

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 17<sup>th</sup> DAY OF DECEMBER 2012**

**CALL TO ORDER**- Mayor Bob Irvin called the regular meeting to order on Monday, December 17, 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

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

**DECLARATION ON CONFLICT OF INTEREST**

None Declared

**ADOPTION OF THE AGENDA**

**MOTION:** Vice Mayor Holloway moved to approve the agenda as presented.

**SECONDED:** Councilman Lindsey 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:

**Public Hearings:** The Mayor and Council will hold a public hearing at the regular meeting on Monday, December 17, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive on:

1. 2<sup>nd</sup> Reading on Application for Bingo License by the Willcox Benevolent and Protective Order of Elks 247 E. Stewart Street Willcox, AZ 85643 **OPEN:** 7:04 pm **DISCUSSION:** None **CLOSED:** 7:05 pm.
2. 1<sup>st</sup> Reading on Liquor Licensed Series #10 for Dollar General Store #6599 new license **OPEN:** 7:05 pm **CLOSED:** 7:06 pm

**CONSENT AGENDA**

**MOTION:** Vice Mayor Holloway moved to approve the consent agenda as presented with corrections on minutes recommended by Councilwoman Cronberg.

**SECONDED:** Councilwoman Cronberg **CARRIED**

**8A MINUTES OF PREVIOUS MEETINGS**

Minutes approve on consent agenda with corrections.

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

8C. Work Session- October 22, 2012

8D. Special Meeting- November 13, 2012

**DISCUSSION/DECISION REGARDING REQUEST FROM WILLCOX BENEVOLENT AND PROTECTIVE ORDER OF ELKS  
TO SUBMIT APPLICATION FOR BINGO  
LICENSE AT THE ELKS CLUB**

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**MOTION:** Councilman Johnson moved to approve the request from Willcox Benevolent and Protective Order of Elks to submit an application for Bingo License at the Elks Club.

**SECONDED:** Councilwoman Cronberg **CARRIED**

**PRESENTATION OF THE ANNUAL GAS LIAISON REPORT**

**Presentation by:** John Bowen stated this Gas Liaison report is mandatory and has to be done once a year and gave examples of Natural gas Emergencies of Main or Service Line ruptures/leak, vandalism, natural disaster, odor Complaints and carbon monoxide, these are taken very seriously, also High or low usage. If a gas main is hit or nicked please contact the City for inspection. Emergency chain of command we do have a first responder utility worker, Utility supervisor, Director of Public Works someone is always in control of this. City Agency Assistance: Willcox Volunteer Fire Department, WPD, and Streets, Parks and Recreation. A card is given to the public with questions on what to do if you smell Natural Gas or suspect a leak inside a building. They are instructed to call 911, City Hall, or Public Works. Outside it is the same procedure as inside. AZ Blue Stake Law cal 811 it is a free service. The City conducts an Annual Leak Survey for the protection of the public.

**DISCUSSION/DECISION REGARDING THE FISCAL YEAR 2012 ANNUAL AUDIT, SINGLE AUDIT, AELR AND FINDINGS & RECOMMENDATIONS**

**MOTION:** Councilman Lindsey moved to approve the request of the Fiscal Year 2012 Annual Audit, Single audit, AELR and Findings & Recommendations

**SECONDED:** Councilwoman Cronberg

**DISCUSSION:** Robin from the Auditor's office explained the results on the audit reports that were given in the Council Packets. She gave the Highlights in each fund financial. She gave 5 year analysis and stated it has decreased in the last 5 years. The General Fund Cash Balance holds steady. Revenue and Expenditure normally break even. The gas fund operation margin is very good. Water fund operation expenses show very good margins. The Cash balance is very good. Sewer Fund is doing well and cash balance is doing well as well. Operation Revenues and operating expenses are doing very well with the rate increase has helped scientifically. **CARRIED**

**DISCUSSION/DECISION REGARDING REQUEST BY MR. NIX TO ABANDON ALLEY BEHIND HIS HOUSE (141 S IRONWOOD LN) AND CREATE EASEMENT SO THAT HE MAY BUILD A FENCE ACROSS EASEMENT**

**MOTION:** Vice Mayor Holloway moved to not approve the request by Mr. Nix to abandon alley behind his house (141 S. Ironwood Ln) and create easement so that he may build a fence across easement.

**SECONDED:** Councilman Goolsby

**DISCUSSION:** Councilwoman Cronberg asked the City to explain to the public to understand why the Council was voting on this. City Manager McCourt explained the Planning & Zoning Committee had voted it would be in the best interest to the City to recommend not abandon the right a-way. **CARRIED**

**DISCUSSION/DECISION REGARDING APPROVING COLLABORATION BETWEEN ESH LIBRARY AND CHICANOS POR LA CAUSA, INC AND ITS HEAD START PROGRAM**

**MOTION:** Councilman Lindsey moved to approve the request collaboration between ESH Library And Chicanos Por La Causa, Inc and its Head Start Program

**SECONDED:** Councilwoman Cronberg

**DISCUSSION:** City Manager McCourt explained it has been ongoing collaboration for years and years with the City and Chicanos Por La Causa. **CARRIED**

**DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2012-97 THE CONTINUES EMPLOYMENT OF JOHN P. GREGG, ESQ., OF MILLER, BALIS & O'NEIL, P.C., ON BEHALF OF THE CITY OF WILLCOX, IN THEIR PARTICIPATION IN THE EL PASO MUNICIPAL CUSTOMER GROUP; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST**

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**MOTION:** Councilwoman Cronberg moved to approve Resolution No. 2012-97 the continued employment of John P. Gregg, ESQ, of Miller, Balis, & O'Neal, P.C., on behalf of the City of Willcox, in their participation in the El Paso Municipal customer group.

**SECONDED:** Councilman Lindsey

**DISCUSSION:** Councilman Lindsey asked a question, but stated I think I figured it out; it should probably be \$435 per house it probably is per hour not per house. Ms. Graham stated yes that is correct. **CARRIED**

**DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2012-98 APPROVING AND ADOPTING THE "2012 AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT TWIN LAKE GOLF COURSE" BETWEEN THE CITY OF WILLCOX ["LESSOR"] AND JASON JONES AND CARRIE JONES D.B.A. JNC VENTURES, L.L.C. AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE 2012 AMENDMENT AND DECLARING AN EMERGENCY TO EXIST**

**MOTION:** Councilman Johnson moved to approve Resolution No. 2012-97 approving and adopting the "2012 amendment to the professional services agreement Twin Lake Golf Course between the City of Willcox ["Lessor"] and Jason Jones

and Carrie Jones D.B.A. JNC Ventures, L.L.C.

**SECONDED:** Councilwoman Cronberg

**DISCUSSION:** Councilman Johnson asked Mr. Jones if he agreed with this. Mr. Jones stated Yes, I do. Councilwoman Cronberg stated this has been a lot of work I am glad this has worked out. Mr. Jones stated it will help immensely; this is a huge step to helping. **CARRIED**

**CITY MANAGER REPORTS**

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

- **City Manager Vacation-** December, half day on 20<sup>th</sup> and gone through the 28, 2012 and January 25-29, 2013; Chief Weaver will be covering while City Manager is out of town.
- **City Hall Closed-** Half day on December 24 and Closed December 25, 2012 in observance of Christmas
- **City Hall Closed-** Half day on December 31 and Closed January 1, 2013 in observance of New Years
- **Wings Over Willcox-** January 17-20, 2013
- **Report on Next Regular Meeting Date-** on the 2<sup>nd</sup> regular meeting this will be a special meeting on Tuesday, January 22, 2013 due to Martin Luther King Holiday on Monday, January 21, 2013.  
City Manager reported on City hall he informed the council we were broken in to Thursday night and there was more damage than anything stolen. The cash drawer was broke into and an old laptop was taken.

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

Councilman Goolsby stated not to be dark but wanted to give the recent shooting in Connecticut our thoughts and prayers Councilwoman Cronberg stated I want to also say as Councilman Goolsby just said my heart is just full for all of them. Please try to find peace and joy.

Vice Mayor Holloway stated I cannot imagine this happening we do need to find peace in our hearts and remember the season and be thankful of that.

Councilman Lindsey stated it could happen anywhere we have had a case of this a year or so ago there were no fatalities but there should be some mechanism to detect the mentally ill.

Councilman Johnson stated I would like to wish everyone Happy Holidays.

Councilman Nigh stated I may offend some people with this but, with the no guns rule on school campus I feel something should be done about that, in which to be able to defend yourself from the nut jobs out there.

**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**

**MOTION:** Councilman Lindsey moved to enter into an Executive Session pursuant to ARS §38-431.03A (1) and (3), as stated, relating to consultation for legal advice with the

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attorney(s) of the public body regarding the purchase, sale, or lease of real property. **SECOND:** Vice Mayor Holloway  
**CARRIED**

**RECESS TO EXECUTIVE SESSION, IF APPROVED** at 7:55 pm

**RECONVENE FROM EXECUTIVE SESSION** at 8:26 pm

**DISCUSSION/DECISION/DIRECTION REGARDING THE SALE OF CITY INDUSTRIAL PARK (PARCEL#203-37-009A  
AND B) PROPERTY**

**MOTION:** Vice Mayor Holloway moved to approve the bid process and the minimum bid be determine on the next motion for the sale of City Industrial Park (Parcel#203-37-009 and B) Property

**SECONDED:** Councilwoman Cronberg **CARRIED**

**MOTION:** Councilman Lindsey moved to have a minimum bid establish for the sale of the City Industrial Park **SECOND:**  
Councilwoman Cronberg **CARRIED**

**ADJOURN:** With no further discussion meeting adjourned at 8:28 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 17<sup>th</sup> day of December 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 17<sup>th</sup> day of December 2012**

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

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of February 2013.

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

Signed \_\_\_\_\_

ATTEST:

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