

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

**Monday, November 5, 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- 89  
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** **Tab 1**  
**Regular Meeting-** June 4, 2012, September 4, 2012, September 17, October 1, 2012, and October 15, 2012  
**Work Session-** Joint Work Session January 9, 2012, September 17, 2012, October 1, 2012 and October 15, 2012
- 8 DISCUSSION/DECISION REGARDING THE WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE REQUEST FEES TO BE WAIVED FOR THE USE OF THE COMMUNITY CENTER FOR THE APPLE FESTIVAL ON WEDNESDAY, NOVEMBER 28, 2012 THROUGH SATURDAY DECEMBER 1, 2012.** **Tab 2**  
Consideration, discussion and/or decision regarding The Willcox Chamber Of Commerce and Agriculture request fees to be waived for the use of the Community Center for the Apple Festival On Wednesday, November 28, 2012 through Saturday December 1, 2012.
- 9. DISCUSSION/DECISION REGARDING WILLCOX CHAMBER OF COMMERCE & AGRICULTURE'S REQUEST TO WAIVE THE REQUIREMENTS FOR ALL VENDORS TO HAVE INDIVIDUAL PERMITS FOR THE ANNUAL CHRISTMAS APPLE FESTIVAL FROM WEDNESDAY, NOVEMBER 28, 2012 THROUGH SATURDAY, DECEMBER 1, 2012.** **Tab 3**  
Consideration, discussion and/or decision regarding Willcox Chamber Of Commerce & Agriculture's request to waive the requirements for all vendors to have individual permits for the annual Christmas Apple Festival from Wednesday, November 28, 2012 through Saturday, December 1, 2012.
- 10. PRESENTATION/DISCUSSION REGARDING THE WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE REQUEST FOR A STREET CLOSURE FROM RAILROAD AVENUE AND HASKELL TO MALEY STREET FOR A CHRISTMAS LIGHTED PARADE ON SATURDAY, DECEMBER 1, 2012 FROM 4:30 PM - 9:00 PM** **Tab 4**  
Consideration, discussion and/or decision regarding the Willcox chamber of Commerce and Agriculture request for a street closure from Railroad Avenue and Haskell to Maley Street for a Christmas lighted parade on Saturday, December 1, 2012 from 4:30pm - 9:00 pm.
- 11. DISCUSSION BY COUNCIL REGARDING THE REQUEST BY MR. NIX TO USE THE ALLEY BEHIND HIS PROPERTY IN IRONWOOD ESTATES.** **Tab 5**  
Consideration, discussion by Council regarding the request by Mr. Nix to use the alley behind his property in Ironwood estates.
- 12. DISCUSSION/ DECISION REGARDING ACCEPT LETTER OF RESIGNATION FROM RAEANN KIESLING FROM THE PARKS AND RECREATION COMMITTEE.** **Tab 6**  
Consideration, discussion and/or decision regarding accept letter of resignation from RaeAnn Kiesling from The Parks and Recreation Committee.
- 13. DISCUSSION/DECISION/DIRECTION REGARDING REVIEW REQUEST FROM THE WILLCOX HISTORICAL THEATER PRESERVATION INC. FOR FUNDING ASSISTANCE** **Tab 7**  
Consideration, discussion/decision/direction regarding Review Request from the Willcox Historical Theater Preservation Inc. for funding assistance.
- 14. DISCUSSION REGARDING INFORMATION CONCERNING A SALES TAX REFUND** **Tab 8**  
Consideration, discussion regarding information concerning a sales tax refund.
- 15. PRESENTATION/DIRECTION/DECISION REGARDING INDIRECT COST FORMULA FOR PAYMENT TO THE GENERAL FUND FROM THE ENTERPRISE FUNDS FOR FY 14.** **Tab 9**  
Consideration, discussion, and/or direction regarding to accept the Indirect Cost Formula for payment to the General Fund from the Enterprise Funds for FY14.

16. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-83 THE OPERATIONAL AGENCY AGREEMENTS WITH BP ENERGY COMPANY; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST.** Tab 10  
 Consideration, discussion and/or direction regarding resolution NO. 2012-83 the operational agency agreement with BP Energy Company; directing authorized city officers and agents to carry out the purposes and intent of this resolution.
17. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-84 THE BP ENERGY COMPANY PHYSICAL GAS TRANSACTION CONFIRMATION FOR IMMEDIATE DELIVERY NO. 9410309, DATED OCTOBER 24, 2012; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST.** Tab 11  
 Consideration, discussion/decision regarding Resolution NO. 2011-84 approving the BP energy company physical gas transaction confirmation for immediate delivery no. 9410309, dated October 24, 2012; directing authorized city officers and agents to carry out the purposes and intent of this resolution
18. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-85 FOR THE PURPOSE OF APPROVING AND AUTHORIZING AN OPTION FROM AMONG TWO OPTIONS RELATED TO CITY EMPLOYEES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 12  
 Consideration, discussion and/or decision regarding Resolution No. 2012-85 as started above, regarding Employee Appreciation Awards.
19. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-86 APPROVING THE CONTRACT AWARD TO WILSON ENGINEERS, LLC (“ENGINEER”) FOR DESIGN AND ENGINEERING SERVICES FOR RECONSTRUCTION OF THE 0.6 MGD WASTEWATER TREATMENT SYSTEM FACILITIES; APPROVING AND DIRECTING AUTHORIZED CITY OFFICERS, AGENTS AND CITY STAFF TO FINALIZE THE CONTRACT; AND THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR OTHER RELATED MATTERS; AND DECLARING AN EMERGENCY** Tab 13  
 Consideration, discussion/decision regarding Resolution NO. 2012-86 approving the contract award to Wilson Engineers, LLC (“Engineer”) for design and engineering services for reconstruction of the 0.6 MGB wastewater treatment system facilities; approving and directing authorized city officers, agents and city staff to finalize the contract.
20. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-87 APPROVING THE PURCHASE OF A NATURAL GAS BACKUP POWER SYSTEM FOR WELL NUMBER THREE IN THE CITY OF WILLCOX WATER SYSTEM FROM BILL’S PUMP SERVICE; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST.** Tab 14  
 Consideration, discussion/decision regarding Resolution NO. 2012-87 approving the purchase of a natural gas backup power system for well number three in the city of Willcox water system from bill's pump service; directing authorized city officers and agents to carry out the purposes and intent of this resolution
21. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-88 APPROVING AND ADOPTING AN NEW JOB DESCRIPTION FOR THE POSITION OF PROGRAM COORDINATOR PURSUANT TO SECTION 208 OF THE EMPLOYEE HANDBOOK AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 15  
 Consideration, discussion and/or decision regarding Resolution NO.2012-88 as stated, approving and adopting a new job description for the position of Program Coordinator pursuant to section 208 of the Employee Handbook

**22. CITY MANAGER REPORTS**

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

- **Update** – on Title 11 process.
- **Update-** on Desert Inn Motel **City Hall Closed-** November 12, 2012 observance of Veterans day
- **City Hall Closed-** November 22 & 23, 2012 for Thanksgiving
- **Land Sale** – Closes on November 9, 2012
- **Veteran Parade-** on Monday, November 12, 2012 at 10:00 am
- **Mayor/Manager Luncheon-** November 15, 2012 at 12:00 pm at Manda Le Restaurant in Sierra Vista
- **Special Work Session-** Capital expense needs for Water System & Solid Waste Monday, November 26, 2012 at 6:30 pm.
- **Apple Festival-** November 28 –December 1, 2012 at the Community Center
- **Employee Appreciation Potluck-** December 6, 2012 from 11:00 am-1:00 pm.
- **Work Session-** Monday December 10, 2012 for Sewer System

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

**24. 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 16  
 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.

**25. RECESS TO EXECUTIVE SESSION, IF APPROVED**

**26. RECONVENE FROM EXECUTIVE SESSION**

**27. 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.

**28. ADJOURN**

\*\*\*\*\*  
**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.