

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 3RD DAY OF DECEMBER 2012**

CALL TO ORDER- Mayor Bob Irvin called the regular meeting to order on Monday, December 3, 2012 at 7:00 p.m. and welcomed everyone in attendance

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

PRESENT

Mayor Robert A. Irvin
~~Vice Mayor 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

ABSENT

Vice Mayor Bill Holloway

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA

MOTION: Councilwoman Cronberg moved to adopt the agenda as presented and remove item 8A-D and 15-18.

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

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Public Hearings: The Mayor and Council will hold a public hearing at the regular meeting on Monday, December 3, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive on:

1. Application for Bingo License by the Willcox Benevolent and Protective Order of Elks 247 E. Stewart Street Willcox, AZ 85643. Open 7:05 no public commit Closed at 7:06 pm

8A MINUTES OF PREVIOUS MEETINGS

~~Minutes approve on consent agenda.~~

~~8B. Regular Meeting- November 5, 2012 and November 19, 2012~~

~~8C. Work Session- October 22, 2012~~

~~8D. Special Meeting- November 13, 2012~~

REPORT UPDATE REGARDING ON BURGLARY AT THE ELSIE S. HOGAN COMMUNITY LIBRARY:

DISCUSSION: Mr. Minor Director of Library and read his letter that was in the Council Packet explaining the updates of the Burglary at the Elsie S. Hogan Community Library. Mayor thanked Mr. Minor for his update.

DISCUSSION/DECISION REGARDING CITY ACTING AS THE FISCAL AGENT FOR GRANT APPLICATION FOR CHAMBER, WINGS OVER WILLCOX, AND STEPHAN FAIRFIELD APPLICATION FROM FOUNDATION

MOTION: Councilman Johnson moved to approve the City acting as the Fiscal Agent for grant application for Chamber, Wings over Willcox, and Stephan Fairfield application from foundation

SECONDED: Councilwoman Cronberg **DISCUSSION:** City Manager McCourt explained he was approached to act as the grant writer for this grant as the other entities do not qualify to submit this application. Councilwoman Cronberg asked if anyone is handling grants. City Manager McCourt stated not at this time and introduced Mr. Stephan Fairfield. Mr. Fairfield gave a brief

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bio of himself by saying; I am an art sculptor and have many sculptures around the country. He stated: would like to grow year round visitors to see the Sand Hill Cranes. Councilman Lindsey asked if the City would have any liability if this is not delivered. Mr. Fairfield stated they would not and he has done this with other cities. **CARRIED**

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.

MOTION: Councilman Lindsey moved to approve the 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

SECONDED: Councilman Goolsby **DISCUSSION:** Councilman Nigh asked: is this truly used for only emergency purpose only? I propose using propane and maybe think about this, even though this was not presented. Councilman Lindsey explained propane is more costly. Councilman Johnson stated this has been brought back like four times to council it seems like the Public Works Department would be spending more money each time we have turned it down; regardless, it is a need or a want and When was the last time we needed electricity or water in an emergency situation? I can't see us spending this kind of money. Councilman Lindsey stated if we truly want a bank up system this would be what we need, looking at natural gas is cheaper at this time; I myself have voted against this, but it is one of those things that it gives us an option at this time. Councilman Johnson stated this is approving a back up system; we may or may not need this. Mr. Bonner stated we did look at a generator but the original proposed one was too small and the cost was about the same as this one. No one can guess when we would run out of electricity or water but if we don't have something in place, someone will knock on my door after knocking your door and ask why we don't have something in place. Councilman Johnson stated we should buy local and not out of town; again is this need or want. Councilman Goolsby stated on the defense of Mr. Bonner this was asked to be brought back to Council as soon as possible. **AYES:** Mayor Irvin, Councilman Lindsey, Councilman Goolsby **NAYS:** Councilwoman Cronberg, Councilman Johnson, Councilman Nigh 3 to 3. **FAILED**

DISCUSSION/DECISION REGARDING AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, GRANTING TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC., AN ARIZONA CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC ENERGY TRANSMISSION AND DISTRIBUTION SYSTEM WITHIN THE PUBLIC RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE CITY OF WILLCOX; PRESCRIBING CERTAIN RIGHTS, DUTIES, TERMS AND CONDITIONS; PROVIDING FOR THE SUBMISSION HEREOF TO THE ELECTORS FOR THEIR APPROVAL; AND DECLARING AN EMERGENCY.

MOTION: Councilman Johnson moved to approve the Ordinance of the Mayor and Council of the City Of Willcox, Arizona, granting to Sulphur Springs Valley Electric Cooperative, Inc., an Arizona Corporation, its successors and assigns, the right, privilege and franchise to construct, maintain and operate an electric energy transmission and distribution system within the Public Rights-of-Way within the corporate limits of the City Of Willcox; prescribing certain rights, duties, terms and conditions. **SECONDED:** Councilman Lindsey **DISCUSSION:** City Attorney Roberts explained this was published with the franchise agreement that was approved by the voters and now we need the ordinance approve by council. **CARRIED**

CITY MANAGER REPORTS

The City Manager Mr. McCourt thanked the Council for letting him attend the ICMA conference.

- **Chamber of Commerce Annual Meeting-** December 4, 2012 at the Kiva Room at 6:30 pm.
- **Employee Appreciation Potluck-** December 6, 2012 from 11:00 am-1:00 pm.
- **Work Session-** Monday December 10, 2012 for Sewer System at 6:30 pm
- **Toys for Tots-** Deadline for pick up will be December 15, 2012 at various places around town (local event)
- **Reminder -** City Hall Closed Half day on December 24 and Closed December 25, 2012 in observance of Christmas
- **Reminder-** City Hall Closed Half day on December 31 and Closed January 1, 2013 in observance of New Years day
- **Update-** on Industrial Park Sale this was presented to the Planning and Zoning Committee.

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- **Wings Over Willcox Bird Watching-** January 17-20, 2013 please contact the Chamber of Commerce as soon as possible for tickets.
- **Report on Financial Disclosure Statements Due-**this report is due from every Council person seated as of December 31st of each year. The Council members must complete the Financial Disclosure Statement for the preceding year (2012) on or before January 31, 2013.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilwoman Cronberg: I have been approached by several people regarding the Burned down building.

Councilman Johnson: Christmas lighted parade and Apple Festival was a success.

Councilman Nigh: Attended the Planning and Zoning Meeting was disappointed the way this was handled and I would have liked to see more advertisement on the sale of property.

Mayor Irvin: Asked if the commercial property will be in the packet

**~~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~~**

~~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.~~

~~RECESS TO EXECUTIVE SESSION, IF APPROVED~~

~~RECONVENE FROM EXECUTIVE SESSION~~

~~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.~~

ADJOURN

Being no further business before the Mayor and Council Mayor Irvin adjourned at 7: 45 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 3rd day of December 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 3rd day of December 2012

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 7th day of January 2013.

MAYOR ROBERT A IRVIN

Signed _____

ATTEST:

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City Clerk Virginia A. Mefford

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