

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

Monday, December 17, 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- 99

Ordinance NS313

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. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Tab 1

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. 2nd Reading on Application for Bingo License by the Willcox Benevolent and Protective Order of Elks 247 E. Stewart Street Willcox, AZ 85643.
2. 1st Reading on Liquor Licensed Series #10 for Dollar General Store #6599 new license.

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643

8. 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.

8A. MINUTES OF PREVIOUS MEETINGS

Tab 2

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

8C. Work Session- October 22, 2012

8D. Special Meeting- November 13, 2012

9. DISCUSSION/DECISION REGARDING REQUEST FROM WILLCOX BENEVOLENT AND PROTECTIVE ORDER OF ELKS TO SUBMIT APPLICATION FOR BINGO LICENSE AT THE ELKS CLUB **Tab 3**

Consideration, discussion and/or decision regarding the request from Willcox Benevolent and Protective Order of Elks to submit an application for Bingo License at the Elks Club.

10. PRESENTATION OF THE ANNUAL GAS LIAISON REPORT **Tab 4**

11. DISCUSSION/DECISION REGARDING THE FISCAL YEAR 2012 ANNUAL AUDIT, SINGLE AUDIT, AELR AND FINDINGS & RECOMMENDATIONS **Tab 5**

Consideration, discussion/decision regarding the Fiscal Year 2012 Annual Audit, Single audit, AELR and Findings & Recommendations

12. 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 **Tab 6**

Consideration, discussion 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.

13. DISCUSSION/DECISION REGARDING APPROVING COLLABORATION BETWEEN ESH LIBRARY AND CHICANOS POR LA CAUSA, INC AND ITS HEAD START PROGRAM. **Tab 7**

Consideration, discussion and/or decision approving collaboration between ESH Library And Chicanos Por La Causa, Inc and its Head Start Program

14. DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2012-97 THE CONTINUED 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 **Tab 8**

Consideration, discussion and/or decision approving 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.

15. DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2012-98 APPROVING AND ADOPTING Tab 9 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

Consideration, discussion and/or decision regarding approving 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.

16. CITY MANAGER REPORTS

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

- **City Manager Vacation-** December, half day on 20 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 2nd regular meeting this will be a special meeting on Tuesday, January 22, 2013 due to Martin Luther King Holiday on Monday, January 21, 2013.

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

18. DISCUSSION/DECISION ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED Tab 10 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 consultation for legal advice with the attorney(s) of the public body regarding the purchase, sale, or lease of real property...

19. RECESS TO EXECUTIVE SESSION, IF APPROVED

20. RECONVENE FROM EXECUTIVE SESSION

21. DISCUSSION/DECISION/DIRECTION REGARDING THE SALE OF CITY INDUSTRIAL PARK Tab 11 (PARCEL#203-37-009A AND B) PROPERTY

Consideration, discussion/decision/direction regarding the sale of City Industrial Park (Parcel#203-37-009 and B) Property

22. 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 .

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.