

**THE MINUTES OF THE REGULAR SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 4th DAY OF FEBRUARY 2013**

CALL TO ORDER- Mayor Bob Irvin called the regular session meeting to order on Monday, February 04, 2013, 2013 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 P. Roberts
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard
Library Director Tom Miner

ABSENT

Councilman Earl Goolsby- Excused
Councilwoman Monika Cronberg

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA

MOTION: Councilmember Johnson to adopt the agenda as presented.

SECONDED: Vice Mayor Holloway **CARRIED**

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

1. **Proclamation:** Mayor declares 1st - 3rd February, 2013 as the "Willcox Historical Theater Weekend"

Ms. Rowden accepted the Proclamation on behalf of the Willcox Historical Theater and thanked the Council for all the help they have given the Theater.

PRESENTATION BY JOHN CROPPER FOR THE CITY OF WILLCOX WEBSITE

DISCUSSION: Ms. Graham introduced Mr. Cropper as a volunteer who has helped create the new website from the suggestions of the Directors and what was already established. Mr. Cropper gave a presentation to the Council regarding the new website format and features as a potential design for the City of Willcox. This was created to be a user friendly website for all who may visit it. This website will be able to harvest content from Chamber of Commerce and WREDA to keep readily available information from these sites. Each department will be able to upload and maintain their own pages.

DISCUSSION AND/OR DECISION/DIRECTION REGARDING THE FINANCIAL REPORTS AS OF DECEMBER 31, 2012

DISCUSSION: Ms. Graham presented on the Financial Reports and went over the budget sheet that was handed out in the Council packets. The General fund is in a positive balance after six months. Councilmember Lindsey asked for clarification why in fiscal year 12/13 its projected negative. City Manager McCourt pointed out the staff has been holding down expenditures and that is why we're in the black.

DISCUSSION/DECISION REGARDING THE INVESTMENT REPORTS AS OF DECEMBER 31, 2012

DISCUSSION: Ms. Graham gave a presentation on the investment reports given in the council packets. We lost about \$55,000 with the Lehman Brothers but we have recovered some of that money back. It has consistently run about 1%, and explained that cash basis line basically gives what is coming in and out.

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DISCUSSION/DECISION REGARDING APPROVING WAIVER OF REQUIREMENT FOR THE FRIENDS OF MARTY ROBBINS VENDORS TO HAVE INDIVIDUAL BUSINESS PERMITS FOR AN EVENT ON MARCH 2ND AND 3RD, 2013 FROM 7:00 AM- 4:00 PM.

MOTION: Councilmember Johnson moved to approve the waiver of requirement for the Friends of Marty Robbins vendors to have individual Business Permit for an event on March 2nd and 3rd, 2013 from 7:00 am – 4:00 pm.

SECONDED: Councilmember Lindsey **4 AYES-** Mayor Irvin, Councilmember Lindsey, Councilmember Johnson, and Councilmember Nigh to **1 NAY-** Vice Mayor Holloway **CARRIED**

DISCUSSION/DECISION REGARDING APPROVING STREET CLOSURE FOR 22ND ANNUAL TRIBUTE TO MARTY ROBBINS

MOTION: Councilmember Johnson moved to approve street closure for 22nd Annual Tribute to Marty Robbins.

SECONDED: Councilmember Holloway **CARRIED**

DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2013-07 APPROVING THE CITY OF WILLCOX'S PARTICIPATION IN THE ARIZONA DEBT SETOFF PROGRAM ADMINISTERED BY THE ARIZONA DEPARTMENT OF REVENUE; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION

MOTION: Councilmember Johnson moved to approve Resolution NO. 2013-07 as stated above approving the City of Willcox's participation in the Arizona Debt Program administered by the Arizona Department of Revenue **SECONDED:** Councilmember Lindsey **DISCUSSION:** Councilmember Johnson asked how this affects our debt. Ms. Graham stated we will be able to collect and charge if we collect on a debt and assess the charges that are incurred. Councilmember Lindsey stated do we have to pass on the \$9.00 fee to the customer. Ms. Roberts asked if the fee \$9.00 was already factored in the debt. City Manager McCourt stated we will have to bring back this item to council with an approval for any additional charges to pass on to the customer. **CARRIED**

DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO RESOLUTION NO. 2013-08 APPROVING THE PROPOSAL FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES PURSUANT TO CDBG CONTRACT NO. 112-13, TO BE PROVIDED BY DAVID E. SHAMBACH ARCHITECT, INC. "DESA", INC., IN CONJUNCTION WITH PHASE IV OF THE WILLCOX COMMUNITY CENTER IMPROVEMENTS; AUTHORIZING CITY STAFF TO PROCEED WITH THE PROPOSED PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

RESOLUTION **MOTION:** Councilmember Johnson moved to approve Resolution NO. 2013-08 the proposal for additional architectural and engineering services pursuant to the CDBG contract NO. 112-13, to be provided by David E Shambach Architect, Inc. "DESA", Inc., in conjunction with phases IV of the Willcox Community Center improvements

SECONDED: Councilmember Lindsey **DISCUSSION:** Councilmember Johnson asked is this out of the GF. Mr. Bonner stated it will be out of the CDBG Fund. **CARRIED**

CITY MANAGER REPORTS

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

- **Update-** Going out to bid on the demolition property located on S. Haskell.
- **Update-** High School Building is scheduled to open on February 13, 2013
- **Follow-up-** Meeting with Chamber on April 8, 2013 at 6 pm Work Session Re: Economic Development
- **Annual Utilization Report** –Use of the former Border Patrol Building located on 200 W. Downen St. was sent in on January 11, 2013 a copy of the report is on file at the City Clerk's Office if you would like to look at it.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Holloway stated the Theater did a great job with the Grand Opening events.

Lindsey I appreciate the efforts that went on this weekend they went above and beyond the call of duty.

Nigh stated he did enjoy the 1930's move as it was in my lifetime.

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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: Councilmember Lindsey moved to approve 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. **SECOND:** Vice Mayor Holloway **CARRIED**

RECESS TO EXECUTIVE SESSION, IF APPROVED

RECONVENE FROM EXECUTIVE SESSION at: 8:25 pm

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.

MOTION: Councilmember Johnson moved to give direction to staff regarding matters discussed in Executive Session and/or consultation for legal advice from City Attorney **SECONDED:** Councilmember Lindsey **CARRIED**

ADJOURN- with no further discussion at 8: 26 pm.

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 4th day of February 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 4th day of February 2013

/s/ Virginia A. Mefford
City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 4nd day of March 2013.

/s/ Robert A. Irvin
MAYOR ROBERT A IRVIN

Signed 03-04-2013

ATTEST:

/s/ Virginia A. Mefford
City Clerk Virginia A. Mefford