope both parties will continue to work thing out. Councilman Goolsby asked is there going to be a time when you, I mean you have been in front of the council even before tonight; at what point would you abandon your efforts. Ms. Berry stated we will not abandon this possibility.

10. DISCUSSION AND/OR DECISION/DIRECTION REGARDING THE APPLICATION FOR LIQUOR LICENSE SERIES #13 ARIDUS WINERY COMPANY, LLC NEW LICENSE Tab 4

It was moved and seconded regarding the application for Liquor License Series #13 Aridus Winery Company, LLC, new license 1126 N. Haskell Avenue, Willcox, AZ. **CARRIED**

11. DISCUSSION AND/OR DECISION/DIRECTION REGARDING ACCEPTING A GIFT FROM SSVEC OF 8 COMPUTER SYSTEMS 4 FOR TEEN USE AND 4 FOR PUBLIC USE Tab 5

It was moved and seconded regarding accepting a gift from SSVEC of eight computers. **CARRIED**

12. DISCUSSION AND/OR DECISION/DIRECTION REGARDING RESOLUTION NO. 2012-76, SUPPORTING THE SUNZIA SOUTHWEST TRANSMISSION PROJECT WITH REGARD TO ROUTE 4B OF THE SUNZIA PROPOSED TRANSMISSION LINE AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION. Tab 6

It was moved and seconded regarding Resolution No. 2012-76, as stated supporting Sunzia Southwest Transmission Project with regard to Route 4B of the Sunzia Proposed Transmission Line. **CARRIED**

13. DISCUSSION AND/OR DECISION/DIRECTION REGARDING RESOLUTION NO. 2012-77, OPPOSING THE FEDERAL IMPLEMENTATION PLAN ON NITROGEN OXIDES PROPOSED BY THE UNITES STATES ENVIRONMENTAL PROTECTION AGENCY AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION Tab 7

It was moved and seconded regarding Resolution No. 2012-77, as stated opposing the Federal implementation plan on nitrogen oxides proposed by the Unites States environmental protection agency. **CARRIED**

14. DISCUSSION AND/OR DECISION/DIRECTION RESOLUTION NO. 2012-78, APPROVING THE APPOINTMENT OF ANN P. ROBERTS, ESQ., TO THE POSITION OF CITY ATTORNEY PURSUANT TO THE ASSIGNMENT OF LEGAL SERVICES CONTRACT APPROVED BY RESOLUTION NO. 2012-74; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST. Tab 8

It was moved and seconded to approve Resolution NO. 2012-78, as stated approving the appointment of Ann Roberts, Esq., as the City Attorney pursuant to the assignment of Legal Services Contract approved by Resolution #2012-74. **CARRIED**

15. REPORTS BY THE CITY MANAGER PAT MCCOURT Tab 9

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

- **City Hall front desk Closed-** on September 6-7, 2012 for conversion training.

- **Mayor/Manager Luncheon** – Quality Inn - Kiva Room on Thursday, September 20, 2012 at noon - RSVP by September 14, 2012 at Noon.
- **Special Work Session**- Capital needs on Gas System on the Monday, October 22, 2012 at 6:30 p.m.

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

Mayor Irvin stated it was an honor and privilege to attend the League.

Councilman Holloway enjoyed the Conference and made some contacts on Economic Development. Councilwoman Cronberg asked for follow up information on the Golf Course Mr. McCourt stated staff will bring up some minor adjustments on this.

Councilman Goolsby stated I was extremely honored, there was an awesome level of professionalism and they were there to make the things better.

Councilman Lindsey stated he enjoyed the Conference and enjoyed the information presented, on the Economic Development. I am sure Sue would come over from Sierra Vista to provide input on this.

Councilman Nigh stated I was able to attend three seminars on the Waste Water Treatment one was from Kingman, Scottsdale Waste Water Treatment Plant they provide all the water to 20 Golf Courses he did get the business card form this event and will keep in touch.

~~17. DISCUSSION/DECISION ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED _____ Tab10 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(1) and (3), as stated, relating to consideration of employee and consultation for legal advice with the attorney(s) of the public body.~~

~~18. RECESS TO EXECUTIVE SESSION, IF APPROVED~~

~~19. RECONVENE FROM EXECUTIVE SESSION~~

~~20. 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.~~

21. ADJOURN- with no further discussion adjourned at 8:14 pm.

