

**CITY OF WILLCOX  
MAYOR AND CITY COUNCIL  
AGENDA**

**Monday, October 1, 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- 82  
Ordinance NS311**

**NOTICE TO PARENTS:** Valley Telecom Group records all Willcox City Council meetings. These recordings may be played and replayed on Valley Telecom Cable Channel 1. If you permit your child to participate in the Council Meeting, a recording will be made of your child's participation. If your child is seated in the audience, he or she may be recorded. If you desire, you may request that your child be seated in a designated area to avoid recording. To do so, please submit your request to the City Clerk prior to the meeting. (A.R.S. §1-602.A)

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE TO THE FLAG**

**4. CALL TO THE PUBLIC**

Mayor and Council consider comments or complaints from the public. Those wishing to address the Council are required to register by completing an individual speaker's form and filing it with the Clerk before the meeting. The speaker must be recognized by the Mayor before speaking. Time permitting each presentation will be given approximately three (3) minutes. It is probable that each organization will be limited to one speaker. Action taken as a result of public comment will be limited to directing staff to study or reschedule the matter for further consideration at a later date.

**5. DECLARATION ON CONFLICT OF INTEREST**

Council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff member determine they have a conflict of interest.

**6. ADOPTION OF THE AGENDA**

The Council will at this time either adopt the agenda as presented or may remove or table any of the listed agenda items. Tabled items, unless otherwise directed, will appear on the next regular agenda. Council may not add any items to the agenda at this time. Should staff have any recommendations concerning the exclusion or tabling of agenda items they will voice these recommendations at this time.

**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 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.

**7A. MINUTES OF PREVIOUS MEETINGS**

**Special Meeting- May 31, 2011 and May 30, 2012**

**JT Work Sessions – August 8, 2011**

8. **DISCUSSION AND/OR DECISION REGARDING WILLCOX WINE COUNTRY REQUEST FOR LIQUOR LICENSE APPLICATION APPROVAL FOR WINE VENDORS AT WINE FESTIVAL OCTOBER 20 AND 21, 2012** Tab 2  
 Consideration, discussion and/or decision regarding Willcox Wine Country request for Liquor License application approval for wine vendors at Wine Festival in Railroad Park on October 20 and 21, 2012
9. **DISCUSSION/DECISION REGARDING WILLCOX WINE COUNTRY FESTIVAL REQUEST FOR A WAIVER FOR GLASS CONTAINERS IN RAILROAD PARK** Tab 3  
 Consideration, discussion and/or decision regarding Willcox Wine Country Festival request for a Waiver for Glass Containers in Railroad Park
10. **STREET CLOSURE REQUEST BY WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE FOR SATURDAY OCTOBER 6, 2012 ON RAILROAD AVENUE FROM STEWART ST TO MALEY ST. FOR REX ALLEN DAYS** Tab 4  
 Discussion/Decision regarding a street closure request by the Willcox Chamber of Commerce and Agriculture for Saturday, October 6<sup>th</sup>, 2012 on Railroad Avenue from Stewart St. to Maley St. for Rex Allen Days.
11. **DISCUSSION AND/OR DECISION/DIRECTION REGARDING FINAL BID PACKAGE ON PROPERTY ON CIRCLE I ROAD.** Tab 5  
 Consideration, discussion and/or decision/direction regarding final package on property on Circle I Road.
12. **DISCUSSION AND/OR DECISION/DIRECTION REGARDING APPROVAL TO SPEND USDA GRANT FUNDS TO PURCHASE A LOSS PREVENTION DETECTION SYSTEM FOR THE LIBRARY** Tab 6  
 Consideration, discussion and/or decision/direction regarding approval to spend USDA Grant Funds to purchase a loss prevention detection system for the library.
13. **REPORTS BY THE CITY MANAGER PAT MCCOURT**  
 Consideration, discussion, and/or decision regarding the following topics by the City Manager:
- **Cowboy Hall of Fame-** Dinner will be on October 4, 2012 at 6:00 pm.
  - **Rex Allen Days-** October 6-7 Parade on October 6, 2012 at 10:00 am.
  - **City Manager gone to ICMA-** October 6-10, 2012
  - **Annual Audit-** October 11 and 12, 2012 for year end June 30, 2012.
  - **City Manager Vacation-** October 12, 2012
  - **Jury Duty-** City Manager on standby October 16, 2012
  - **Wine Festival-** October 20 and 21, 2012 at Railroad Park.
  - **Special Work Session-** Capital expense needs Gas System Monday, October 22, 2012 at 6:30 p.m.
  - **New Business in town-** Southwest Irrigation
  - **Possible Special Meeting-** with Rex Allen Theater Group for funding
14. **COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.**
15. **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 REGARDING THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY** Tab 7  
 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 regarding the purchase, sale, or lease of real property.
16. **RECESS TO EXECUTIVE SESSION, IF APPROVED**
17. **RECONVENE FROM EXECUTIVE SESSION**
18. **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.
19. **ADJOURN**

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**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](http://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.



**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 31<sup>st</sup> DAY OF MAY 2011**

**CALL TO ORDER** –Mayor Gerald W. Lindsey called the special meeting to order on Monday, May 31, 2011 at 7:05 p.m. and welcomed all to the Council meeting.

**ROLL CALL**-City Clerk, Cristina G. Whelan, CMC, called the roll:

**PRESENT**

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

**ABSENT**

Vice Mayor Monika Cronberg  
Councilman William "Bill" Holloway

**STAFF**

Public Safety Director Jake Weaver  
City Attorney Hector M. Figueroa  
City Clerk Cristina G. Whelan, CMC  
Library Director Tom Miner  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Building Inspector Jeff Stoddard

**PLEDGE OF ALLEGIANCE TO THE FLAG**- Mayor Lindsey leads the pledge.

**CALL TO THE PUBLIC**- Mayor asked if anyone would like to address the Council this evening.  
There are no written requests and welcome any request.

**DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Mayor and Council members present.

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Johnson moved to adopt the agenda as presented.  
**SECONDED:** By Councilman Klump. **CARRIED**

**PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**Communications:** Mayor Lindsey read the First Reading of Ordinance NS306 An Ordinance of the City Of Willcox, Cochise County, Arizona, Amending the Willcox City Code, Title 17 [Zoning] By Creating Chapter 17.18, [Medical Marijuana Regulations], By Reference, With All Remaining Title 17 Provisions Remaining Unchanged As Enumerated Herein

**Public Hearing:** The Mayor announced: (1) In accordance with ARS §9-499.15, Public Notice: The Mayor and Council will hold a public hearing on Tuesday, May 31, 2011, at 7:00 p.m., regarding notice of intention to consider increase rates and charges of the Gas Utility, the Water Utility, and the Wastewater Utility of the City of Willcox; and

(2) Public Hearing on Monday, June 6, 2011 regarding Ordinance NS306 An Ordinance of the City Of Willcox, Cochise County, Arizona, Amending the Willcox City Code, Title 17 [Zoning] By Creating Chapter 17.18, [Medical Marijuana Regulations], By Reference, With All Remaining Title 17 Provisions Remaining Unchanged As Enumerated Herein

Mayor Lindsey opened the public hearing regarding increase rates and charges of the Gas Utility, Water Utility, and Wastewater Utility at 7:09 p.m. and asked if there is any comment concerning the rates. Ms. Barbara Brown, B&B Laundry, asked if this rate increase is for businesses and residential. Mayor Lindsey explained it is for those customers that have these services provided by the City. It is staff's recommendation that there be no increase and Council is required to review the rates annually and if there is any input they will hear it. Ms. Brown said that personally the rates are already high enough. She has business in Willcox and pays over \$1,000/month just to the City of Willcox. Recommendation from staff is to freeze the rates and see what happens this year and every year during budget time review. This year gas, water and sewer will be staying the same and trash will go up per Contract

Mayor Lindsey asked are there any other comments. Councilman Johnson asked if someone has all electric gas have to pay for gas and Ms. Graham replied "no." If a home has a gas meter whether or not using gas they have to pay the

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 31<sup>st</sup> DAY OF MAY 2011**

service charge and if not needed the meter can be pulled. Councilman Johnson asked if they can call City to remove meter and they will no longer be charged and Ms. Graham replied "that is correct."

Mayor Lindsey asked are there any other comments. Hearing no further comments the Mayor closed the public hearing at 7:16 p.m.

**DISCUSSION REGARDING THE FY12 RATES FOR THE GAS UTILITY**

Ms. Ruth Graham, Finance Director, began discussion regarding the FY12 rates for the Gas Utility. FY10-11 the Service Fees or rates remain the same and the actual for this year has not come in as high as originally projected. The Interest is projected at 1% of fund balance. Capital Operating costs are ongoing with 3% multiplier and System Upgrades are ongoing in 13-14 pick up of Debt Service. Ms. Graham stated we are working with WC Scoutten on additional long range projections. This does not include a rate increase and rates will be reviewed each year. City Attorney Hector Figueroa stated if staff presents a Resolution at the next meeting and it will supersede previous the resolution that would allow an increase automatically by RESO. Mr. Figueroa stated the Mayor and Council can give staff and legal counsel direction and direct them to proceed in preparation of a Resolution and require the supporting documents to be brought back to Mayor and Council at the next meeting.

Mayor Lindsey asked for any further discussion and hearing none directed staff to bring back a Resolution and present at the next meeting.

**DISCUSSION REGARDING THE FY12 RATES FOR THE WATER UTILITY**

Ms. Graham began the discussion regarding the FY12 rates for the Water Utility. Fund Balance required for necessary repairs or emergency repairs. The service fees anticipated FY10-11 and FY11-12 are the same \$685,000. Connection Fees for FY10-11-12 held constant and FY12-13 and forward are projected at 3%. Debt services \$64,465 is based on existing and Capital Operating Costs are ongoing covering replacement of equipment so that we do not go from no expenses to big expenses. This assumes constant water sales volume; 3% inflation rate for FY13-14; no new debt service, coverage of Operating Expense 1.78 times, approximately \$1.5M for system upgrades in FY12-13 and not borrowing; interest income assumes 1% rate in FY12-13. Recommending System Upgrades of \$1.5 and this does not require additional borrowing; we have estimated numbers for Planning & Construction. The GADA can be paid early if we pay all the interest. Mayor Lindsey expressed his desire to look at all options before taking \$1.5M to pay off debt and he thinks we have time to plan for that. Ms. Graham agreed. The costs for Residential and Commercial meters are based on the meter size and current base charges. Staff recommends costs remain the same until FY11-12 and then implement CPI. Water usage increases are standard and a report is made every year to the Water Authority and shows our rates are very competitive and are set in a good place. Annual adjustment for Cost of Living would be on October 1, 2012. Councilman Klump asked if residents outside the City limits are charged more if the City provided them water. Public Works Director Dave Bonner thinks there is a provision in an Ordinance that County residents may pay 1.5 times more. Mayor Lindsey stated when they proposed a subdivision for Tenney the rate was 1/3 more for the City to furnish them water. City Attorney Figueroa explained the City does have authority to have water wells, tanks outside the City and can provide water although it has to be set by Resolution. Ms. Graham does not know of any outside the City limits water customers. Mayor Lindsey asked if there were any questions concerning water.

Mayor Lindsey for the next meeting directed staff to present the resolution on the Water Utility.

**DISCUSSION REGARDING THE FY RATES FOR THE WASTEWATER UTILITY**

Ruth Graham began the discussion regarding the FY12 rates for the Wastewater Utility. This has been ongoing for several years and we are under Notice of Violation and need to construct a WWTP to meet the needs of the City. We estimate this costing \$15-16M, we hope to receive half from BECC so that a substantial portion would not be debt to the City. FY10-11 and FY11-12 held constant, however the Wages are lower because at the end of the year and during the preparation for Audit we project costs out of payroll; we have changed salaries by taking that part of it out. The overhead of 3% reflects \$85,800 to \$115,228 and the City Manager's analysis based on revenue came up with a formula and that will increase at 3% on a future basis.

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND  
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The sewer charges are based on water usage. Current base rate for Residential is \$18.99 and base rate for Commercial for ¾" meters is \$27.61. In October 2012 we will add the CPI adjustment. If a property has no history each April rates are set and it is about a \$33 residential average for that customer until the account accumulates history. Those that have wells be charged that rate also. Water usage during the winter months usually residents have lower usage. If there is unusual usage and customer proves it is abnormal or on the City's side the charges will be adjusted. Mayor Lindsey asked about interest and a 6% assumption, he asked if that will masquerade figures. Ms. Graham explained we need to project on the high side and we have had loans in City at 7% and this is worse case scenario. Our current loan for WIFA is at .03% and hopes we get interest rate much lower than 6%.

Mayor Lindsey asked are there any other questions. The Mayor directed staff to proceed and prepare the sewer rates resolution with no additional charges and present at the next meeting.

**DISCUSSION REGARDING THE FY11-12 STREETS/HURF BUDGET**

Dave Bonner led discussion regarding the FY11-12 Streets/HURF Budget. Gary Adams the new Streets Supervisor prepared the Streets Budget which is in the budget books. Currently, this year Salaries are not increasing and we have 2-positions open and will not be filled this next fiscal year. Decline in HURF and Sales Tax and Operating Budget will limit ability for Street Repair. Still have Principal to pay off for repairs incurred at \$200,000. Street Construction is \$60,000 for Patte Road for FY11-12. We are not projecting any for HURF or Sales Tax for FY11-12 and there is no outlay for replacement of equipment over the next few years. Streets still have projects they can do with the money they have set aside. Operating costs are at \$329,930 and will have a surplus end of FY12-13 and rollover to the next fiscal year. Councilman Irvin asked if the loader will be paid this year. Supervisor Adams stated it will be paid in FY11-12. Director Bonner explained to the Mayor and Council the declining revenues of the HURF fund over the next few years. He also outlined the various street projects that will be completed during FY11-12. The Mayor stated he has received a number of compliments on work done on street system and we have made some progress on keeping up with what we have. Mayor Lindsey asked if there are any other questions or comments. Hearing none proceed with adjournment.

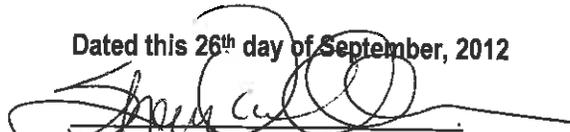
**ADJOURN**

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:07 p.m.

**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 31st day of May, 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 26<sup>th</sup> day of September, 2012

  
Sherry Lynn Van Allen - HR

PASSED, APPROVED AND ADOPTED this 1st day of October 2012.

\_\_\_\_\_  
MAYOR ROBERT A. IRVIN

Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk, Virginia Mefford



**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 30<sup>TH</sup> DAY OF MAY 2012**

**CALL TO ORDER**-Gerald W. Lindsey called the Special Meeting to order on Wednesday, May 30, 2012 at 6:30 p.m. and welcomed all to this special City Council meeting

**ROLL CALL**-City Clerk Cristina Garcia Whelan, called the roll:

**PRESENT**

Mayor Gerald W. Lindsey  
Vice Mayor Monika Cronberg  
Councilman Elwood A. Johnson  
Councilman Stephen Klump  
Councilman Christopher Donahue  
Councilman William "Bill" Holloway  
Councilman Robert "Bob" Irvin

**STAFF**

City Manager Pat McCourt  
City Attorney Hector M. Figueroa  
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

**PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.

**CALL TO THE PUBLIC**

No comments

**DECLARATION ON CONFLICT OF INTEREST**

None declared

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Klump moved to adopt the agenda as presented.

**SECONDED:** Councilman Donahue seconded the motion **CARRIED**

**ADMINISTER OATH OF OFFICE BY JUDGE TREVOR WARD, TO RE-ELECTED COUNCIL MEMBER ELWOOD "WOODY" A. JOHNSON AND NEWLY ELECTED CITY COUNCIL MEMBERS EARL B. GOOLSBY AND WILLIAM "BILL" NIGH**

Judge Ward administered the Oath of Office to re-elected council member Elwood "Woody" A. Johnson and newly elected City Council members Earl B. Goolsby and William "Bill" Nigh.

**ADJOURN**

Being no further business before the Mayor and Council, Mayor Lindsey adjourned the Special Meeting at 6:39 p.m.

**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 30<sup>th</sup> day of May 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 28th day of August 2012

  
Sherry Lynn Van Allen - Human Resources

**PASSED, APPROVED AND ADOPTED** this 17th day of September 2012.

**ATTEST:**

\_\_\_\_\_  
City Clerk, Virginia A Mefford

\_\_\_\_\_  
MAYOR ROBERT A IRVIN  
Signed \_\_\_\_\_



**THE JOINT WORK SESSION MEETING MINUTES OF THE MAYOR  
AND CITY COUNCIL AND THE PARKS AND RECREATION ADVISORY  
COMMITTEE OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 8<sup>TH</sup> DAY OF AUGUST 2011**

**CALL TO ORDER**-Mayor Gerald W. Lindsey called the joint work session meeting with the Parks & Recreation Advisory Committee to order on Monday, August 8, 2011 at 6:30 p.m.

**ROLL CALL**-City Clerk Cristina G. Whelan, CMC, called the roll:

**PRESENT**

Mayor Gerald W. Lindsey  
Councilman Elwood A. Johnson  
Councilman Stephen Klump  
Councilman Christopher Donahue  
Councilman William "Bill" Holloway  
Councilman Robert "Bob" Irvin

**STAFF**

City Manager Pat McCourt  
City Clerk Cristina G. Whelan, CMC  
Library Director Tom Miner  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Development Services Jeff Stoddard

**ABSENT**

Vice Mayor Monika Cronberg

**PARKS & RECREATION**

Chairman Sharon Nigh  
Vice Chairman RaeAnn Kiesling  
Secretary Les Wolslagel  
Member William Nigh

**STAFF**

Director Dave Bonner  
Ex-officio Member William "Bill" Holloway

**ABSENT**

Member Timothy Atwell

**PLEDGE OF ALLEGIANCE TO THE FLAG**- Mayor Lindsey.

**DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Mayor and Council members or members of the P&R Advisory Committee or staff.

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Johnson moved to adopt the agenda as presented.

**SECONDED:** Councilman Holloway. **CARRIED**

**DISCUSSION REGARDING THE FACILITIES USE FEES**

P&R Vice Chairman Kiesling and Committee member Wolslagel talked with members of the community concerning fees for renting the community center; there have been no objections to fees for usage. Fees would be based on the event the renter is having. In addition Chairman Kiesling stated the Community Center is a community building and understands the City is not trying to make a profit just paying for basic utilities. If the City broke down the current utilities to a daily usage and did not base it on sq ft it is about \$38/day to run the Community Center. Mayor Lindsey asked is that based on average for month and Ms. Kiesling stated no, it is based on the utilities for the year and divided by 365 days. Mayor Lindsey asked Mr. Bonner if he has ever done a break down what utility costs on average day occupied. Mr. Bonner replied he does not have way to do that without having to read the meters before and after and could not do that with electric. Mayor Lindsey stated he has always wanted to know costs per day when occupied. Member Nigh stated that everyone's electric has bill went up. His thoughts are everybody should pay a minimum or something that would cover the cost of operations. There have been improvements and there will be further improvements to the Community Center. Nigh stated when people know it is going to cost them something, no matter what, they will be more extraordinarily careful of how they treat the facility. Contacted Benson, Sierra Vista and Safford and all have their own Community Center. Benson's is the least active and they charge \$50-\$100/day for different types of events in Sierra Vista. Our fee structure is different but the concept is the same: they collect fees. They have called non-profits locally and "warned" them that they may have to pay some small fee in the future. All stated the same thing: they will pay for it or they have already found a sponsor. No one was negative.

**THE JOINT WORK SESSION MEETING MINUTES OF THE MAYOR  
AND CITY COUNCIL AND THE PARKS AND RECREATION ADVISORY  
COMMITTEE OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 8<sup>TH</sup> DAY OF AUGUST 2011**

Councilman Donohue thinks the point has to be made; no matter how careful everyone is at the Community Center there is going to be normal wear or tear of the buildings, mechanical systems, the buildings themselves, the flooring and the restrooms. It is immaterial how careful people are we have to look at the future and have to ensure that enough money is coming in to maintain the facilities. It is inconsistent with reality to allow people to use something for free or to believe that it is free because "I as a rate payer of the City" am not willing to pay the bill. Evidence seen is rate payers of the City are not willing to just keep putting money out to maintain the Community Center so that people can use it for free. He doesn't believe that is reality. Need to look at that honestly.

Ms. Kiesling discussed in P&R and there seems to be confusion about what the City Council wanted them to do as far as P&R. Initially they were told the City Council wanted them to look at rates, go over them and come up with match those or and ideas what to waive or not. Now confused "what you guys" want them to look at Parks and not sure what direction to take, or input they want. When it comes down "you guys" decision of Council who pays and who gets waived and it doesn't matter what P&R decides on the fees or whatever because if the City Council does not support that then it is not going to matter or change in revenue coming in or out. They want to know what the Council wants P&R to accomplish and what direction they want them to take. Chairman Nigh understands they are an Advisory Committee and this is going to be a very active P&R in the future.

Councilman Donahue stated his concern should we lay off policemen, shut down fire, do anything with wastewater or fresh water, or gas plant, he stated "no". What are we need to look at is what the one thing is that if we do cut and still be able to survive? Should we cut P&R, that's reality, we do not have to have a park to survive all the others are necessities to survive. The Council needs to look at these in reality and charging fees to maintain the P & R and the City buildings then we are going to find ourselves some point in the future having cuts. Both Chairman Nigh and Councilman Donahue agreed it has to run as a business. Councilman Donahue stated "we must pay to play" and that's the way it has to be. Chairman Nigh referred to the last meeting when Sally White, WASA, mentioned that sometime way in the past the rules for the Community Center was and how community reacted to it had changed 180 degrees; they used to charge fees. Her opinion is run it as business and this is forward thinking. Mayor Lindsey stated he thinks we could say if private use, they pay whatever the charge is. If there is for public use, his personal opinion is there could be a set fee for that event. It would be a reduced from full fee to give them a break. Ms. Kiesling asked if we went back to having the individual entity approach then at a Council meeting they could answer why they want fees waived or what they could pay to have successful event would that be something the Council could consider. Mayor Lindsey replied that basically they do already. Generally speaking the Council knows what it is that is taking place when the fees are waived. Councilman Holloway stated they know what issue is and know what they feel they should have to have fees waived because public activity for the community. The Council receives back up from staff and sometimes it is returned because they need more information and wait for the next meeting to decide. They do waive a lot of fees and not because they lack information.

Councilman Johnson stated the charges show how much we gave and if broken down what Council waived was probably less than 4% of usage. The Community Center sometimes used once a week and sometimes 3-days at a time and not knowing what all that encompasses and they do not always come to the Council. He asked, what are we giving away, what are we charging? People come to the Council with different things to sponsor and try to do that with the idea how it is going to impact the community and what is finance impact it could bring to the community. Wings Over Willcox, Rex Allen Days, Ag Day they bring a lot of people into Willcox and he asked Kathy Smith, Chamber of Commerce, how much does Cowboy Hall of Fame pay. Ms. Smith explained when she first came to the Council they were told they could not do dinner because the Community Center did not have refrigerators and the Chamber bought them to do the Cowboy Hall of Fame dinner. In the past they have purchased chairs and tables and paid the electric, and what they were told was the utility last year. Before that they asked for fees waived and have given a table to City for the Cowboy Hall Fame. The Cowboy Hall Fame is not a good one to look at because they take that money and put it back into Community Center and that was her agreement with the Public Works Director prior to Mr. Bonner. They had talked about things that the Community Center needed and she agreed to put money from the Cowboy Hall of Fame back into Community Center for different things the City might need because it benefits the entire community. If they have chairs that people can fall out of or tables that "practically kill you" trying to put them up. Those types of things they were trying to build on at the Community Center. Apple Festival is a good example because it is a 2-day event and the Chamber charges \$40/booth and can put 26 booth and gives one booth away every year because they do theme and judges go around

**THE JOINT WORK SESSION MEETING MINUTES OF THE MAYOR  
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COMMITTEE OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 8<sup>TH</sup> DAY OF AUGUST 2011**

and who ever wins the theme they get a booth free for the following year. Collected \$1,000 for the Christmas Apple Festival and that money used to pay for advertising; they buy different prizes and given away during Apple Festival and there is not a lot of money left over. Councilman Johnson asked what the Economic Development impact is for the community. Ms. Smith replied this event brings in a lot of people together in community and their crafts. It is networking and socialization. It does not bring a lot of people that are from outside the community and it gives the Fire Side Room, Friends of Library, the Art League and money is spent on the Christmas Lighted Parade which coincides with the Apple Festival. It is not money maker and it does not bring lots of people into Willcox. Kiesling asked if Chamber has a special partnership with the City. Ms. Smith would like to think so and one of the events charged for was the Cochise County Tourism Meeting at the Community Center. The City pays \$9,000/years and Willcox has to host it twice a year and she is the person that seats on that Council. Would she do that for the Chamber probably not because not a Chamber event; it is for the City. She would do it for the Tourism side for her job. The other thing is they pay \$125 deposit for cleaning fee and even if fees waived they are charged for the day that she is in there mopping floors, making sure restrooms are cleaned and told Mr. Bonner your going to charge me \$300 and stated "you can keep the \$125 deposit and you can clean it." Thinks there is some room to look at this and say what needs to change.

Ms. Smith stated she does not agree they should get their fees waived either. Agreed with Ms. Kiesling charging utility fees a flat utility fee of \$50-\$75 and she has called several Town Halls that have Community Centers and they all charge a fee to cover the cost of the utility and the maintenance side of it. Councilman Donahue stated he agrees with her and does not want to go down the slope of putting people in "different corrals" by saying this is non-profit it's a 501C3 and they pay nothing. The town is full of 501C3's and some pay and some don't. We were not talking about revenue generation. Councilman Donahue stated that is problem with inconsistency, the Council posses the political will to make it fair across the board. Do they have ability to come out as Council to say: this is the fee structure this is what everybody has to pay and no one makes a break. Council makes decisions not just for today but for 20 years from now. They have to make sure City is viable and make sure people pay for the facility. The fee structure is not material what is material is whether or not the Council is going to make it fair and everybody pays and nobody gets a break. Bottom line is if it is a City function why can't we work something out like the Chamber that provides certain things that are quantified i.e. provide x number of dollars for chairs. The City can be creative and Councilman Johnson stated like "in-kind." We pay WASA. Ms. Kiesling asked where does the money come out for SSVEC and is it all out of General Fund. Councilman Donahue stated the General Fund is not stable like the Enterprise Funds are. Ms. Kiesling asked if anyone knows where those fees were based on or implemented. Councilman Johnson stated that the Community Center fees structure has not come up since he has been on the Council. They have always waived the same events. Ms. Kiesling asked what is their goal or what are they trying to accomplish. Councilman Donahue replied financial survival. Mayor Lindsey stated this is a work session and can not make any decisions. It boils down to getting everyone's input and look and see what in fact they want to do or charge everyone the same rate. His personal opinion is "no we don't." he thinks everyone should pay and thinks there should be a difference with those that do generate income and those that do not and those that have a public function and those that do not. William Nigh stated his observation is we have 2-different societies in Willcox, an intricate and working class. We want to encourage everyone in this City to be a part of the City. We need to cohabitate and socialize and get along with each other. Councilman Donahue agrees and a portion of our City is indigent. During budget the Council talked about raising fees and taxes and those people have to bear whereas any charged fees in this type of situation is very fair because it is use based. If indigent in community not utilizing the facility they are not being charged. If everybody pays then it brings it down for everybody to use i.e. indigent wants to marry daughter and use Community Center then they pay the same amount. Ms. Kiesling stated in general the people she talked to stated they did not feel paying were horrible they wanted to know what they were going to paying for. Councilman Irvin stated if they don't want to pay that fee then don't use the Community Center or Parks.

Councilman Johnson asked what in the current structure what is refunded and what isn't. Mayor Lindsey replied Application and Cleaning Deposit and he does not agree Application deposit should be refundable. He proposed change and took the non-refundable off of the application deposit; he would not mind seeing that as a nominal fee. Ms. Kiesling stated that is the same thing they are coming up with. Those proposed changes are examples of how to collect the missing revenues they are not what P&R are endorsing or trying to push they are examples how to collect the fees. It is fees needed to collect to run the Community Center in 2009-2010 in the amount of \$15,000.00. Councilman Irvin asked how many times it was used last year and Ms. Kiesling replied 50. Ms. Kiesling stated based on numbers given thought 68% fees were waived; there were clerical errors on

**THE JOINT WORK SESSION MEETING MINUTES OF THE MAYOR  
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COMMITTEE OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 8<sup>TH</sup> DAY OF AUGUST 2011**

amounts they were given. Councilman Holloway stated they wrote checks for \$125 and they get that back if it is the cleaning deposit and returned cleaned. Councilman Johnson stated he knows one person that used the Community Center and received all their fees and deposits back and that is a problem. Ms. Kiesling stated P & R does not have anything to do with collection or waiving of fees. Councilman Holloway interested in maintaining current structure and thinks fees are not too small or too large the way they are. Maybe we do not refund deposits and that gives us a little towards what we are short or waived at some point. Councilman Klump stated if it is called a deposit it has to be refundable. Application fee is not a deposit it is a fee. Mayor Lindsey thinks it should be included in rental. Councilman Johnson thinks as rental then do we collect taxes on it too? Councilman Klump charge current structure from all asked Ms. Kiesling if that is correct. She stated if collected all and refunding still be about \$2,000 short. It still would not cover it all. Any amount collected would be better than \$8,000 deficiencies. That is the point they wanted to bring up that here is ways to collect everything and by fees and keeping higher rates with current waiving still not making the money to pay for facility. There are other ways like the Usage Fee and broke the \$14,000 down for usage or \$365/day and essentially lower the rate and if collected that lower rate every time the bottom number would be more than collecting now. Councilman Johnson stated if collected that \$50 usage fee from everybody. Ms. Kiesling stated since the fees are so old and not based on or what covering it is hard to say and right now it does not appear collecting for the use of the toilets, water, soap those kinds of incidental fees. Bringing fees down to 365 days into average and collecting a little bit more from \$38 rounding to \$50/day then essentially collect the money for wear and tear to make the amount of money needed to run that facility. Councilman Johnson stated change a flat application fee and keep, if Council wishes to waive the fee and then lower the user fee to cover expenses of toiletries, water and electricity and if kept at \$160, maybe more people would use it. Ms. Kiesling stated if we examine the usage of the Community Center she thinks that would be better than keeping them as they currently are and those waived traditionally in the past would pay. Council needs to decide what to do with the fee structure. Councilman Johnson stated it is a Community Center for the people to use. Ms. Smith stated if we keep the fees at \$300 and do not waive them the Chamber will probably not do the Apple Festival because they will lose money. Councilman Klump asked if there is some other facilities like the Elk's and asked any idea what their costs are and Ms. Smith replied \$50/hour. Ms. Nigh stated it sounds like the Council is assuming all monetary and she has talked to groups stated they would be willing to pay it themselves because didn't know about that or for \$100 will find a sponsor. Michelle Mullins stated she does Soccer along with RAD and everything else and actually getting harder and harder every year to go out and get sponsors because there are so many of them competing in one small town. It is just "crazy." The City is losing money and they are not doing it any better and they are doing this literally as volunteers. They do not get paid and now they have to go above and beyond like go to Sierra Vista and Benson to help get these fees paid. If they don't get these fees paid and in the past some get waived and seems minimal to everyone else it takes away what they can do for those kids. Instead of being able to have your child play they have to go out for sponsor because a child's family can not afford it and refuse to turn them away because they can't afford it. Ms. Pacheco stated they too had to pay full day just to clean up. They were not given time the following morning and had to have it cleaned by a ridiculous time in the morning or pay for another day. Ms. Mullins stated her and Ms. Pacheco's events are all on a volunteer basis for i.e. Soccer, Mardi gras, RAD, Christmas Lighted Parade. Ms. Mullins stated then we are trying to find people to come help at 6:00 a.m. to clean because only given certain time. Ms. Smith stated it is hard to find sponsors and people feel that they already paid with Chamber membership Councilman Irvin asked Mr. McCourt what is the deficit is of General Fund. Mr. McCourt replied the budget of the City is it is not just one they are combined together and restricted in the use of the money. The Utility Fund is doing okay. The Streets Fund again is also restricted money. General Fund is where everything else falls, Parks, Police, Fire, Administration, Elections everything that is not cubby holed into one of the other funds. That is an area where the current approved appropriations are needed to run City is \$900,000 more than income coming into City. The way it is addressed is by cutting back services and trying to do that in a manner that minimizes impact to the public. Positions become vacant and kept vacant. Staff was asked to hold back on spending if not absolutely needed. That deficit for the last FY ended was about \$300,000 and the City spent \$300,000 more than came in. This year again looks like about \$900,000 is the difference between what is built into the budget and what the estimated income is. Once the Mayor and Council adopt the budget they can not increase it and so the staff has to build Contingencies into budget adopted, because if the City has a problem in the middle you can't increase the budge. Staff was hopeful last year to get it balanced but we didn't. Councilman Donahue as business man he can appreciate the fact he is foregoing spending and pushing off expenditures, however, he and City Manager both know that is a game and at some point money is going to get spent because running everything down to nothing. This is short term thinking and we have to have some long term thinking including Revenue City Manager McCourt

**THE JOINT WORK SESSION MEETING MINUTES OF THE MAYOR  
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HELD ON THIS 8<sup>TH</sup> DAY OF AUGUST 2011**

replied "that is correct." Revenue is getting better and took unforeseen loss of income. Councilman Holloway asked to be excused at 7:42 p.m.

Mayor Lindsey stated it looks like we need to sit down and come down with figures on fees to charge and without being able to say thinks it should perhaps asked staff to look at figures and put together here and present 2-3 scenarios for Mayor and Council and come back and look at it and make a decision on the direction it needs to go. He appreciates everyone coming here, thought and time gone into it.

**ADJOURN**

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 7:52 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the joint work session meeting of the City Council and the Parks & Recreation Committee of the City of Willcox held on the 8<sup>th</sup> day of August 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 8th day of August 2011

  
Sherry Lynn Van Allen - HR

PASSED, APPROVED AND ADOPTED this 1st day of October 2012.

\_\_\_\_\_  
MAYOR ROBERT A IRVIN

Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Virginia A. Mefford



**THE MINUTES OF THE WORK SESSION MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 21<sup>ST</sup> DAY OF MAY, 2012**

**CALL TO ORDER**-Mayor Gerald W. Lindsey called the work session meeting to order on Monday, May 21, 2012 at 6:07 p.m. and welcomed all to this Work Session.

**ROLL CALL**-City Clerk Cristina Garcia Whelan, called the roll:

**PRESENT**

Mayor Gerald W. Lindsey  
Vice Mayor Monika Cronberg  
Councilman Elwood A. Johnson  
Councilman Stephen Klump  
Councilman Christopher Donahue-Absent  
Councilman William "Bill" Holloway  
Councilman Robert "Bob" Irvin

**STAFF**

City Manager Pat McCourt  
City Attorney Hector M. Figueroa  
City Clerk Cristina Garcia Whelan, CMC  
Public Safety Director Jake Weaver  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Development Services Jeff Stoddard

**PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.

**DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Mayor, Council members or staff.

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Irvin moved to adopt the agenda as presented.

**SECONDED:** Vice Mayor Cronberg seconded the motion. **CARRIED**

**DISCUSSION REGARDING PRESENTATION OF THE FISCAL YEAR 2012-13 GENERAL FUND BUDGET FOR THE DEPARTMENT OF PUBLIC SAFETY, INCLUDING ADMINISTRATION, COMMUNICATIONS, HUMANE, PATROL, INVESTIGATIONS, K-9, FIRE DEPT., AND FINAL WRAP-UP ON BUDGET**

Chief Weaver began his presentation on the proposed budget Fiscal Year 2012-13 General Fund Budget for the Department of Public Safety,

- First is Administration this includes himself, Admin Assistant Penney Bell, and Information Evidence Technician Jerry Giudice. Salaries slight increased to allow for Retirement of the Director, Chief Weaver is eligible to retire end of July. Building Maintenance increased \$1,000 to replace the current key system with a key pad. Operational budget for Administration identical to last year except salaries as explained. No capital purchases are requested for this FY.
- Communications, handles all telephone, 9-1-1, Emergency Medical services and serves as the center for contact to the public and for public assistance; Communications Center required to multi task and make life saving decisions at a moments notice. Patricia Ackerson-Rodriguez is the Communications supervisor and currently oversees 4-dispatchers, with one dispatch position vacant. Salaries line was adjusted for potential retirement of the Communications Supervisor and one dispatcher. There is no capital purchases planned.
- Humane oversees animal population within City of Willcox. The officers patrol the streets, also provide care and control through an IGA for Cochise County. There is one full time Humane Officer and one part time. There is no capital purchases planned, and the increase in the operations budget is to allow for the rise in cost of dog food and supplies.
- Patrol, provides Police services 24/hr/ 7 days, 365 a year. The officers patrol streets, respond to 911 calls, provide traffic control, investigations, and serve the community as first responders in emergency situations. We have a Staff Lt. position that has been vacant for 10 yrs; Patrol Sgt. Glenn Childers and 7other officers including the SRO perform all of the patrol duties. Operational budget shows no increase with the exception of Capital Purchases, we have budgeted for a patrol vehicle, and to try to keep costs down we have submitted grants.
- Investigations- provides support to patrol, the detective is the liaison with County Attorney. The detective is responsible for apprehension of criminals. This division is staffed with one Detective Sgt and one vacant Detective position that have been held unfilled for over a year. No change from last year and no capital purchases requested.

**THE MINUTES OF THE WORK SESSION MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 21<sup>st</sup> DAY OF MAY, 2012**

- Fire Division-This is a volunteer staff that is responsible for property and life safety of citizens of the city, local laws and ordinances, education on fire danger awareness, responds on emergency situations, conducts fire inspections, school functions and other activities as requested. We currently have 16 Volunteer Fire Fighters. The director of Public Safety serves as Fire Chief, one Assistant Chief, one Captain and 2-Lieutenants and the rest are volunteers and are mostly City employees. Operations no increase from last year and no capital purchases this year. The Fire department is continually applying for grants.
- K9-operates special forces. Our K9 is trained to meet State and National requirements. They conduct searches relating to narcotic activity. It is staffed with one patrol officer and one canine Max. Operations budget no change from last FY and no cap purchases are requested.
- Revenue sources-Grants Department of Homeland Security (DOHS) for Stone Garden. Attorney Generals Office for Victims Rights for FY13 allows \$1,000 for miscellaneous office supplies to assist meeting statutory requirements. Health Care Innovations picks up part of a dispatch salary at \$11,269. Licensing fees for Humane. The WDPS obtains grants and other assistance through other agencies to keep them in compliance with all state and federal regulations.

Chief Weaver concluded all the presentations of the budgets of the Department of Public safety and assured the Council that any clerical mistakes will be corrected. Preliminary budget books were handed out this evening and as well as all various budgets they have looked at so far.

**ADJOURN**

Being no further business before the Mayor and Council Mayor Lindsey adjourned the Work Session at 7:03 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of the City of Willcox held on the 21<sup>st</sup> day of May 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 29<sup>th</sup> day of August 2012

  
\_\_\_\_\_  
Transcribed Sherry Lynn Van Allen – HR

**PASSED, APPROVED AND ADOPTED** this 1<sup>st</sup> day of September 2012.

\_\_\_\_\_  
MAYOR ROBERT A IRVIN

Signed \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Virginia A. Mefford

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 4<sup>th</sup> DAY OF SEPTEMBER 2012**

**CALL TO ORDER**- Mayor Bob Irvin called the work session meeting to order on Tuesday September 4, 2012 at 6:30 p.m. and welcomed everyone in attendance

**ROLL CALL**-City Clerk Virginia A. Mefford, called the roll:

**PRESENT**

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

**STAFF**

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

**PLEDGE OF ALLEGIANCE TO THE FLAG** lead by Mayor Irvin

**DECLARATION ON CONFLICT OF INTEREST**

None Declared

**ADOPTION OF THE AGENDA.**

**MOTION:** Councilman Lindsey moved to adopt the agenda as presented.

**SECONDED:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** None **CARRIED.**

**DISCUSSION REGARDING PARK FEES**

City Manager McCourt informed the Council Mr. Bonner Public Works Director will explain the Park Fees. Mr. Bonner gave handouts to the City Council and the tentative park fees schedule and explained the various fees. The Parks and Recreation committee have discussed the fees and came up with this fee schedule. They would like to see some consistency in the fees. He asked the Council if they had any further questions. Council asked if there was an organization that had a reoccurring event if they were allowed to reserve it every year. Mr. Bonner stated they are able to reserve it for up to five years. Council asked if the event was not using the premises as intended, would the other party interested be able to request it. Mr. Bonner stated it would be up to the party who has reserved it. Councilman Johnson stated it was brought to his attention that a softball tournament wanted to come in during Rex Allen Days, this would bring in some revenue to the City of Willcox and wanted to know if there was anyway to get this back for the Rex Allen Days Festivities. The area seems to be reserved every year and not being used as purpose intended. Mr. Bonner stated it would be up the party that reserved it as he stated before. Mayor Irvin stated we need to adjourn this work session, but we will have further discussion on Park Fees at a later time.

**ADJOURN**

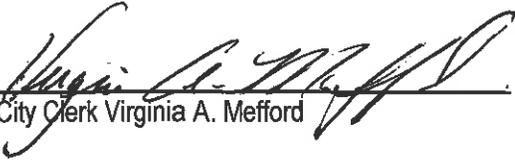
Being no further business before the Mayor and Council Mayor Irvin adjourned the Work Session at 6:55 p.m.

**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 9<sup>th</sup> day of July 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 9<sup>th</sup> day of July 2012

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 4<sup>th</sup> DAY OF SEPTEMBER 2012**

  
City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 1st day of October 2012.

\_\_\_\_\_  
MAYOR ROBERT A IRVIN

Signed \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Virginia A. Mefford

**CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item: 8  
Tab Number: 2  
Date: 10-01-2012

<b>Date Submitted:</b> 10-01-2012
<b>Date Requested:</b> 09-24-2012

<b>Action:</b>
<input type="checkbox"/> Resolution
<input type="checkbox"/> Ordinance
<input checked="" type="checkbox"/> Formal
<input type="checkbox"/> Other

<b>Subject:</b>
Willcox Wine Country Special Events Liquor License

**TO: MAYOR AND COUNCIL**  
**FROM: Virginia Mefford**

**DISCUSSION:**

The Willcox Wine Country Committee (WWCC) will be holding their annual Fall Wine Festival in Railroad Park October 20<sup>th</sup> and 21<sup>st</sup>. The semi-annual festivals started in the fall of 2009, and have been held each May and October since then. The festival attendance has grown with each event.

WWCC is requesting the Mayor and Council to approve Applications from each of the 14 wine vendors for a Special Events Liquor License that will be submitted to the Arizona Department of Liquor Licenses and Control for the State's approval. The applications are on file with the City Clerk and available for public inspection at City Hall. A list of the vendors that will be participating is attached for your information.

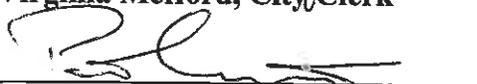
The permits will allow for wine to be served from 10:00 a.m. to 5:00 p.m. on Saturday and Sunday, October 20 and 21, 2012.

**RECOMMENDATION:**

To approve the wine vendor's Applications for a Special Events License for the Willcox Country Wine Festival October 20 and 21, 2012.

**FISCAL IMPACT:** Underdetermined; the event brings visitors to Willcox.

Prepared by:   
Virginia Mefford, City Clerk

Approved by:   
Pat McCourt, City Manager

WINE FESTIVAL LIST

APPLICATION	NAME	BUSINESS NAME	CHECK	MAP
X	Kelly Bostock	Bostock Winery, Inc.	15.00	X
X	Curtis Dunham	Lawrence Dunham Vineyards	15.00	X
X	Lisa Michelle Neiderffer-Rhodes	Arizona Stronghold Vineyards	15.00	X
X	Charlene Rae Manning	Kief-Joshua Vineyards	15.00	X
X	Gavin Richard Gallifant	Gallifant Cellars	15.00	X
X	Mark Anders Jorve	Zarpara Vineyards	15.00	X
X	Robert M. Hammelman	Hammelman Wines, LLC	15.00	X
X	James Hill Graham	Golden Rule Vineyards	15.00	X
X	Samuel Wallace Pillsbury	Pillsbury Wine Co. LLC	15.00	X
X	Jacquelyn Taylor Cook	Coronado Vineyards, Inc.	15.00	X
X	Rodney Edward Keeling	Keeling Schaefer Vineyards, LLC	15.00	X
X	Robert Carl Carlson	Carlson Creek Vineyard	15.00	X

\*Each vendor will provide certificate of insurance coverage for event

**CITY OF WILLCOX  
Request for Council Action**

**Agenda Item:** 9  
**Tab Number:** 3  
**Date:** 10<sup>th</sup> 01 - 2012

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**Date Submitted:**  
September 18, 2012  
**Date Requested:**  
October 20, 2012 and  
October 21, 2012

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**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

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**Subject:**  
Willcox Wine Country  
Committee requests  
permission for the use  
of wine glasses and  
bottles at Railroad  
Park.

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**To:** Honorable Mayor and City Council

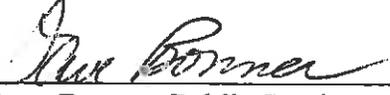
**From:** Dave Bonner, Director Public Services & Works

**Discussion:** The Willcox Wine Country Committee is planning to hold their Wine and Music Festival at Railroad Park. This event is scheduled to be held on October 20<sup>th</sup> and 21<sup>st</sup> 2012, from 8:00am to 7:00pm. The Willcox Wine Country Committee is requesting permission from the City Council for the use of wine glasses and bottles at Railroad Park.

**Recommendation:** Staff recommends that the Mayor and Council consider permission for the use of wine glasses and bottles for this event.

**Fiscal Impact:** \$0.00

Prepared By:   
Kate Schwartz, Public Services and Works

Approved By:   
Dave Bonner, Public Services and Works Director

Approved By:   
Pat McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA  
Facilities Use Agreement**

This Agreement made this 5 day of Sept, 2012  
between WILLCOX WINE COMPANY / WILLCOX CHAMBER OF COMMERCE ("PARTICIPANT") and  
the City of Willcox through the City Public Works Department ("CITY") for the use of the  
City owned facilities by a private organization.

**ARTICLE I --- TERM OF AGREEMENT:**

The term of this agreement shall be OCTOBER 20, 2012, through  
OCTOBER 21 2012, unless earlier terminated by either party.

Please note starting time and ending time TO INCLUDE set up and tear down.

8am start time 7pm end time

Notice of termination shall be provided at least ninety (90) days prior to the effective  
termination date.

**ARTICLE II --- CITY OWNED FACILITIES:**

This agreement shall be for the use of RAILROAD PARK  
(facility and area/s)

to be used for WINE FESTIVAL, MUSIC, FOOD, VENDORS  
(type of event)

to be used by WILLCOX WINE COMPANY / WILLCOX CHAMBER OF COMMERCE  
(example: public, family, friends) PUBLIC EVENT

PARTICIPANT wishes to use certain City owned facilities and the CITY is willing to permit  
the PARTICIPANT the primary use of the facilities under the conditions indicated in this  
Agreement and any Exhibit attached hereto during the term of this Agreement.

CITY agrees that it will perform the duties as outlined in Attachment "A".

PARTICIPANT agrees it will perform the duties as outlined in Attachment(s) "B".

PARTICIPANT agrees to pay the fees as are listed on Attachment "C".

**ARTICLE III --- INDEMNIFICATION AND INSURANCE**

PARTICIPANT agrees to secure liability insurance ten (10) days prior to the event to  
cover the term of this agreement in not less than the amount of one million dollars  
(\$1,000,000.00) which names the City as additionally insured and including required  
endorsement.

**SEVERABILITY**

Each provision of this Agreement stands alone and, if any provision of this Agreement is held, in whole or in part, to be unenforceable for any reason, the remainder of the provision and of the entire Agreement will be severable and remains in effect.

**ENTIRE AGREEMENT**

This document constitutes the entire Agreement between the parties pertaining to the subject matter hereof, and all prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged herein. This Agreement may be modified, amended or extended only by a written amendment approved by the parties.

**GOVERNING LAW**

This Agreement shall be construed under the laws of the State of Arizona and shall incorporate, by reference, all laws governing mandatory contract provisions required by statute or executive order.

**IN WITNESS WHEREOF**, the Parties hereby enter into this Agreement as of the day and year written above.

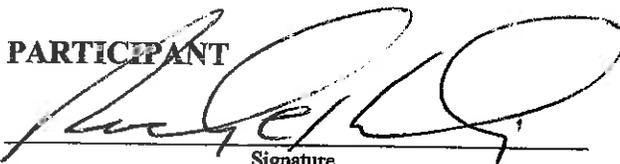
**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

  
Signature

9-6-12  
Date

Oscar Hudson  
Printed Name

Facilities & Parks Supervisor  
Title

**PARTICIPANT**  
  
Signature

9-5-12  
Date

RODNEY E. KEELING  
Printed Name

COMMITTEE CO-CHAIR  
Title

Attachment "A"  
Railroad Park

The City of Willcox Facilities & Maintenance section of Public Services & Works will perform the following:

Discontinue Irrigation on FRIDAY, OCT 19, 2012

Provide Electrical Key, Master 0873

Provide Electrical Key, Ace CH ELEC M1

Provide Electrical Key, Ace C0266

Unless otherwise specified trash cans are emptied, restrooms are cleaned and restocked on a daily basis during weekdays.

Arrangements for additional tasks may be requested by speaking with the Facilities and Maintenance Supervisor or the Public Services & Works Director.

**Special Arrangements:**

1- NEED ACCESS TO POWER @ BANDSTAND/RAMPADA  
+ PARK LIGHTING

2- EXTRA TRASH BAGS, IF POSSIBLE

3. APPROX. 6 PARKING SPACES FOR FOOD VENDORS

The "Participant" is responsible for establishing control of the area(s) requested for use.

The City of Willcox is not responsible for loss due to acts of God or vandalism or by actions of others not affiliated with the City of Willcox.

Attachment "C"  
**Railroad Park Fee Schedule**

**Deposit and Rental Fees**

All Deposits, Fees, Proof of Insurance & Special Permits or Licenses must be tendered 10 days prior to event date in order to finalize scheduling details.

	Fee Description	Fee Amount	Number of Days	Subtotal	Cash Rec'd.	Check#	Rept. #
X	Reservation Deposit	\$50.00		\$50.00		3453	97097
<b>Total Fees Due</b>							

- Request to waive fees through City Council.
- The City of Willcox reserves the right to refuse reservations.
- Must be at least 21 years of age to reserve facilities.
- Participant may reserve one (1) day prior to the event to set up for event without additional charge for the day providing another event is not already scheduled.
- Under normal circumstances; fees and certificate of insurance must be remitted ten (10) days prior to the scheduled use.
- All fees must be paid prior to the issuance of keys.
- Cancellation of reservation within five (5) days of the activity will result in surrender of \$50.00 deposit and 1/2 of rental fees.
- Returned checks are subject to a twenty-five dollar (\$25.00) fee.

**Condition Verification**

I have inspected the condition of the facilities specified under this agreement and have found them to be in \_\_\_\_\_ Satisfactory \_\_\_\_\_ Unsatisfactory condition.  
 I recommend that \_\_\_\_\_ All \_\_\_\_\_ None \_\_\_\_\_ Other \_\_\_\_\_ of the deposit be returned.  
 \_\_\_\_\_ Significant damage has occurred directly related to this event.  
 Damages are estimated to cost \_\_\_\_\_ which must be remitted within five (5) days.

\_\_\_\_\_  
 City of Willcox Representative Signature

\_\_\_\_\_  
 Date



**CITY OF WILLCOX  
Request for Council Action**

Agenda Item: 10  
Tab Number: 4  
Date: 10-01-2012

---

**Date Submitted:**  
09/18/2012  
**Date Requested:**  
10/5/2012 and  
10/06/2012

---

**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

---

**Subject: The Willcox Chamber of Commerce would like a street closure for Rex Allen Days. The street that needs to be closed is Railroad Ave beginning from the intersection of Stewart and ending at the intersection of Maley St.**

---

**To: Honorable Mayor and City Council**

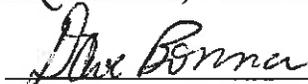
**From: Dave Bonner, Director Public Services & Works**

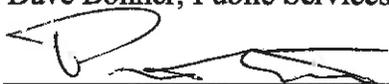
**Discussion: The Willcox Chamber of Commerce is requesting a street closure for Rex Allen Days. They are requesting this closure so various vendors can set up on October 5, 2012 and October 6, 2012. They would like Railroad Ave closed beginning at the intersection of Stewart and ending at the intersection of Maley St.**

**Recommendation: Staff recommends that the Mayor and Council grant permission for the street closure.**

**Fiscal Impact: \$0.00**

Prepared By:   
Kate Schwartz, Public Services and Works

Approved By:   
Dave Bonner, Public Services and Works Director

Approved By:   
Pat McCourt, City Manager



PETITION TO CLOSE RAILROAD AVENUE, BETWEEN

ON October 5, 2012 thru October 6, 2012  
DATE(S)

FROM 5pm TO 7pm  
START TIME END TIME

FOR THE PURPOSE OF 'Rex Allen Days Events'  
EVENT

Willcox Commercial, ok to close NOT AVAILABLE

Rex Allen Museum, ok to close Jerry Rowden

Rex Allen Theater, ok to close OUT OF BUSINESS

Rodney's, ok to close Relax

Palace Saloon, ok to close OUT OF BUSINESS

Desert Moon Gifts, ok to close OUT OF BUSINESS

Old West Mercantile, ok to close Shere Dorney

Friends of Marty Robbins, ok to close Juanita Buckner

Buckoos, ok to close Jan Dorney

Big Tex, ok to close Shere Dorney

Buffalo Sisters, ok to close Shere Dorney

\_\_\_\_\_, ok to close \_\_\_\_\_

# Street Closure Request Form

Name of Applicant

Willcox Chamber of Commerce

Address

1500 N Circle E, Willcox, AZ

Date of Request

9/18/2012

Phone Number

520-384-2272

Event or Event Sponsor for Street Closure

Rex Allen Days - Willcox Chamber of Commerce & Agriculture

Date(s) Requested for Street Closure

October 5 and October 6 2012

Times for Street Closure

5pm 10/5/2012 - 7pm 10/6/2012

Street(s) to be closed - Beginning and ending points.

Railroad Ave beginning from the intersection of Stewart to the intersection of Mauley St. the ending point.

The applicant understands that a certificate of liability insurance for \$1,000,000 naming the City of Willcox as additionally insured must be supplied with this application in order for the request to be fully executed and processed. Additionally, the City of Willcox requests that all adjacent property owners be notified of the intent to close the street and offered an opportunity to make comments to the Mayor and City Council. Comments may be submitted to the City Clerk prior to the council meeting or may be stated in the public meeting.

[Signature]  
Applicant Signature

9/18/2012  
Date

[Signature]  
Received By

9/18/12  
Date

**CITY OF WILLCOX**  
**Request for Council Action**

**Agenda Item:**   11    
**Tab Number:**   5    
**Date:** 10-01-12

**Date Submitted:**  
September 24, 2012

**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

**Subject:**  
Discussion/ Decision to  
proceed with sale of 1510  
N. Circle I property

**Date Requested:**  
October 1, 2012

**To:** Honorable Mayor and City Council

**From:** Development Services

**Discussion/ Decision /Direction:**

On September 17, 2012, City Council approved moving forward with the bid package for the sale of 1510 N. Circle I Rd. The City Council directed staff to change or add the following items to the 1510 N. Circle I Rd. bid package-no minimum bid, bid due date November 9, 2012, and create driveway easement. All the above corrections have been made per Council direction (see bid package). The drive way easement (bid package page 13) will be recorded by Title Company at time of sale (per Cochise County Assessor). At this time the property has no parcel number, we do have a legal description of property (bid package page 9) it is recommendation of staff to proceed with sale, we will add parcel number once Cochise County has processed paper work.

**Recommendation:** To proceed with sale of 1510 N. Circle I Rd.

**Fiscal Impact:** Future monies to the City of Willcox General Fund.

Prepared By: \_\_\_\_\_  
Jeff Stoddard, Development Services Department

Approved By:  \_\_\_\_\_  
Pat McCourt, City Manager



# **BID PACKAGE**

For

**Sale of Commercial Property owned by the City of Willcox  
1510 N. Circle I Rd.  
Parcel-**

**September 12, 2012**

**BID FORM**  
**CITY OF WILLCOX**  
**CITY HALL**  
**101 SOUTH RAILROAD AVE. SUITE B**  
**WILLCOX, AZ**

<b>Bid For:</b>	<b>Purchase of Municipal Industrial Property</b>
	<p><u>Location:</u> Parcel # _____, located 1510 N. Circle I Rd. Photo on page 10.</p> <p><u>Lot Size:</u>  Total Area: 410' x 377.08' x 320.92' x 253.08' x 370' or 4.445 acres  Structure size: 3, 180 sqft  Structure type: Metal  Built: 1985  Excess land area: 3.80 acres  Easements: Driveway &amp; Parking  <u>Zoning:</u> H-1 Highway 1  <u>Utilities:</u>  No City Sewer  No Septic System  City Water  City Gas  Sulphur Spring Valley Electric  See pages 9-17: legal description, parcel map, flood plain map, structure layout, structure pictures</p>

The undersigned Bidder, having fully informed themselves regarding the accuracy of the statements made herein certified that:

(1) The bid has been arrived at by the Bidder independently and has been submitted without collusion with, and without any agreement understanding, or planned common course of action with, any other Bidder for the purchase of the property described in the Invitation to Bid, designed to limit independent competition.

<u>PROPERTY LOCATION</u>	<u>MINIMUM BID</u>	<u>BID AMOUNT</u>	<u>Legal Name of Bidder</u>
<b>Location:</b> Parcel # _____, located at 1510 N. Circle I rd. Willcox, AZ. 85643 <b>Lot Size:</b> 4.445 acres <b>Structure Size:</b> 3,180 sqft <b>Easements:</b> Driveway & Parking <b>Zoning:</b> H-1, Highway-1 <b>Utilities:</b> No Sewer, No Septic System, City Water and City Gas	<u>NO</u> <u>MINIMUM</u> <u>BID</u>		
<b>TOTAL BID</b>		\$ _____	<u>Telephone Number</u>
<b>TOTAL BID IN WORDS:</b>			

Signature of Authorized Representative for Bidder \_\_\_\_\_

SHALL BE SUBMITTED WITH BID

STANDARD TERMS AND CONDITIONS

BID SUBMISSION INSTRUCTIONS:

Bids are to be submitted in a sealed envelope. The sealed envelope must have the Bidder's name and address in the upper left-hand corner and the words "BID DOCUMENT for: **Purchase of Municipal Commercial Property** to be opened on Friday, November 9, 2012 at 3:00 P.M." in the lower left-hand corner.

Bids must be completed, submitted and signed in the full legal name of Bidder, and must be fully and properly executed by an authorized person.

Bids received after the time and date specified shall not be considered and shall be returned unopened.

Amendments to or withdrawal of bids received later than the time and date set for the bid opening will not be considered.

Bidders or their representatives may be present at the bid opening.

## CONDITIONS OF SALE

1. Buyer shall execute a Land Purchase and Sale Agreement.
2. With the submittal of Buyer's bid, a Bid Surety deposit of Fifteen thousand (\$15,000.00) dollars is required. Balance to be paid: Balance paid in full at close of escrow. Buyer is to arrange own financing.
3. The Bid Surety deposit for parcel# \_\_\_\_\_ will be applied to the purchase price for that Lot. If, after the acceptance of bid for the sale by the City Council, the City refuses or is unable to consummate the sale, the deposit will be refunded to the Buyer. If, after the acceptance of bid for the sale by the City Council, the Buyer refuses or is unable to consummate the sale, the City will retain the initial deposit. The Buyer acknowledges that the initial deposit shall constitute the liquidated damages to the City in the event of default by the Buyer.
4. Buyer shall pay all escrow and closing costs.
5. The City Council reserves the right to reject any and all Bids.
6. The initial escrow period shall be for a maximum period of 90 days and shall be deemed to have commenced the next business day following the date of City Council approval and acceptance of bid of the land sale and may be extended for three (3) consecutive 30-day periods by mutual agreement. For each 30-day extension, the Buyer shall pay to the City an amount equal to 1% of the original sales price. Funds received by the City for extensions of time will be applied to the purchase price. Further, funds received for extensions of time are not refundable should the Buyer allow the escrow to expire or the Buyer cause the cancellation of the escrow. Funds received for extensions of time will be refunded should the City allow the escrow to expire or cause the cancellation of the escrow. In the event of cancellation or the expiration of the original term of the escrow or any extension thereof, the escrow shall terminate without further action.
7. The sale of City-owned property does not constitute an endorsement or approval of any development plans. Buyer understands the Property will be subject to requirements for development per the City of Willcox Municipal Code.
8. Buyer acknowledges that the City, its employees, agents and representatives have made no representations or warranties, written or oral, express or implied, with respect to the Property. Buyer is relying upon his own expertise and upon his own investigation of the Property with respect to its suitability for Buyer's intended use. Buyer shall acquire the Property AS IS and WITH ALL FAULTS (**SEPTIC SYSTEM HAS FAILED/NO CITY SEWER**).

### LIQUIDATED DAMAGES:

The successful Bidder, upon their failure or refusal to close when requested, shall forfeit to the City, as liquidated damages for such failure or refusal, an amount equal to the surety deposited with their bid. Such forfeiture shall not be considered a penalty, but as liquidated damages to compensate the City for the loss or deprivation of the sale.

AWARD:

The Mayor and Council reserves the right to make an award on the bid which, by the Council's judgment best meets the specifications and is deemed to be in the best interest of the City of Willcox.

The Mayor and Council further reserves the right to reject any or all bids, in whole or in part, to award any part or parts, or total bid, and to waive informality or technical defects, if, in her judgment, the best interests of the City of Willcox will so be served.

No award will be made to any corporation, firm or individual who is in arrears to the City by debt or contract, or who is in default as security or otherwise by any obligation to the City of Willcox, Arizona.

ADDITIONAL INFORMATION:

For additional information contact:

Jeff Stoddard  
Development Services Department  
300 W. Rex Allen Drive, Willcox, AZ 85643  
Telephone: (520) 384-6419  
Fax: (520) 384-2705

## INSTRUCTIONS TO BIDDERS

### Receipt and Opening of Bid:

The City of Willcox, Arizona, (herein called the "City"), invites bids on the forms attached hereto, all blanks of which shall be appropriately filled in. Separate, sealed bids will be received by the City Clerk, or authorized Representative, City Hall, 101 S. Railroad Ave, Suite B, Willcox, Arizona 85643 until the time and date stated in the Invitation to Bid. Bids shall then be publicly opened and read aloud.

All bids shall be submitted in sealed envelopes clearly labeled with the Bidder's name, address, and the words "Bid Document" must appear on the envelope with the time and date to be opened. If mailed, the sealed, envelope containing the bid, marked as described above, shall be enclosed in another envelope properly addressed for mailing. No responsibility will be attached to any City Representative or employee for the premature opening of a bid not properly addressed and identified.

### Appraisal Package and Bid Package Review:

Bid Packages may be viewed at the City Clerk's Office/Development Services during normal business hours and a copy may be purchased for \$5.00 or downloaded from City website.

Appraisal of Parcel# \_\_\_\_\_ may be viewed at the City Clerk's Office/Development Services during normal business hours and a copy may be purchased for \$6.50 or downloaded from City website.

Download:

City Of Willcox Website: [www.cityofwillcox.org](http://www.cityofwillcox.org)

City Hall  
City of Willcox  
City Clerk: Virginia Mefford  
101 S. Railroad Ave  
Willcox, AZ. 85643

Development Services Department  
City of Willcox  
Jeff Stoddard  
300 W. Rex Allen Dr.  
Willcox, AZ. 85643

Preparation of the Bid: Each bid shall be submitted on the bid form attached hereto. Bids shall be signed by the Bidder and all blank spaces shall be filled in, in ink or

typewritten, both in words and figures. No change shall be made in the phraseology of the bid or in the items mentioned therein. All bids shall be prepared in conformity with and shall be based upon and submitted subject to all requirements of the specifications together with all addendum (or addenda) thereof.

Method of Bid: The City may make such investigations as it deems necessary to determine the ability of the Bidder to perform the service, and the Bidder shall furnish to the City all such information and data for this purpose as the City may request. The City reserves the right to reject any bid if the evidence submitted by, or investigation of such Bidder fails to satisfy the City that such Bidder is properly qualified to carry out the obligations. Conditional bids will not be accepted.

Addenda and Interpretations: No interpretation of the meaning of the specifications or other Contract Documents will be made to any Bidder orally. Every request for such interpretation should be in writing, addressed to:

Jeff Stoddard,  
Development Services  
City of Willcox  
300 W. Rex Allen Drive  
Willcox, Arizona 85643

And to be given consideration, must be received at least five (5) working days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplementary instructions will be in the form of written addenda to the specifications which, if issued, will be mailed by Certified Mail to all prospective Bidders at the respective address furnished for such purpose, not later than three (3) working days prior to the date fixed for the opening of bids. Failure of any Bidder to receive such addenda or interpretation shall not relieve any Bidder from any obligations under his/her bids as submitted.

Withdrawal of Bids: Bids may be withdrawn personally or on written or fax or telegraphic request dispatched by the Bidder in time for delivery in the normal course of business prior to the time fixed for opening, provided that written confirmation is placed in the mail and postmarked prior to the time set for bid opening. Negligence on the part of the Bidder in preparing the bid confers no right of withdrawal or modification of the bid after such bid has been opened. The fax number is (520)384-2590, Attention: City Clerk.

Special Considerations:

The City reserves the right to reject any or all bids and may waive any informality.

The City reserves the right to correct any award erroneously made as a result of a clerical error.

Corrections: Erasures or other changes in the bid shall be explained or noted over the signature of the Bidder.

**Obligation of Bidder:**

(a) At the time of the opening of bids, each Bidder will be presumed to have read and to be thoroughly familiar with the specifications and other Contract Documents (including all addendum or addenda). The failure or omission of any Bidder to receive or examine any form, instrument or document which has been sent to the address given such Bidder, or the failure of the Bidders to familiarize themselves with the conditions relating to the specifications shall in no way relieve any Bidder from any obligation in respect to the bid.

(b) The Bidder is responsible for submitting a bid that will conform to all existing Federal, State of Arizona, statutes and regulations as well as City of Willcox ordinances and resolutions.

**Right to Reject Bid:** The City of Willcox reserves the right to reject any and all bids or quotations, to waive any discrepancies in the bids, quotations, or specifications, when deemed to be in the best interest of the City and also to award any part, all or none of the service(s) specified.

**Non-Collusive Bid Statement:** All Bidders shall be required to provide a signed non-collusive statement with all the public bids as follows:

The bid has been arrived at by the Bidder independently and has been submitted without collusion with, and without any agreement, understanding, or planned common course of action with, any other Bidder for the purchase of the property described in the Invitation to Bid, designed to limit independent bidding or competition.

**No Representations Made:** The City of Willcox makes no representations as to the condition, value or marketability of the real property described in the Invitation to Bid. The City of Willcox makes no representations as to the said real property's compliance with Federal, State or Local laws or regulations. The property is conveyed "AS IS" with no representations made as to their validity.

**No Bids Received by due date:** Sale will remain open until offer has been made.

## Legal Description Map

Borrower/Client	City of Willcox		
Property Address	1510 N Circle I Rd		
City	Willcox	County Cochise	State AZ Zip Code 85643
Lender	City of Willcox		

### LEGAL DESCRIPTION PARCEL 2

That portion of the Southwest Quarter of Section 30, Township 13 South, Range 25 East of the Gila and Salt River Meridian, Cochise County, Arizona, more particularly described as follows:

Commencing at a 3" aluminum disc monument stamped R.L.S. 16136 at the West Quarter corner of said Section 30:

Thence South  $00^{\circ} 15' 58''$  East along the West line of the Southwest Quarter of said Section 30 a distance of 644.97 feet to the Point of Beginning;

Thence continue South  $07^{\circ} 13' 54''$  East along the West line of the Southwest Quarter of said Section 30 a distance of 416.04 feet to a 2 1/2" iron tagged R.L.S. 13187;

Thence North  $89^{\circ} 46' 07''$  East 377.93 feet to a point on a non-spherical curve concave to the Southeast, from which the radius point bears South  $52^{\circ} 32' 47''$  East, said point being 164 feet West of the 33' utility right-of-way line of Interstate 10;

Thence along said curve, to the right, bearing a radius of 25,164.32 feet, a central angle of  $00^{\circ} 45' 37''$  as an arc distance of 320.82 feet to a 2 1/2" iron tagged R.L.S. 13187;

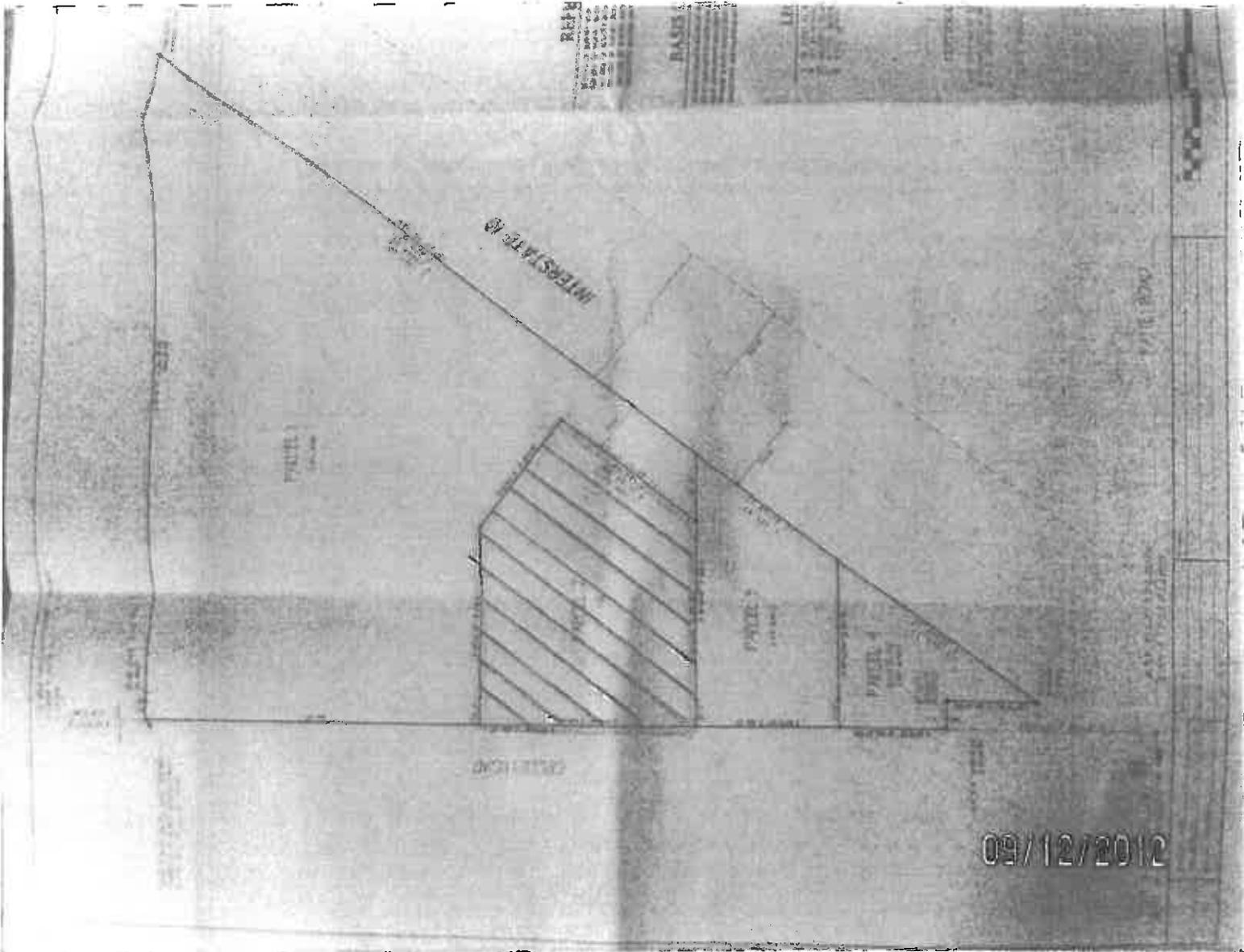
Thence North  $82^{\circ} 45' 10''$  West a distance of 317.04 feet to a 2 1/2" iron tagged R.L.S. 13187;

Thence South  $89^{\circ} 46' 07''$  West a distance of 330.13 feet to the Point of Beginning;

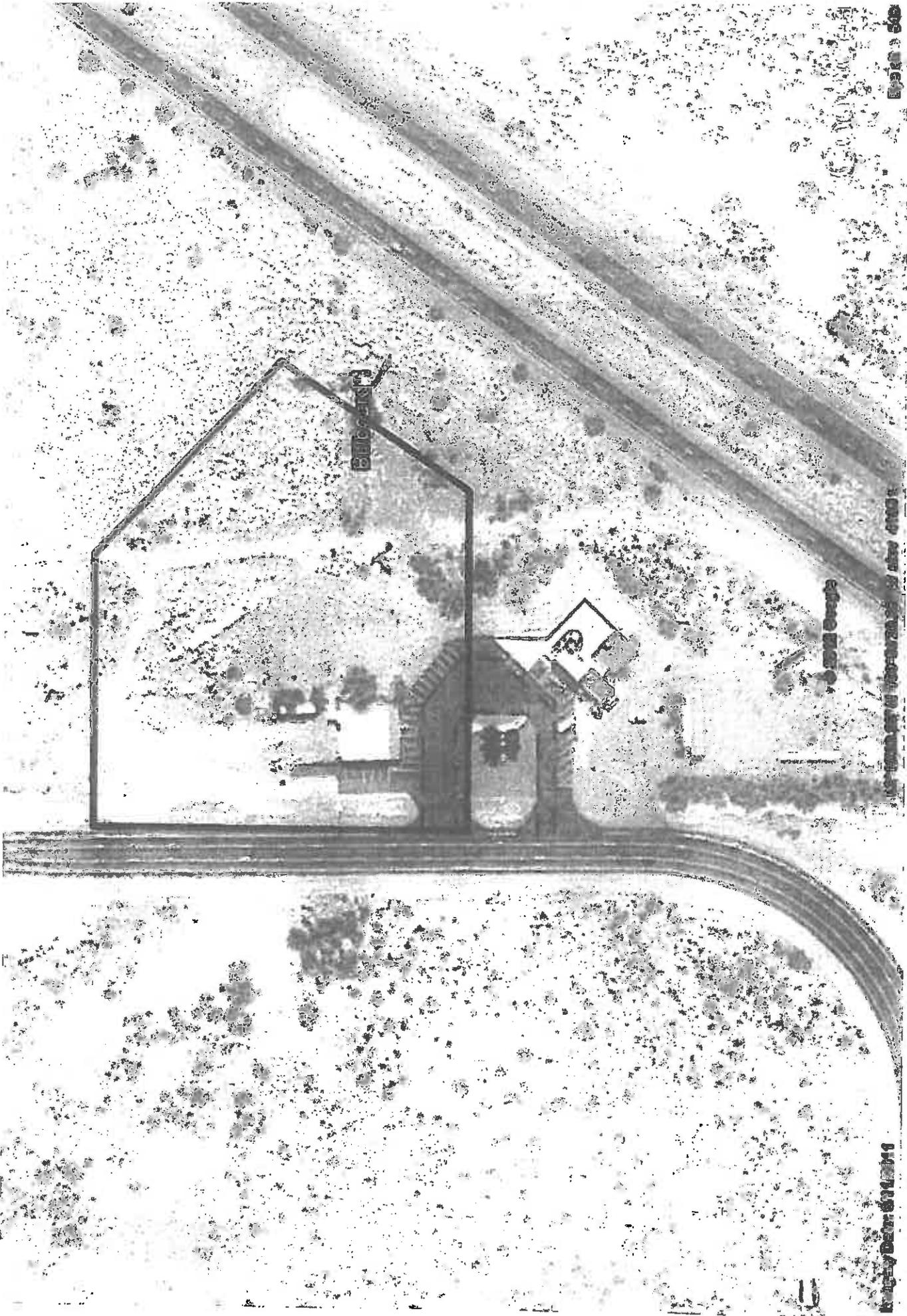
Containing 4.44 acres more or less.



Surveyed 1/10/2012



09/12/2012



Page 508

DRIVEWAY

DRIVEWAY

— Property line  
- - - Driveway Easement

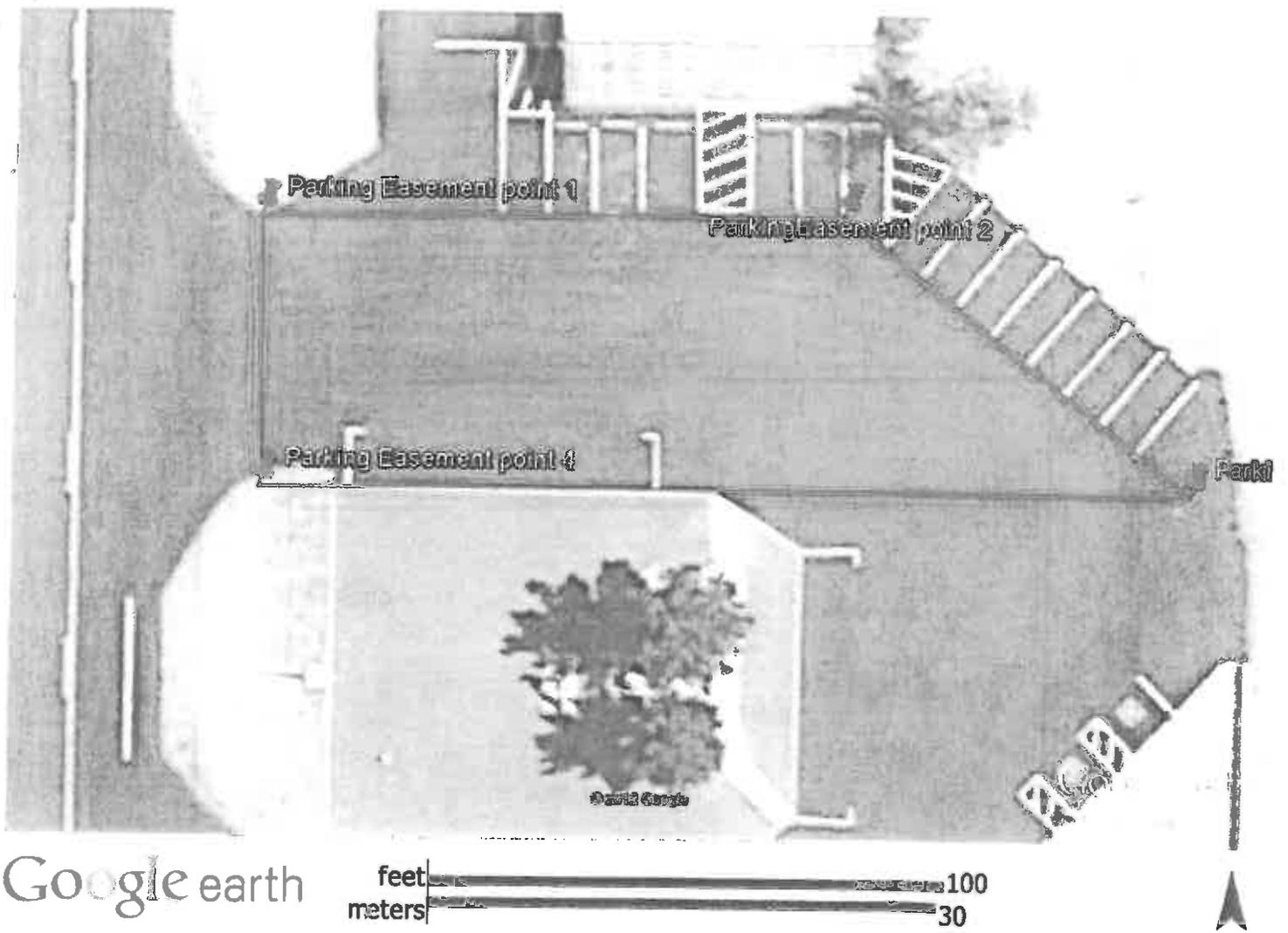
## Driveway Easement Description Legal Description

Commencing from Point 1 (Lat. 32 16'20.72"N, Long. 109 50'28.68"W)  
Hence from Point 1 continue East 112.8 feet at 89.66 degrees to Point 2

Hence from Point 2 (Lat. 32 16'20.72"N, Long. 109 50'27.36"W) continue Southeast 86.22  
feet at 128.11 degrees to point 3

Hence from Point 3 (Lat. 32 16'20.20"N, Long. 109 50'26.57"W) continue West 181.16 feet at  
270.06 degrees to Point 4

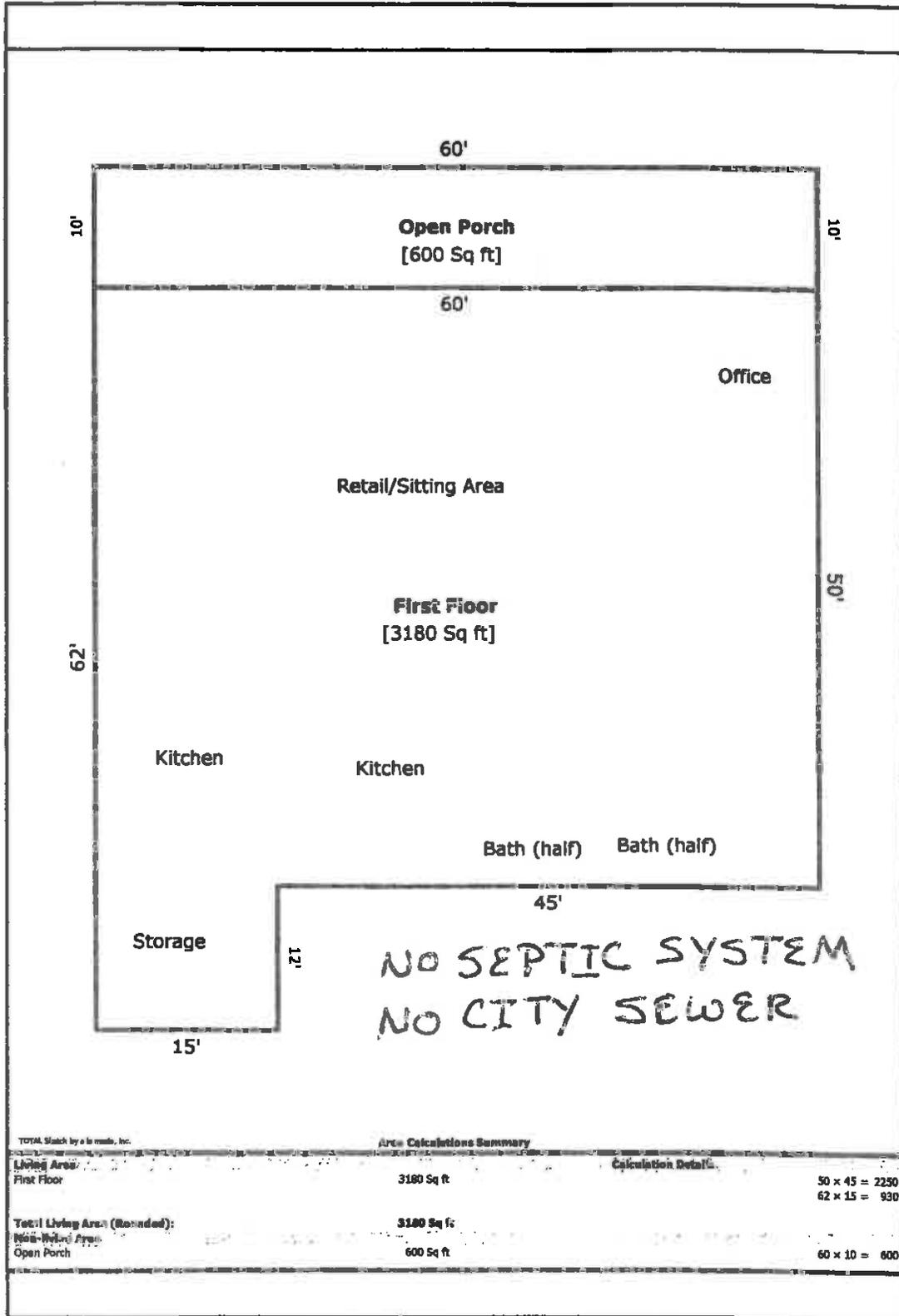
Hence from Point 4 (Lat. 32 16'20.20"N, Long. 109 50'28.68"W) continue North 52.63 feet at  
359.52 degrees to Point 1



Driveway Easement

### Building Sketch

Borrower/Client	City of Willcox				
Property Address	1510 N Circle I Rd				
City	Willcox	County	Cochise	State	AZ
Lender	City of Willcox			Zip Code	85643

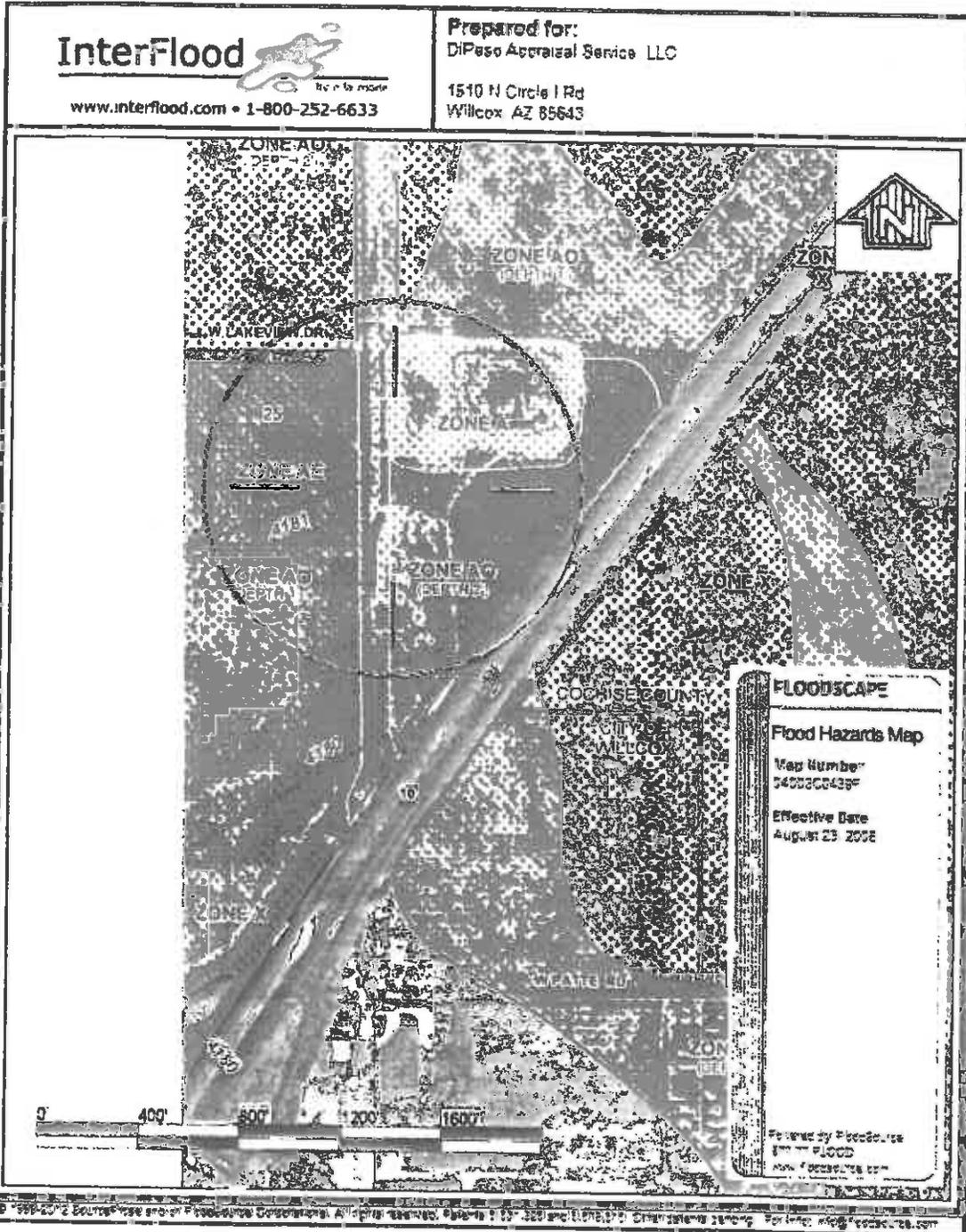


TOTAL Sketch by a la mode, Inc.		Area Calculations Summary	
Living Area:		Calculation Details:	
First Floor	3180 Sq ft		50 x 45 = 2250
			62 x 15 = 930
<b>Total Living Area (Rounded):</b>	<b>3180 Sq ft</b>		
Non-Living Area:			
Open Porch	600 Sq ft		60 x 10 = 600

14

# Flood Map

Borrower/Client:	City of Willcox				
Property Address:	1510 N Circle I Rd				
City:	Willcox	County:	Cochise	State:	AZ
Lender:	City of Willcox	Zip Code:	85643		





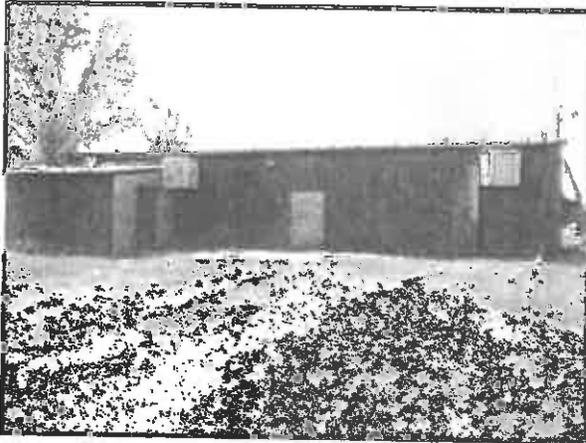
# Subject Photo Page

Borrower/Client	City of Willcox						
Property Address	1510 N Circle I Rd						
City	Willcox	County	Cochise	State	AZ	Zip Code	85643
Lender	City of Willcox						

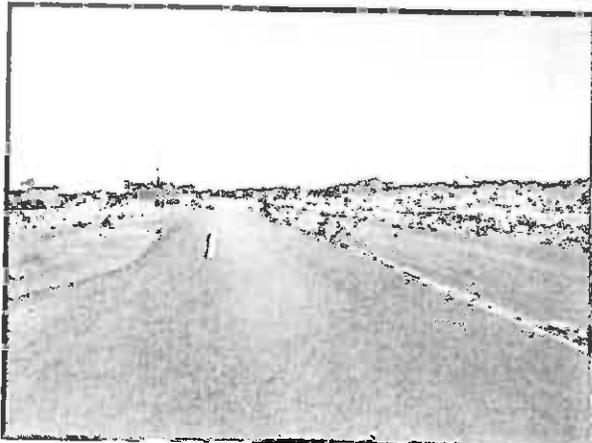


## Subject Front

1510 N Circle I Rd  
Sales Price 0  
Gross Building Area 3,180  
Age 1985



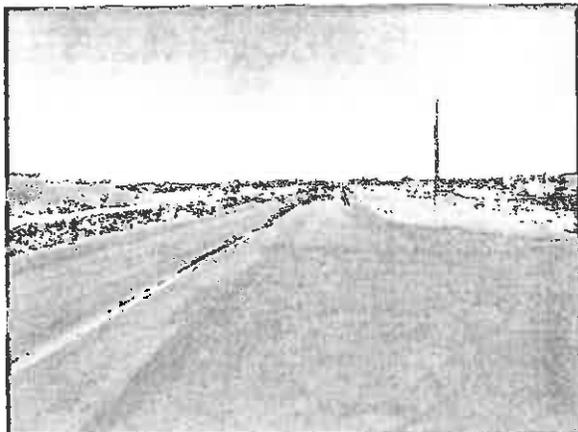
## Subject Rear



## Subject Street

### Subject Photo Page

Borrower/Client	City of Willcox				
Property Address	1510 N Circle I Rd				
City	Willcox	County	Cochise	State	AZ Zip Code 85643
Lender	City of Willcox				



### Subject Street

1510 N Circle I Rd  
 Sales Price 0  
 Gross Building Area 3,180  
 Age 1885



### Subject Side



### Subject Side

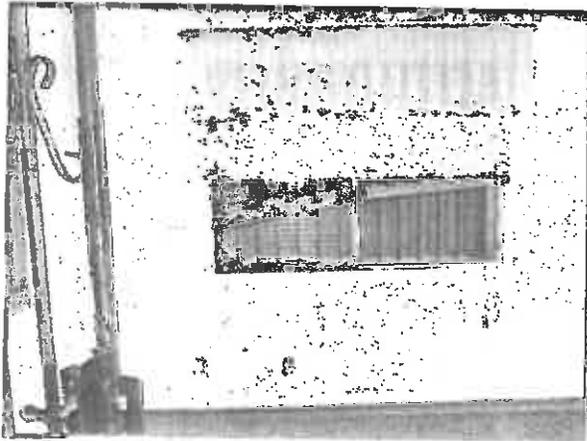
### Subject Photo Page

Borrower/Client	City of Willcox				
Property Address	1510 N Circle I Rd				
City	Willcox	County	Cochise	State	AZ
Lender	City of Willcox	Zip Code	85643		

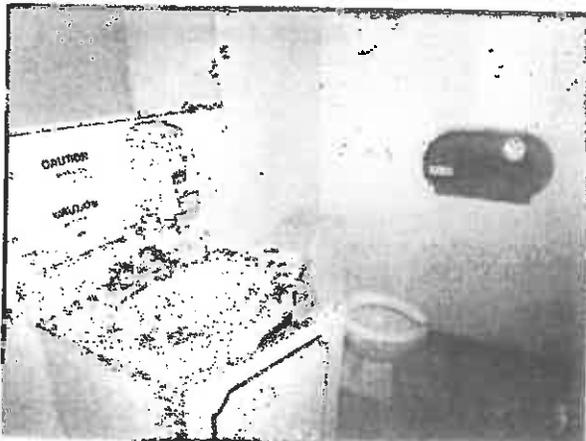


#### Subject Retail Area

1510 N Circle I Rd  
 Sales Price 0  
 Gross Building Area 3,180  
 Age 1985



#### Subject Office



#### Subject 1/2 Bath

### Subject Photo Page

Borrower/Client	City of Willcox		
Property Address	1510 N Circle I Rd		
City	Willcox	County	Cochise
Lender	City of Willcox	State	AZ
		Zip Code	85643



**Subject 1/2 Bath**

1510 N Circle I Rd  
Sales Price 0  
Gross Building Area 3,180  
Age 1985



**Subject Kitchen Area**



**Subject Kitchen Area**

**CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item 12  
Tab Number 6  
Date: 10/1/12

**Date Requested:**  
9/25/12

Resolution  
 Ordinance  
 Formal  
 Other

**Subject: Approval to spend USDA Grant funds to purchase a loss prevention detection system for the Library.**

**TO: HONORABLE MAYOR AND COUNCIL**

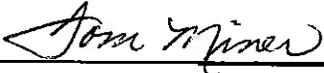
**FROM:** Tom Miner, Library Director

**DISCUSSION:** As one of the five elements of our 2010-approved USDA-RDA Grant, \$22,000 was allotted to install a security camera surveillance system and loss prevention detection system. The security camera system was previously purchased and is presently being installed. \$19,000 was the allotted portion of the loss prevention and detection system. We come to you tonight seeking approval to spend \$14,932.79 to purchase that system. The remaining funds available will be used to hire a local electrical contractor to install it. The other quotes we obtained from our Library-supplier sources were way beyond our total budget range.

**RECOMMENDATION:** The City Council approve the expenditure of our allotted USDA-RDA Grant funds. This purchase is in compliance with the City Purchasing Policy.

**FISCAL IMPACTS:** None

Submitted by:

  
\_\_\_\_\_

Tom Miner, Library Director

Approved by:

  
\_\_\_\_\_

Pat McCourt, City Manager



PRICE QUOTATIONS

Name: Video Store Shopper	Amount \$14,932.79	
Location Simi Valley, CA	Date 4/13/12	Phone 800-325-6867
Comments		
Total amount includes 3 single and 2 double-corridor units, 32,000 RFID tags; tax, & S&H.		

Name: Brodart Library Supplies & Furnishings	Amount \$22,544.64	
Location McElhattan, PA	Date 4/13/12	Phone 888-820-4377
Comments		
Over Budget! Grant only allows \$19,000 for this element, and \$3,000 for Scty Camera install		

Name: Highsmith Library Products	Amount \$30,000.00	
Location Madison, WI	Date 4/13/12	Phone 800-558-2110
Comments		
Way over budget! Single corridor units start @ \$4170 and go much higher. Re: Cat. pgs 64-7		

PRICE QUOTATIONS

Name: The Library Store, Inc. Amount \$55,000.00 est.  
Location Tremont, IL Date 4/13/12 Phone 800-548-7204  
Comments \_\_\_\_\_  
\_\_\_\_\_  
Single units start @ \$8,068; dbls @ \$12,014=\$47,376 + RFID tags=\$4,128 + tax + S&H  
\_\_\_\_\_

Name: DEMCO, Inc Amount (Call for a quote)  
Location Madison, WI Date 4/13/12 Phone 800-697-9473  
Comments \_\_\_\_\_  
\_\_\_\_\_  
This company would not even list their prices in their own catalog! RFID tags=\$4,128+tax/SH  
\_\_\_\_\_

Name: \_\_\_\_\_ Amount \_\_\_\_\_  
Location \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_  
Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## NOTICE OF EXECUTIVE SESSION

### CITY COUNCIL

In accordance with Resolution No. 370 of the City of Willcox, and Section 38-431.01 of the Arizona Revised Statutes **NOTICE IS HEREBY GIVEN** that the **MAYOR AND COUNCIL** of the City of Willcox, County of Cochise, Arizona, will hold an **EXECUTIVE SESSION**, if approved, during the **REGULAR** meeting on **MONDAY**, the **1st** day of **October 2012** at **7:00 p.m.**, in the **CITY COUNCIL CHAMBERS, 300 W. REX ALLEN DRIVE, Willcox, AZ**

Item for Consideration and Discussion are:

#### **THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY**

**A.R.S. §38.431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY,**  
 Consideration and/or discussion regarding consultation for legal advice with the Attorney or Attorney's of the public body.

**DATED AND POSTED this 27<sup>th</sup> day of September 2012, at 3:00 P.M.**

**CITY OF WILLCOX, ARIZONA**

**/s/ Virginia A. Mefford**  
**City Clerk Virginia A. Mefford**

***"Mine, Yours, Ours"***

**CITY OF WILLCOX  
EXECUTIVE SESSION**

**AGENDA**

**MONDAY, October 1, 2012**

**7:00 p.m.**

**300 W. REX ALLEN DRIVE**

**Willcox, Arizona**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSIDERATION PURSUANT TO ARIZONA REVISED STATUTES §38-431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY REGARDING THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY**  
Consideration and/or discussion pursuant to Arizona Revised Statutes §38-431.03(A)(3), as stated relating to consultation for legal advice with the attorney(s) of the public body regarding the purchase, sale, or lease of real property.
- 4. ADJOURN**

***"Mine, Yours, Ours"***