

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 17<sup>th</sup> DAY OF DECEMBER 2012**

**CALL TO ORDER-** Mayor Bob Irvin called the regular meeting to order on Monday, December 17, 2012 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 Roberts  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Development Services Jeff Stoddard  
Library Director Tom Miner

**PLEDGE OF ALLEGIANCE TO THE FLAG** led by Mayor Irvin

**DECLARATION ON CONFLICT OF INTEREST**

None Declared

**ADOPTION OF THE AGENDA**

**MOTION:** Vice Mayor Holloway moved to approve the agenda as presented.

**SECONDED:** Councilman Lindsey seconded the motion. **CARRIED**

**PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**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:

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

**CONSENT AGENDA**

**MOTION:** Vice Mayor Holloway moved to approve the consent agenda as presented with corrections on minutes recommended by Councilwoman Cronberg.

**SECONDED:** Councilwoman Cronberg **CARRIED**

**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

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

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 17<sup>th</sup> DAY OF DECEMBER 2012**

**MOTION:** Councilman Johnson moved to approve the request from Willcox Benevolent and Protective Order of Elks to submit an application for Bingo License at the Elks Club.

**SECONDED:** Councilwoman Cronberg **CARRIED**

**PRESENTATION OF THE ANNUAL GAS LIAISON REPORT**

**Presentation by:** John Bowen stated this Gas Liaison report is mandatory and has to be done once a year and gave examples of Natural gas Emergencies of Main or Service Line ruptures/leak, vandalism, natural disaster, odor Complaints and carbon monoxide, these are taken very seriously, also High or low usage. If a gas main is hit or nicked please contact the City for inspection. Emergency chain of command we do have a first responder utility worker, Utility supervisor, Director of Public Works someone is always in control of this. City Agency Assistance: Willcox Volunteer Fire Department, WPD, and Streets, Parks and Recreation. A card is given to the public with questions on what to do if you smell Natural Gas or suspect a leak inside a building. They are instructed to call 911, City Hall, or Public Works. Outside it is the same procedure as inside. AZ Blue Stake Law cal 811 it is a free service. The City conducts an Annual Leak Survey for the protection of the public.

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

**MOTION:** Councilman Lindsey moved to approve the request of the Fiscal Year 2012 Annual Audit, Single audit, AELR and Findings & Recommendations

**SECONDED:** Councilwoman Cronberg

**DISCUSSION:** Robin from the Auditor's office explained the results on the audit reports that were given in the Council Packets. She gave the Highlights in each fund financial. She gave 5 year analysis and stated it has decreased in the last 5 years. The General Fund Cash Balance holds steady. Revenue and Expenditure normally break even. The gas fund operation margin is very good. Water fund operation expenses show very good margins. The Cash balance is very good. Sewer Fund is doing well and cash balance is doing well as well. Operation Revenues and operating expenses are doing very well with the rate increase has helped scientifically. **CARRIED**

**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**

**MOTION:** Vice Mayor Holloway moved 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.

**SECONDED:** Councilman Goolsby

**DISCUSSION:** Councilwoman Cronberg asked the City to explain to the public to understand why the Council was voting on this. City Manager McCourt explained the Planning & Zoning Committee had voted it would be in the best interest to the City to recommend not abandon the right a-way. **CARRIED**

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

**MOTION:** Councilman Lindsey moved to approve the request collaboration between ESH Library And Chicanos Por La Causa, Inc and its Head Start Program

**SECONDED:** Councilwoman Cronberg

**DISCUSSION:** City Manager McCourt explained it has been ongoing collaboration for years and years with the City and Chicanos Por La Causa. **CARRIED**

**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**

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 17<sup>th</sup> DAY OF DECEMBER 2012**

**MOTION:** Councilwoman Cronberg moved 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.

**SECONDED:** Councilman Lindsey

**DISCUSSION:** Councilman Lindsey asked a question, but stated I think I figured it out; it should probably be \$435 per house it probably is per hour not per house. Ms. Graham stated yes that is correct. **CARRIED**

**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**

**MOTION:** Councilman Johnson moved 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.

**SECONDED:** Councilwoman Cronberg

**DISCUSSION:** Councilman Johnson asked Mr. Jones if he agreed with this. Mr. Jones stated Yes, I do. Councilwoman Cronberg stated this has been a lot of work I am glad this has worked out. Mr. Jones stated it will help immensely; this is a huge step to helping. **CARRIED**

**CITY MANAGER REPORTS**

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

- **City Manager Vacation-** December, half day on 20<sup>th</sup> 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 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 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.

**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.

**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:** Councilman Lindsey moved 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

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 17<sup>th</sup> DAY OF DECEMBER 2012**

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** at 7:55 pm

**RECONVENE FROM EXECUTIVE SESSION** at 8:26 pm

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

**MOTION:** Vice Mayor Holloway moved to approve the bid process and the minimum bid be determine on the next motion  
for the sale of City Industrial Park (Parcel#203-37-009 and B) Property

**SECONDED:** Councilwoman Cronberg **CARRIED**

**MOTION:** Councilman Lindsey moved to have a minimum bid establish for the sale of the City Industrial Park **SECOND:**  
Councilwoman Cronberg **CARRIED**

**ADJOURN:** With no further discussion meeting adjourned at 8:28 p.m.

**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 17<sup>th</sup> day of December 2012. I further certify that the meeting was duly called and  
held, and that a quorum was present.

**Dated this 17<sup>th</sup> day of December 2012**

\_\_\_\_\_  
City Clerk Virginia A. Mefford

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of February 2013.

\_\_\_\_\_  
**MAYOR ROBERT A IRVIN**

Signed \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Virginia A. Mefford

**THE MINUTES OF THE REGULAR SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 7<sup>th</sup> DAY OF JANUARY 2013**

**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

**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

**PLEDGE OF ALLEGIANCE TO THE FLAG** led by Mayor Irvin

**DECLARATION ON CONFLICT OF INTEREST**

None Declared

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Lindsey remove items 16-18 and adopt the agenda as presented.

**SECONDED:** Vice Mayor Holloway **CARRIED**

**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

**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 handed out handouts were given to the Council. Ms. Roberts went over what to do with e-mails, she explained her personal preference was not to e-mail when possible because 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 has the same effect. She explained what may happen is e-mails 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 Councilmembers. On Call to the Public, you may respond for example: "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 and we will make a few minor adjustments on the Discussion/Direction/Decision to be more uniform at the beginning.

**DISCUSSION AND/OR DECISION/DIRECTION REGARDING THE APPLICATION FOR LIQUOR SERIES #10 DOLLAR GENERAL STORE #6599 NEW LICENSE**

**MOTION:** Councilman Johnson moved to approve the application for Liquor License Series #10 Dollar General Store

**THE MINUTES OF THE REGULAR SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 7<sup>th</sup> DAY OF JANUARY 2013**

#6599, new license **SECONDED**: Councilman Goolsby **CARRIED**

**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. MOTION:** Vice Mayor Holloway moved 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 **SECONDED**: Councilman Lindsey seconded the motion.

**DISCUSSION:** Councilmember Cronberg stated I questioned myself why I voted this way and I will admit it was discussed three times in a row. I did request for this to be brought back as an agenda item and asked Councilman Lindsey why he voted the way he did. Councilman Lindsey stated the first time I saw this proposal I felt there was a more economical way to deal with this and as we talked about it my opinion at the time was that well #3 was used as purely a back up well and it was used 24 hours a day I said well, maybe we should spend more on this than it was intended. Mr. Bowen stated I have asked myself the same question as Councilman Johnson, when was the last time we didn't have any water and didn't have the service. Mr. Bowen stated we do have four backup systems for the sewer water but none for our regular water. Councilmember Cronberg stated the Hospital was one of the reasons I thought we do need this backup system it could turn into a catastrophe if this should happen and also for our local businesses. **CARRIED**

**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. MOTION:** Councilman Lindsey moved 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.

**SECONDED**: Councilwoman Cronberg **CARRIED**

**DISCUSSION/DECISION REGARDING APPROVING RESOLUTION NO. 2013- 03 APPROVING PURCHASES THROUGH MEMBERS OF ITS GOVERNING BODY**

**MOTION:** Councilman Cronberg moved 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**

**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.**

**MOTION:** Councilman Lindsey moved 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. **SECONDED**: Councilwoman Cronberg **DISCUSSION:** Vice Mayor Holloway asked if this is a cooperative you are asking to join. City Manager McCourt stated yes it is. Mr. Bonner gave a presentation/video on the Asphalt Zipper. Mr. Bonner stated he did have a presentation here in the city and it didn't create much vibration when using this machine. We are not asking to purchase this tonight. He explained we could finance it for five years and budget for it for next year's budget. Councilmember Lindsey asked in your opinion do you think this will pay for itself, I did give you a DVD on this three years ago. Mr. Bonner stated yes I do, this will give us a lot of options, if the Council agrees with the purchase agreement we could bring this back as an actual purchase, we do have a DVD with actual testimonials. **CARRIED**

**THE MINUTES OF THE REGULAR SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 7<sup>th</sup> DAY OF JANUARY 2013**

**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 Don Uises he is doing very well, 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.

**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 7<sup>th</sup> day of January 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7<sup>th</sup> day of January 2013

\_\_\_\_\_  
City Clerk Virginia A. Mefford

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of February 2013.

\_\_\_\_\_  
MAYOR ROBERT A IRVIN

Signed \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Virginia A. Mefford



**THE MINUTES OF THE SPECIAL MEETING SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 22<sup>nd</sup> DAY OF JANUARY 2013**

**CALL TO ORDER**- Mayor Bob Irvin called the special meeting session meeting to order on Monday, January 22, 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

**PLEDGE OF ALLEGIANCE TO THE FLAG** led by Mayor Irvin

**CALL TO THE PUBLIC**

Terry Rowden stated the theater is planning a Gala Ribbon Cutting Feb 1<sup>st</sup> at 6:00 pm. I would like to invite the Council to this event. It will be a nineteen thirty's theme. It is our 76<sup>th</sup> grand reopening we will be reshowing the Gorgeous Hussy starring Joan Crawford and Robert Taylor the cost 35 cents, if you come dressed in nineteen thirty's attire. On Saturday February 2<sup>nd</sup> Keeling Shaefer Wine Tasting Room will have Desert Swing that will play 30's and 40's music and a comedy improve "Not Burnt out Just Unscrewed" and on Sunday February 3<sup>rd</sup> we will have a historic walk and a movie "it Happened One Night" starring Clark Gable and Claudette Colbert. We would like to know; if the Mayor could possibility do a Proclamation for that weekend. Thank you for your time.

**DECLARATION ON CONFLICT OF INTEREST**

None Declared

**ADOPTION OF THE AGENDA**

**MOTION:** Councilmember Lindsey remove items 17-19 and adopt the agenda as presented.

**SECONDED:** Vice Mayor Holloway **CARRIED**

**CONSENT AGENDA**

**MOTION:** Councilmember Lindsey moved to approve the Consent Agenda as presented **SECONDED:** Councilmember Cronberg **CARRIED**

**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-05 2013 APPROVING THE PURCHASE OF LIABILITY INSURANCE FROM THE ARIZONA MUNICIPAL RISK RETENTION POOL, "A.M.R.R.P."; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST**

**MOTION:** Councilmember Lindsey moved to approve Resolution NO. 2013-05 approving the Purchase of Liability Insurance from the Arizona Municipal Risk Retention Pool, "A.M.R.R.P."

**SECONDED:** Vice Mayor Holloway **DISCUSSION:** City Manager introduced Ed Bentel. Mr. Bentel gave a power point presentation on the A.M.R.R.P. he stated there are 75 members and is governed by a Board of Trustees. Councilmember Lindsey asked why there weren't more members. Mr. Bentel stated it tries to stay steady with the premiums; they are not the cheapest or the most expensive. **CARRIED**

**DISCUSSION/DECISION REGARDING REQUEST FROM SACRED HEART CATHOLIC CHURCH FOR A SPECIAL EVENT LIQUOR LICENSE AT THE COMMUNITY CENTER TO HOLD MARDI GRAS ON SATURDAY, FEBRUARY 9, 2013**

**MOTION:** Councilmember Johnson moved to approve the request from Sacred Heart Catholic Church for a Special Event

**THE MINUTES OF THE SPECIAL MEETING SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 22<sup>nd</sup> DAY OF JANUARY 2013**

Liquor License at the Community Center to hold Mardi Gras on Saturday, February 9, 2013 **SECONDED:** Councilmember Lindsey **DISCUSSION:** Councilmember Lindsey asked if they were asking for the waiver of fees. Councilmember Cronberg stated that the Jr. Rodeo is the one asking for the waiver of fees. **CARRIED**

**PRESENTATION/DISCUSSION REGARDING FISCAL YEAR 2013-2014 BUDGET CALENDAR**

**DISCUSSION:** Ms. Graham gave an overview of the Budget Calendar given in the Council packets. Councilmember Johnson stated he wanted to encourage the Council to come and wanted to know what was being done to attract business to Willcox as we have had two businesses close this year already Radio Shack and The Commercial. Ms. Graham stated we could certainly add some of these concerns to the work session.

**DISCUSSION/DIRECTION REGARDING CHANGE OF BULK WATER FEES**

**DISCUSSION:** City Manager stated we are not asking for a decision tonight but we will be anticipating an increase of the water rates the last time we raised water rates was back in 2006. Councilmember Lindsey asked could we consider going with a cost below our cost. City Manager McCourt stated I cannot answer this question at this moment, the city wanted to know if all these options should all be reviewed at the work sessions.

**DISCUSSION/DECISION REGARDING DISPOSITION OF SURPLUS ELECTRONIC EQUIPMENT**

**MOTION:** Councilmember Lindsey moved to approve disposition of surplus electronic equipment. **SECONDED:** Vice Mayor Holloway **CARRIED**

**DISCUSSION/DECISION REGARDING WAIVING FEES FOR THE WILLCOX JUNIOR RODEO COMMITTEE**

**MOTION:** Councilmember Johnson moved to approve waiving fees for the Willcox Junior Rodeo Committee. **SECONDED:** Councilmember Cronberg **DISCUSSION:** Councilmember Lindsey stated we have agreed to waive half of the fees instead of all of the fees. Councilmember Cronberg stated this was to be by a case by case basis, we do have Ms. Amy Sanborn here as a representative of the Junior Rodeo, she may be able to let us know if this is a money maker or not. Ms. Sanborn stated there is no money to be made, but we do get several competitors who do stay and spend money in the City of Willcox. Councilmember Lindsey stated we just want to ensure there was just one vendor and not 15 or more. Councilmember Johnson asked are we waiving ½ fees or the whole fees Councilmember Cronberg stated if I were to pay for ½ the fee what would happen. Ms. Sanborn stated we are not in it to make money we are a nonprofit **CARRIED**

**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2013-06 APPROVING THE PURCHASE OF AN ASPHALT ZIPPER FROM THE HOUSTON-GALVESTON AREA COUNCIL, "H.G.A.C.Buy", AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION, EQUIPMENT**

**MOTION:** Vice Mayor Holloway moved to approve Resolution NO. 2013-05 approving the purchase of an Asphalt Zipper from the Huston- Galveston area Council, "H.G.A.C. Buy", and directing authorized City Officers and Agents to carry out the purpose and intent of the resolution, equipment.

**SECONDED:** Councilmember Lindsey **DISCUSSION:** Councilmember Johnson asked does this come out of our street fund. City Manager McCourt stated yes. Councilmember Johnson asked how we see this continue to be used. City Manager stated this piece of equipment will increase our productivity. Councilmember Cronberg will this help offset the material purchase. Mr. Bonner stated yes it will once the machine is paid off. Councilmember Johnson asked will this increase the manpower to run it. Mr. Bonner stated actually it takes more manpower now then to run this equipment. Councilmember Lindsey stated it is a win/win situation by purchasing this equipment. Vice Mayor Holloway stated if we buy it outright it would save us \$27,000 could we buy it outright? Mr. Bonner stated not this year. City manager McCourt stated it would be detrimental for the streets department fund at this time. **CARRIED**

**CITY MANAGER REPORTS**

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

- **City Manager Vacation-** January 25-29, 2013; Chief Weaver will be covering while City Manager is out of town.

**THE MINUTES OF THE SPECIAL MEETING SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 22<sup>nd</sup> DAY OF JANUARY 2013**

- **Financial Reports for Council Members** – These financial reports are due by January 31, 2013 to the City Clerk.
- **Foundation Grant Update** – City of Willcox was not selected for the Foundation Grant we were acting as fiscal agent for the Chamber/Wings over Willcox.

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

Mayor Irvin stated I was very impressed with WOW this weekend and my wife and I were winners of a raffle. He also announced that Carl's Jr. is coming. Vice mayor Holloway stated I have been visiting the downtown area and have discovered 6 new different wines going to the tasting rooms, and I know we don't receive the tax on that but, I have seen about 10 different states license plates parked outside the tasting room, which is nice to see.

**~~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 7:53 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 22<sup>nd</sup> day of January 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 22th day of January 2013

\_\_\_\_\_  
City Clerk Virginia A. Mefford

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of February 2012.

\_\_\_\_\_  
MAYOR ROBERT A IRVIN

Signed \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Virginia A. Mefford





# PROCLAMATION

**WHEREAS**, the Willcox FFA and Willcox Agriculture Education provide a strong foundation for the youth of Willcox and the future of the food, fiber and natural resources systems; and

**WHEREAS**, the Willcox FFA promotes premier leadership, personal growth and career success among its members; and

**WHEREAS**, Willcox Agricultural Education and the Willcox FFA ensure a steady supply of young professionals to meet the growing demands in the science, business and technology of agriculture; and

**WHEREAS**, the Willcox FFA motto-"Learning to do, doing to learn, earning to live living to serve"-gives a direction of purpose to these students who take an active role in succeeding in agricultural education; and

**WHEREAS**, the Willcox FFA promotes: citizenship, volunteerism, patriotism and cooperation.

**THEREFORE, BE IT RESOLVED**, that I, Robert A. Irvin, Mayor of the City of Willcox, Cochise County, Arizona, do hereby proclaim, February 16<sup>th</sup> through 23<sup>rd</sup>, 2013 to be

## WILLCOX FFA WEEK



*In witness whereof, I have hereunto set my hand and caused the Seal of the City of Willcox to be affixed this 18th day of February 2013.*

*Robert Bob Irvin*  
MAYOR Robert "Bob" Irvin

Attest *Virginia A. Mefford*  
City Clerk Virginia A. Mefford

### Willcox Agricultural Education Mission Statement

Willcox Agricultural Education prepares students for successful careers and a lifetime of informed choices in the global agriculture, food, fiber and natural resources systems.

### Willcox FFA Mission

The Willcox FFA Organization is dedicated to making a positive difference in the lives of young people by developing their potential for premier leadership, personal growth and career success through agricultural education.



**CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item: 9  
Tab Number: 3  
Date: 02-18-2013

**Date Submitted:**  
1-31-13  
  
**Date Requested:**  
2-18-13

**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

**Subject: Accept grant from Union Pacific Foundation for the staging area in front of the Mascot & Western Car**

**TO:** MAYOR AND COUNCIL

**FROM:** City Manager

**DISCUSSION:** The City received a grant from the Union Pacific Foundation in the amount of \$5,000 for work on placing Railroad type exhibits in Railroad Park two (2) years ago and a grant in the amount of \$5000 last year for work on Railroad Park sidewalks and curbs. The Union Pacific Foundation has agreed to an additional \$5,000 grant this year to assist in renovation of buildings fronts on Railroad Ave and to provide "planters" on Railroad Ave. this latest submittal has been done in conjunction with the group working to Beautify downtown (Connie Dunham).

**RECOMMENDATION:** Accept the donation.

**FISCAL IMPACT:** Fund 17 + \$5,000

**Prepared by:** Pat McCourt

**Approved by:**   
Pat McCourt, City Manager



**'CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item: 10  
Tab Number: 4  
Date: 2-18-2013

**Date Submitted:**  
2-11-13  
**Date Requested:**  
2-18-13

**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

**Subject: participation in  
the NCCH 17<sup>th</sup> Annual  
Golf Tournament**

**TO:** MAYOR AND COUNCIL

**FROM:** City Manager

**DISCUSSION:** The attached request was received from the Northern Cochise Community Hospital Inc. concerning the upcoming Golf tournament. The Council at last year's meeting decided, if they wanted to participate it would be at their own expense. This has been and would be taken out of the Council Budget for Misc Expense. There is currently available in this line item 10-402-9690 an amount of \$441.00.

**RECOMMENDATION:** Provide Direction to Staff

**FISCAL IMPACT:** There is available up to \$441.00

**Prepared by:** Pat McCourt

**Approved by:**   
City Manager





**Northern Cochise Community Hospital, Inc.**  
**Northern Cochise Nursing Home**  
**Sulphur Springs Medical Center ♦ Sunsites Medical Clinic**

---

February 5<sup>th</sup>, 2013

Dear Friend,

The 17<sup>th</sup> Annual Northern Cochise Community Hospital Golf Tournament is scheduled for May 4<sup>th</sup>, 2013, at the Twin Lakes Municipal Golf Course in Willcox, Arizona. Please consider supporting this event.

Every year proceeds raised via the golf tournament are invested in the "Grow Your Own" scholarship program. This program assists local community members to continue their education and earn certification in the health care field. We could not have provided these scholarships without outside support, such as yours.

We ask that you take a moment to review the enclosed registration and donation form and make your commitment. Gift donations are auctioned at the tournament or given as prizes to the golfing participants.

NCCH is a 501(c)3 corporation and your contributions for the hole sponsorship and prizes are tax-deductable. Please help us make the 17<sup>th</sup> Annual NCCH Golf Tournament the best yet.

Thank you in advance for your support.

Sincerely,

**Roland Knox**  
Chief Executive Officer



**17<sup>TH</sup> ANNUAL  
NORTHERN COCHISE COMMUNITY HOSPITAL  
GOLF TOURNAMENT**

**May 4<sup>th</sup>, 2013**

*Fundraiser Event in support of the  
"Grow Your Own" Scholarship*

**Registration and Donation Form**

Contact Person for Registration and/or Donation: \_\_\_\_\_

Business/Organization (For Sponsor Recognition): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

I will be a hole sponsor for the NCCH Golf Tournament with a donation of \$125 which entitles me to a sign on the hole and one entry in the tournament.

I wish to participate as a Non-Golfer with a donation of \$125 which entitles me to a sign on the hole.

I wish to be a Prize Sponsor (and be recognized on the program) by donating the following: \_\_\_\_\_

I wish to make a monetary contribution to the scholarship fund.

Platinum Sponsorship \$1000 and above (recognition on the program)

Gold Sponsorship \$750 - \$999 (recognition on the program)

Silver Sponsorship \$500 - \$749 (recognition on the program)

Bronze Sponsorship \$250 - 499 (recognition on the program)

I will put a team together and participate in the tournament at \$200 per team.

I don't have a team but I will play (\$50 per player); assign me to a team.

I will assist in tee donations by contributing: \_\_\_\_\_  
(We want to give each golfer something before they tee off to thank them for participating. Golf balls, hats, ball markers, pens, just about anything appropriate.)

**\*\*Please enclose donation with completed form\*\***

**Make checks payable to NCCH.**

Registration will begin at 7:00 a.m. with shotgun start at 8:00 a.m. Lunch will be served followed by the awards / prizes presentations.





**CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item: 11  
Tab Number: 5  
Date: 2-18-2013

**Date Submitted:**  
January 30, 2013

**Date Requested:**  
February 18, 2013

**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

**Subject:** Acceptance of  
donated mobile home from  
Mike Ellis, to be used by police  
and fire dept. for training  
purposes.

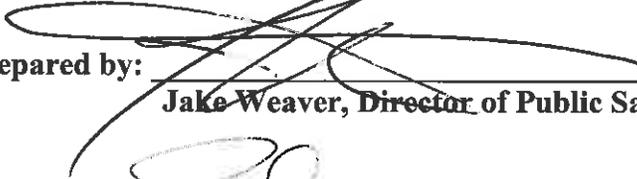
**TO:** MAYOR AND COUNCIL

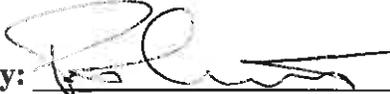
**FROM:** Jake Weaver, Willcox Department of Public Safety Director

**DISCUSSION:** The Willcox Department of Public Safety is requesting approval to accept the donation of a 60 foot long, 1978-1979, single wide mobile home. The trailer was previously damaged in a fire and is uninhabitable. The trailer would be located on city property by the old landfill, and would be used by the fire and police depts. for training purposes. Transportation would be arranged by the owner Mr. Mike Ellis from its existing lot to the city property, at no charge to the city.

**RECOMMENDATION:** Accept donation of the single wide mobile home, to be used for training purposes by the Willcox Police and Fire Depts.

**FISCAL IMPACT:** None at this time.

Prepared by:   
Jake Weaver, Director of Public Safety

Approved by:   
Pat McCourt, City Manager



**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

**RESOLUTION 2013-09**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA, 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.**

**WHEREAS**, the City of Willcox is authorized and empowered pursuant to Title 9, A.R.S. §9-240, to accept and appropriate monies and assets to carry out the purposes of the corporation; and,

**WHEREAS**, Mike Ellis wishes to donate to the City of Willcox for the purpose of supporting the Willcox Department of Public Safety, a 1978-79 sixty foot (60') single wide mobile home which was previously damaged in a fire and will be used by the Willcox Department of Public Safety for training purposes; and,

**WHEREAS**, the Mayor and City Council have determined that approving the donation of the mobile home is in the best interest of the City, its employees and the citizens of this City, and they desire to have this Resolution presented at its February 18, 2013, Council Meeting.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**, as follows:

**SECTION 1:** The Mayor and City Council of the City of Willcox, hereby approve and accept the donation of a 1978-79 sixty foot (60') single wide mobile home to used by the Willcox Department of Public Safety for training purposes; and,

**SECTION 2:** The appropriate officers and officials of the City are hereby authorized and directed to take all actions necessary or reasonably required to carry out the intent of this Resolution; and,

**SECTION 3:** That the Mayor is authorized and empowered to execute this Resolution and all other documents necessary to accept the donation.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, this 18<sup>th</sup> day of February, 2013.**

**APPROVED/EXECUTED**

\_\_\_\_\_  
**ROBERT A. IRVIN, MAYOR**

**Dated:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**VIRGINIA A. MEFFORD, City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**ANN P. ROBERTS, City Attorney**

**RESOLUTION 2013-09**

CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION

Agenda Item 12  
Tab Number 60  
Date: 2/18/2013

<b>Date Submitted:</b>	<b>Action:</b>	<b>Subject:</b>
February 13, 2013	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input type="checkbox"/> Consideration	NOTICE OF INTENTION TO INCREASE FEES AND RATES FOR THE GAS, WATER, WASTEWATER (SEWER) AND SOLID WASTE (GARBAGE) UTILITIES

TO: MAYOR AND COUNCIL  
FROM: Finance Director Ruth Graham

**DISCUSSION:**

The City of Willcox operates a Gas Utility, Water Utility, Wastewater (Sewer) Utility and Solid Waste (Garbage) Utility. As a part of its ongoing responsibility to operate the utilities in a business-like manner and to maintain a reserve balance for operations and capital investment needs, the City is reviewing its rates for services for the upcoming fiscal year 2013-2014. The rate reviews may result in the Council's decision to increase the rates, decrease the rates, or make no change. A copy of each proposed fee schedule is attached.

Staff is requesting a Motion to Approve Resolution No. 2013-10 to adopt a Notice of Intention to Increase Rates and Charges of the City of Willcox Gas Utility, Water Utility, Wastewater Utility and Solid Waste Utility. The Notice is required to pursue the issue of rate reviews and possible rate increases for the funds for the period beginning July 1, 2013.

A notice appears on the City's website; the notice will be published in the Arizona Range News on February 27, 2013. Work sessions on the Utility Rates will be held at 6:00 p.m. each Monday in the month of March and on April 1<sup>st</sup> in the Council Chambers at 300 W Rex Allen Drive. A Public Hearing will be held on April 1<sup>st</sup>, and the Mayor and Council are scheduled to make a decision on the rates at the regular Council meeting at 7:00 p.m. on April 1, 2013.

RECOMMENDATION:

Motion to approve Resolution No. 2013-10 to adopt a Notice of Intention to Increase Rates and Charges of the Gas Utility, Water Utility, Wastewater (Sewer) Utility, and Solid Waste (Garbage) Utility of the City of Willcox.

Submitted by:

Approved by:



Ruth Graham, Finance Director



Pat McCourt, City Manager



**CITY OF WILLCOX**

**COCHISE COUNTY, ARIZONA**

**“City of Willcox, Public Service & Works,  
FY2013-2014 Gas Cost of Service Update”**

**February 11, 2013**

**Prepared By: Pat McCourt**

**This document was declared a Public Record by the Mayor and City Council on February 18, 2013, and three copies of such record are available for public inspection after being filed in the office of the Willcox City Clerk, located at 101 S. Railroad Avenue, Suite B, Willcox, Arizona 85643.**



EXHIBIT A  
CITY OF WILLCOX, ARIZONA  
GAS SYSTEM  
RATES AND CHARGES EFFECTIVE JULY 1, 2013

Section 1. Monthly Availability Meter Charge based upon size of Gas Service:				
Customer Type	Meter Size	Rate Code	FY13 Meter Charge	FY14 Meter Charge
Residential In Town	175/200/250/275	101	\$ 12.01	\$ 12.01
Residential Out of Town	175/200/250/275	102	\$ 12.01	\$ 12.01
Commercial	175/200/250/275	110	\$ 12.01	\$ 12.01
Commercial	315/325 415/425	111	\$ 21.01	\$ 21.01
Commercial	750/800	112	\$ 31.01	\$ 31.01
Commercial	1000/1500 2000	113	\$ 61.01	\$ 61.01
Commercial	3000/4000	114	\$ 91.01	\$ 91.01
Commercial	5000/6000	115	\$ 101.01	\$ 101.01
Commercial	7000/8000	116	\$ 131.01	\$ 131.01

Section 2. Usage Charge based upon Units of Thousand cubic feet (Mcf):	
In Town Customers	\$ 3.280
Out of Town Customers	\$ 3.924

The Usage Charges reflect the overhead rate charged on each unit of gas (Mcf). The Usage Charge is in addition to the monthly cost of gas purchases and transportation costs described in Section 3. below. The Usage Charge is subject to the annual cost of living adjustment.

**Section 3. Monthly Adjustment based on Gas Wholesale Price and Carrying Charges:**

The City's cost for the supply of natural gas and the transportation of the gas to the City's gate changes on a monthly basis. The wholesale natural gas price to customers is adjusted monthly to pass through the City's cost for the natural gas.

**Section 4. Annual Adjustment based on the Change in the Consumer Price Index:**

Unless acted upon by the City Council, the rates listed in Section 1. and Section 2. of this Resolution shall be adjusted effective July 1st of each year. The rates shall be adjusted by taking the monthly Meter Charge Availability charges and the per unit Usage Charges for the most recent period and multiplying those rates by the annual change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.





**CITY OF WILLCOX**

**COCHISE COUNTY, ARIZONA**

**“City of Willcox, Public Service & Works,  
FY2013-2014 Water Cost of Service Update”**

**February 4, 2013**

**Prepared By: Pat McCourt**

**This document was declared a Public Record by the Mayor and City Council on February 18, 2013, and three copies of such record are available for public inspection after being filed in the office of the Willcox City Clerk, located at 101 S. Railroad Avenue, Suite B, Willcox, Arizona 85643.**



EXHIBIT B  
CITY OF WILLCOX, ARIZONA  
WATER SYSTEM  
RATES AND CHARGES EFFECTIVE JULY 1, 2013

Section 1. Monthly Availability Meter Charge based upon size of Water Service:				
Customer Type	Meter Size	Rate Code	FY13 Meter Charge	FY14 Meter Charge
Residential	3/4"	301	\$ 14.55	\$ 14.55
Residential	1"	302	\$ 19.21	\$ 19.21
Commercial	3/4"	310	\$ 14.55	\$ 14.55
Commercial	1"	311	\$ 19.21	\$ 19.21
Commercial	1 1/2"	312	\$ 26.52	\$ 26.52
Commercial	2"	313	\$ 35.16	\$ 35.16
Commercial	3"	314	\$ 72.80	\$ 72.80
Commercial	4"	315	\$ 182.61	\$ 182.61

Section 2. Unit Usage Charge based on Thousand Gallon Units (MG):	
0-2,000 Gallons	Included in base
2,001 - 6,000 Gallons	\$1.63
6,001 - 10,000 Gallons	\$1.82
10,001 - 15,000 Gallons	\$2.03
15,001 and above, No Limit	\$2.16

Section 3. Bulk Water Rates.	
Cost per Thousand	\$9.89

**Section 4. Annual Adjustment based on the Change in the Consumer Price Index:**

Unless acted upon by the City Council, the rates listed in Section 1. and Section 2. of this Resolution shall be adjusted effective July 1st of each year. The rates shall be adjusted by taking the monthly Meter Charge Availability charges and the per unit Usage Charges for the most recent period and multiplying those rates by the annual change in the Consumer Price Index - All Urban Consumers-U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year. All water sales are subject to Transaction Privilege (Sales) Tax.

**RESOLUTION NO. 2013- 10**





**CITY OF WILLCOX**

**COCHISE COUNTY, ARIZONA**

**“City of Willcox, Public Service & Works,  
FY2013-2014 Wastewater Cost of Service Update”**

**February 11, 2013**

**Prepared By: Pat McCourt**

**This document was declared a Public Record by the Mayor and City Council on February 18, 2013, and three copies of such record are available for public inspection after being filed in the office of the Willcox City Clerk, located at 101 S. Railroad Avenue, Suite B, Willcox, Arizona 85643.**



EXHIBIT C  
CITY OF WILLCOX, ARIZONA  
WASTE WATER SYSTEM  
RATES AND CHARGES EFFECTIVE JULY 1, 2013

Section 1. Monthly Availability Meter Charge based upon size of Water Service:				
Customer Type	Meter Size	Rate Code	FY13 Meter Charge	FY14 Meter Charge
Residential	3/4" or less	501	\$ 19.94	\$ 20.94
Residential	1"	502	\$ 27.11	\$ 28.47
Residential Multi-Units	3/4" or less	510	\$ 19.94	\$ 20.94
Commercial	3/4" or less	520	\$ 28.99	\$ 30.44
Commercial	1"	521	\$ 36.18	\$ 37.99
Commercial	1 1/2"	522	\$ 54.26	\$ 56.98
Commercial	2"	523	\$ 75.93	\$ 79.72
Commercial	3"	524	\$ 144.66	\$ 151.89
Commercial	4"	525	\$ 235.20	\$ 246.96

Section 2. Unit Usage Charge based on Thousand Gallon Units (MG):	
All Customers	\$ 2.861072

**Section 3. Annual Usage Rate Adjustment based on three month Winter Average water usage:**

The Current Usage Rate shall be based upon the volume of water usage during the billing cycles for December, January, and February each year. Water usage will be totaled and divided by three (3) to provide an average usage for computing the Sewer usage rate for each customer. This new average usage will remain unchanged throughout the ensuing year. Documentation of unusual circumstances (i.e. leaks) may be used by City Manager to adjust annual usage. The adjustment for Annual Usage shall be effective as of April 1st. New customers or sewer locations, or customers whose water is provided by a well, will be charged the average base rate and usage for that class of customers.

**Section 4. Annual Adjustment based on the Change in the Consumer Price Index:**

Unless acted upon by the City Council, the rates listed in Section 1, 2 and 3 of this Resolution shall be adjusted effective July 1st of each year. The rates shall be adjusted by taking the monthly Meter Charge Availability charges and the per unit Usage Charges for the most recent period and multiplying those rates by the annual change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.





**CITY OF WILLCOX**

**COCHISE COUNTY, ARIZONA**

**“City of Willcox, Public Service & Works,  
FY2013-2014 Solid Waste Cost of Service Update”**

**February 11, 2013**

**Prepared By: Pat McCourt**

**This document was declared a Public Record by the Mayor and City Council on February 18, 2013, and three copies of such record are available for public inspection after being filed in the office of the Willcox City Clerk, located at 101 S. Railroad Avenue, Suite B, Willcox, Arizona 85643.**



EXHIBIT D  
 CITY OF WILLCOX, ARIZONA  
 SOLID WASTE (TRASH REMOVAL) SYSTEM  
 RATES AND CHARGES EFFECTIVE JULY 1, 2013

Section 1. Solid Waste Charges for Residential Service:				
Customer Type	Container Size	Rate Code	FY13 Charge	FY14 Charge
Single Family	96 gallon	701	\$ 23.72	\$ 24.12
Senior Citizen /Side Yard	96 gallon	702	\$ 20.40	\$ 20.74
Commercial	SEE ATTACHED FISCAL YEAR 2013-14 RATE SCHEDULE			

**Section 2. Annual Adjustment based on the Change in the Consumer Price Index:**

Unless acted upon by the City Council, the rates listed in Section 1 and as enumerated on the attached rate schedule shall be adjusted by the cost of living effective July 1st of each year. The rates from the most recent period will be multiplied by the annual rate of change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.



Attachment to Schedule D, Resolution No. 2013- 10

City of Willcox  
Commercial Solid Waste Rates FY 2013-2014

Single Rate for 96 Gallon Can Customers: 96 gallon - one container per account maximum	\$25.40
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Customer can have any combination of 1.5 yd & 3 yd containers and any combination of Pickups per week. The formula for computing the rates is:									
	Rate/ Pickup	Times	No. of Containers	Times	No. of pickups/wk	Plus	Base Rate	Equals	Monthly rate
1.5 yd Container	\$28.55	X	( )	X	( )	+	\$27.85	=	
3 yd container	\$53.80	X	( )	X	( )	+	\$27.85	=	

Monthly Charges for common combinations of 1.5 Yd. and 3 Yd. Container Services:  
If a customer wishes to have additional pickups, the cost will be computed by the formula.

1.5 Yd. Container						
No. of Pickups per Week	1 Can	2 Cans	3 Cans	4 Cans	5 Cans	6 Cans
1	56.40	84.95	113.50	142.05	170.60	199.15
2	84.95	142.05	199.15	256.25	313.35	370.45
3	113.50	199.15	284.80	370.45	456.10	541.75
4	142.05	256.25	370.45	484.65	598.85	713.05
5	170.60	313.35	456.10	598.85	741.60	884.35
6	199.15	370.45	541.75	713.05	884.35	1,055.65

3 Yd. Container						
No. of Pickups per Week	1 Can	2 Cans	3 Cans	4 Cans	5 Cans	6 Cans
1	81.65	135.45	189.25	243.05	296.85	350.65
2	135.45	243.05	350.65	458.25	565.85	673.45
3	189.25	350.65	512.05	673.45	834.85	996.25
4	243.05	458.25	673.45	888.65	1,103.85	1,319.05
5	296.85	565.85	834.85	1,103.85	1,372.85	1,641.85
6	350.65	673.45	996.25	1,319.05	1,641.85	1,964.65



**CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item 13  
Tab Number 7  
Date: 2/18/2010

<b>Date Requested:</b>  February 1, 2013	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal	City of Willcox Federal Reserve Bank Pledge Agreement
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To: MAYOR AND COUNCIL

From: Finance Director Ruth Graham

**Discussion:**

The City of Willcox is required to have a current Pledge Agreement Form on file with the Federal Reserve Board to meet the requirements of Appendix C of the Operating Circular 7, dated August 19, 2005. This is a housekeeping item required to update the names, signatures and offices of persons entitled to act on behalf of the City, namely the Mayor, City Manager, City Clerk and Finance Director.

**FINANCIAL IMPACT:** N/A.

**RECOMMENDATION:** Motion to approve the City of Willcox Pledge Agreement Form to be placed on file with the Federal Reserve Board to meet the requirements of Appendix C of the Operating Circular 7, dated August 19, 2005.

Submitted by:

  
\_\_\_\_\_  
Ruth Graham

Approved by:

  
\_\_\_\_\_  
Pat McCourt, City Manager



## Pledgee Agreement Form

To: **Federal Reserve Bank of Boston**  
600 Atlantic Avenue  
Boston, MA 02210  
Attn: **Wholesale Operations/Joint Custody**

Tel: 800-327-0147, Option #4  
Fax: 877-973-8972

Date: 2/19/13

We, the CITY OF WILLCOX agree to the terms of **Appendix C** of your *Operating Circular 7*, dated August 19, 2005, as it may be amended from time to time with respect to the account on your books designated L210. (4 digit alpha-numeric account number)

We further agree that you may accept par for par substitutions: securities from the Pledgor as a replacement of, or in substitution for, those securities presently held (please check one):

NO (Instructions required for each withdrawal)

YES (Standing approval)

Provided that the replacement or substitution does not reduce the aggregate par amount of securities held in custody for us. (See *Operating Circular 7, Appendix C, Section 4.3.*)

We authorize you to use the following call-back procedure for securities transactions pertaining to this account (please check one):

Three-party call-back

Four-party call-back

We certify that the individuals listed below may take authoritative action on our behalf with respect to the account, including a direction to release collateral from the account. You may rely on the authority of these individuals with respect to the account until we otherwise notify you.

Telephone: (520) 766-4201  
Fax: (520) 384-2590

Print Name: PATRICK MCCOURT Title: CITY MANAGER  
Signature: \_\_\_\_\_ Date: 2/19/13

Telephone: (520) 766-4203  
Fax: (550) 384-2590

Print Name: VIRGINIA A. MEFFORD Title: CITY CLERK  
Signature: \_\_\_\_\_ Date: 2/19/13

Telephone: (520) 766-4202  
Fax: (520) 384-2590

Print Name: RUTH E. GRAHAM Title: FINANCE DIRECTOR  
Signature: \_\_\_\_\_ Date: 2/19/13

Pledgee Agreement  
(page 2 of 2)

Telephone: (520) 507-2021

Print Name: ROBERT A. IRVIN Title: MAYOR

Fax: (520) 384-2590

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The Undersigned hereby certifies that he/she is the present lawful incumbent of the designated public office.

Pledgee

CITY OF WILLCOX

Name of governmental unit

101 S. RAILROAD AVEUNE SUITE B

Street Address or P.O Box Number

WILLCOX, AZ 85643

City, State, Zip Code

Official Signature/ Date

ROBERT A. IRVIN

Printed Name and Title

Notary

State of ARIZONA

County of COCHISE

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013 before me personally appeared ROBERT A. IRVIN, to me personally known or satisfactorily proven, who by me duly sworn, did depose and say that he/she resides at 710 W. SOTO, in the City of WILLOCX, in the State of ARIZONA, that he/she is the MAYOR [Title] of CITY OF WILLCOX and that he/she executed this document on behalf of CITY OF WILLCOX before me.

(Signature of Notary)

JUDY S. FIGUEROA

(Print name of Notary)

My commission expires on \_\_\_\_\_ [Date]

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

**RESOLUTION 2013-11**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA, "CITY" FOR THE PURPOSE OF 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.**

**WHEREAS**, the CITY is authorized and empowered pursuant to Title 9, A.R.S. Section 9-240, to have control of the finances and the property of the corporation and to carry out the purposes of the corporation; and,

**WHEREAS**, the Mayor, City Manager, City Clerk and Finance Director are authorized to sign on behalf of the corporation to take authoritative action on behalf of the CITY with respect to the account held with the Federal Reserve Bank of Boston; and,

**WHEREAS**, the Mayor and City Council have determined that authorizing and approving the Pledge Agreement Form is in the best interest of the CITY, its employees and the citizens of this CITY, and they desire to have this Resolution presented for consideration at the regular City Council Meeting on February 18, 2013; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**, as follows:

**SECTION 1:** The Mayor and City Council of the City of Willcox, hereby authorize and approve execution of the Pledge Agreement Form for the Federal Reserve Bank of Boston, dated February 19, 2013; and,

**SECTION 2:** The appropriate officers and officials of the CITY are hereby authorized and directed to take all actions necessary or reasonably required to carry out the intent of this Resolution; and,

**SECTION 3:** That the Mayor is authorized and empowered to execute this Resolution and all other documents necessary to obtain the liability insurance policy in the name of corporation.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, this 18<sup>th</sup> day of February, 2013.**

**APPROVED/EXECUTED**

**ROBERT A. IRVIN, MAYOR**

**Dated:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
**VIRGINIA A. MEFFORD, City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**ANN P. ROBERTS, City Attorney**

**RESOLUTION 2013-11**