

CITY OF WILLCOX
MAYOR AND CITY COUNCIL
STATEMENT OF LEGAL ACTIONS
REGULAR MEETING AGENDA
Monday, December 17, 2012 at 7:00 p.m.
City Council Chambers
300 W. Rex Allen Drive
Willcox, AZ

(Mayor or Designee will read only **BOLD** print of each agenda item,
except for Public Hearings, Petitions and Communications.)

1. CALL TO ORDER-Mayor Robert A. Irvin called the regular meeting on Monday, December 17, 2012 to order at 7:00 p.m.

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

PRESENT

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

STAFF

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

3. PLEDGE OF ALLEGIANCE TO THE FLAG- Led by Mayor Robert A. Irvin.

4. CALL TO THE PUBLIC- None

5. DECLARATION ON CONFLICT OF INTEREST- None Declared

6. ADOPTION OF THE AGENDA

It was moved and seconded to adopt the agenda as presented. **CARRIED**

7. 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. 2nd 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. 1st Reading on Liquor Licensed Series #10 for Dollar General Store #6599 new license **OPEN: 7:05 pm CLOSED: 7:06 pm**

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

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

It was moved and seconded to approve the request from Willcox Benevolent and Protective Order of Elks to submit an application for Bingo License at the Elks Club. **CARRIED**

10 PRESENTATION OF THE ANNUAL GAS LIAISON REPORT

Presentation by John Bowen was given on the annual Gas Liaison Report.

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

It was moved and seconded to approve the request of the Fiscal Year 2012 Annual Audit, Single audit, AELR and Findings & Recommendations. **CARRIED**

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

It was moved and seconded to approve 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. **CARRIED**

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

It was moved and seconded to approve to approve the request collaboration between ESH Library And Chicanos Por La Causa, Inc and its Head Start Program. **CARRIED**

14. 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

It was moved and seconded to approve 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. **CARRIED**

15. 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

It was moved and seconded 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. **CARRIED**

16. CITY MANAGER REPORTS

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

- **City Manager Vacation-** December, half day on 20th 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. 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.

17. 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.

18. 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

It was moved and seconded 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. **CARRIED**

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

20. RECONVENE FROM EXECUTIVE SESSION at 8:26 pm

21. DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION

It was moved and seconded to have a minimum bid establish for the sale of the City Industrial Park. **CARRIED**

22. ADJOURN

Being no further business before the Mayor and Council Mayor Irvin adjourned at 8:28 p.m.