

**CITY OF WILLCOX**  
**MAYOR AND CITY COUNCIL**  
**STATEMENT OF LEGAL ACTIONS**  
**REGULAR MEETING AGENDA**  
**Monday, January 7, 2013 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 Bob Irvin called the regular session meeting to order on Monday, January 7, 2013 at 7:01 p.m. and welcomed everyone in attendance

**2. 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 P. Roberts  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Development Services Jeff Stoddard  
Library Director Tom Miner

**ABSENT**

Councilman William "Bill" Nigh excused

**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 and remove item 16-18. **CARRIED**

**7. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**Public Hearings:** The Mayor and Council will hold a public hearing at the regular meeting on Monday, January 7, 2013 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive on:

1. 2<sup>nd</sup> Reading on Liquor License Series #10 for Dollar General Store #6599 new license. **OPEN:** 7:01 pm **CLOSED:** 7:02 pm

**8. PRESENTATION BY CITY ATTORNEY ANN ROBERTS ON OPEN MEETING LAW MOTION DISCUSSION:** City Attorney Ann Roberts presented to the Council Members regarding the Open Meeting Law (OML) and presented handouts to the Council. She went over what to do with e-mails. Ms. Roberts explained her personal preference is not to e-mail when possible because of these may be available as a public request item. Mr. McCourt asked how about Tweeter or other social media. Ms. Roberts stated yes, this also does have the same effect. What happens is how these may get forwarded around and then it may

one day turn into an agenda item. It is on page four on the AG opinion there are four things areas to think about they are: proposing legal action, taking legal action, discussing legal action, and deliberating. Ms. Roberts gave several examples from the OML handouts. Some of the recent changes in OML is voicing opinion to the media, and forthcoming their opinion on another Council Member in a public setting as it creates uneasiness amongst the Council Members. On Call to the Public, you may respond to the Call to the Public in a response of "we will look into that" use common sense and don't engage if not an item on the agenda. Vice Mayor Holloway pointed out on page 3 of the packet given has examples of this topic. Virgie and I have looked at and discussed the agenda format a bit regarding the agenda and we will make a few minor adjustments on the Discussion/Direction/Decision to be more uniform at the beginning.

**9. DISCUSSION AND/OR DECISION/DIRECTION REGARDING THE APPLICATION FOR LIQUOR SERIES #10**

**DOLLAR GENERAL STORE #6599 NEW LICENSE** It was moved and seconded to approve the application for Liquor License Series #10 Dollar General Store #6599, new license. **CARRIED**

**10. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2013-01 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.** It was moved and seconded to approve Resolution NO. 2013-01 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 **CARRIED**

**11. DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2013-02 APPROVING ACCEPTING FROM TODD J. MYERS AND MICHELLE L. MINTA, A DONATION OF TWO HUNDRED DOLLARS TO THE WILLCOX HUMANE SHELTER; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION** It was moved and seconded to approve Resolution No. 2013-02 as stated above, approving and accepting a donation of \$200 to the Willcox Humane Shelter from a private donor. **CARRIED**

**12. DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2013- 03 APPROVING PURCHASES THROUGH MEMBERS OF ITS GOVERNING BODY** It was moved and seconded to approve Resolution NO. 2013-03 approving purchases through members of its governing body. **SECONDED:** Councilwoman Goolsby **DISCUSSION:** City Manger McCourt explained this is in our ordinance even though we don't have any of the councilmember's who exercises this. **CARRIED**

**13. DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2013- 04 APPROVING AND ADOPTING THE "INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING" AGREEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL, "H.G.A.C.Buy", FOR THE PURPOSE OF UTILIZING THE COOPERATIVE PROCUREMENT UNIT TO MAKE PURCHASES FOR THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.** It was moved and seconded to approve Resolution NO. 2013-04 as stated above approving the inter-local contract for cooperative purchasing through HGAC Buy, directing authorized city officers and agents to carry out the purposes and intent of this resolution. **CARRIED**

**CITY MANAGER REPORTS**

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

- **City Manager Jury Duty** – Beginning on January 08, 2013 in Bisbee, AZ
- **Wings Over Willcox-** January 17-20, 2013
- **City Hall Closed-** January 21, 2013 for observance of Martin Luther King Holiday.
- **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 Vacation-** January 25-29, 2013; Chief Weaver will be covering while City Manager is out of town.

- **Financial Reports for Council Members** – These financial reports are due by January 31, 2013 to the City Clerk.
- E-waste collection site- Saturday 12, 2013 at the Community Center.

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

Mayor Irvin reported that Don Ulises is doing very well, he stated, I had this procedure done two years ago and it has worked out quite well for me.

~~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~~

~~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-** with no further discussion at 7:49 pm.