

**THE MINUTES OF THE REGULAR SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 18th DAY OF FEBRUARY 2013**

CALL TO ORDER- Mayor Bob Irvin called the regular session meeting to order on Monday, February 18, 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

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA

MOTION: Councilmember Lindsey moved to remove items 16-19 and adopt the agenda as presented.

SECONDED: Councilmember Monika Cronberg **CARRIED**

CONSENT AGENDA

MOTION: Councilmember Cronberg moved to adopt consent agenda as presented **SECOND:** Vice Mayor Holloway **CARRIED**

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

1. **Proclamation:** Mayor declares February 16th through 23rd, 2013 as ***Willcox FFA Week***

FFA students accepted the Proclamation and thanked the Council for all their support recognizing February 16-23, 2013 as Willcox FFA week.

PRESENTATION/DISCUSSION TO ACCEPT GRANT FROM UNION PACIFIC FOUNDATION FOR THE STAGING AREA IN FRONT OF THE MASCOT & WESTERN CAR

DISCUSSION: City Manager McCourt announced the representative Zoe Richmond from Union Pacific Foundation was ill and could not be here to present the checks but assured me they were in the mail.

DISCUSSION/DECISION REGARDING PARTICIPATION IN THE NCCH 17th ANNUAL GOLF TOURNAMENT

DISCUSSION: City Manager McCourt stated NCCH holds a golf tournament every year and asked the City of Willcox would like to be a sponsor. **MOTION:** Vice Mayor Holloway moved to sponsor the 17th Annual Golf Tournament for \$250.

SECOND: Councilmember Cronberg **CARRIED**

DISCUSSION AND/OR DECISION REGARDING APPROVING RESOLUTION NO. 2013-09 FOR THE PURPOSE OF ACCEPTING FROM MIKE ELLIS, A DONATION OF A MOBILE HOME TO THE WILLCOX DEPARTMENT OF PUBLIC SAFETY; 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: Mayor Irvin made a motion to approve Resolution NO 2013-09 for the purpose of accepting from Mike Ellis a donation of a mobile home to the Willcox Department of Public Safety.

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SECOND: Councilmember Cronberg **DISCUSSION:** Chief Weaver stated there it is a slightly damaged mobile home and Mr. Ellis would like to donate this mobile home to us for training purposes. I recommend accepting this for use in our training. Mayor Irvin asked if the city would be responsible for moving it. Chief Weaver stated Mr. Ellis would move it. Councilmember Lindsey stated we would be setting precedence if we accept this and violating our own city code. Chief Weaver stated we would not be setting precedence as we are only accepting this structure for training purposes only. Councilmember Cronberg asked where this would be located. Chief Weaver stated it would be located out by the transfer station and it would not be an eye sore in town and it will be secured. Councilmember Lindsey stated we would be violating the city code as it states you can not move a mobile home that is more than 15 years old with in the city to another lot in the city. City Attorney Roberts stated she would have to look at the code and see what it says, and explained the issue with HUD and post HUD due to the Manufacture Home Association asked for that to be removed. Councilmember Lindsey stated he was not opposed to what it is being used for but we are violating the current code accepting this, I would like to make a **MOTION:** Councilmember Lindsey moved to table Mike Ellis donation of a mobile home to the Willcox Department of Public Safety and have the Council look at it and maybe we could make an exception **SECOND:** Vice Mayor Holloway **CARRIED**

DISCUSSION/DECISION/DIRECTION REGARDING APPROVING RESOLUTION NO. 2013-10 APPROVING AND ADOPTING A NOTICE OF INTENTION TO MODIFY WATER, WASTEWATER, GAS AND SOLID WASTE RATES, DECLARING RATE INCREASE DATA REPORTS AS PUBLIC RECORDS AND SETTING APRIL 1, 2013, AS THE DATE FOR PUBLIC HEARINGS ON THE PROPOSED RATE MODIFICATIONS.

MOTION: Vice Mayor Holloway moved to approve Resolution No. 2013-10 approving and adopting the Notice of Intention to modify Water, Wastewater Gas, and Solid Waste Rates. Declaring rated increase data reports as public records and setting April 1, 2013 as the date for Public Hearings on the proposed rate modification.

SECONDED: Councilmember Lindsey **DISCUSSION:** Councilmember Lindsey stated I am not clear what we are approving here. City Manager McCourt explained by ordinance we are to announce these rates. City Attorney Roberts stated this Notice of Intent by statute says it has to have a public hearing and be published in the paper to give notice to the public of possible rate changes. Councilmember Cronberg stated this is an adjustment and it could go up or down or stay the same. City Attorney stated the City could adjust the rates lower at anytime and not do a public notice, but it is always better to do all the utilities at the sametime **CARRIED**

DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2013-11 AUTHORIZING AND APPROVING THE PLEDGEE AGREEMENT FORM WITH THE FEDERAL RESERVE BANK OF BOSTON; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION

MOTION: Councilmember Lindsey moved to approved Resolution NO. 2013-11 authorizing and approving the pledgee agreement form with the Federal Reserve Board of Boston.

SECONDED: Councilmember Cronberg **CARRIED**

CITY MANAGER REPORTS

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

- **Council Work Session Meetings-** every Monday in the Month of March re: Rate Hearings at 6:30 pm. on non-council nights and on Council nights at 6:00 pm.
- **Reporting-** USDA on Industrial Park Grant – One of the questions was waiving the requirement and they said no we cannot waive the requirement.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Mayor Irvin stated that Councilmember Goolsby has surgery today and he is doing fine.

Councilmember Monika thanked the FFA for all they do.

Councilmember Nigh stated I just wanted to remind everyone where our money comes from and waived the newspaper regarding the unpaid taxes.

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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~~

~~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 7:33 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 18th day of February 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 18th day of February 2013

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

PASSED, APPROVED AND ADOPTED this 4th 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