

**THE MINUTES OF THE REGULAR SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 20th DAY OF MAY, 2013**

CALL TO ORDER- Mayor Bob Irvin called the regular session meeting to order on Monday, May 20, 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 John Bowen
Development Services Jeff Stoddard
Library Director Tom Miner
Police Chief interim Glenn Childers

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Irvin

CALL TO THE PUBLIC- None

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA

MOTION: Councilmember Cronberg to adopt the agenda as presented.

SECONDED: Councilmember Goolsby **CARRIED**

REGARDING DIRECTION ON ACQUISITION OF BACK TAX PROPERTIES FOR BACK NINE (9) OF THE TWIN LAKES GOLF COURSE

City Manger McCourt introduced Mr. Stoddard and explained he would be giving the presentation on this item.

Mr. Stoddard asked the Council for direction on acquiring property to build the back nine at the golf course. There are 5 lots and pointed out where they are located on the map that was presented in the Council books. He asked the Council if they would like to pursue these private properties, he indicated, they are privately owned and it could take many years to acquire these properties. I could bring you the cost of acquiring these properties. Councilmember Lindsey asked who the owner of the black areas on this map. Mr. Stoddard stated they don't have the parcel numbers so I don't know.

Councilmember Johnson stated if we can't take care of the front nine how will we be able to take care of the back nine. Mr. Stoddard stated this is a Council's decision to do so, but I am looking into acquiring this now because it may take a while to acquire this property. This will be way down the road to be able to accomplish this if the Council so chooses.

Councilmember Lindsey stated we may even see if we already own this property can you check into that. I am not in favor of acquiring these lots one piece at a time, then if they catch wind of this they could hold us hostage to buying these lots.

Mr. Stoddard stated we do try to pick up these for back taxes owed whenever possible. Councilmember Lindsey stated he does have opportunity to some of these areas to be donated. Councilmember Cronberg stated if he could check out for the price of these lots and come back to us with this it would be nice.

Councilmember Goolsby asked if Mr. Stoddard has asked the members who play the front nine to if they were in favor of expanding. Mr. Stoddard stated he has not asked, this is was brought to the council to see if this was something Council would be interested in pursuing. Councilmember Johnson stated for example in Sierra Vista they do acquire some of the land, and it is a lot of planning to do this. Councilmember Cronberg stated this is not going to happen over night but it is something to be proactive about. Mr. Stoddard stated he would do some research on this and come back with what he can come up with.

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REGARDING THE REX ALLEN MUSEUM WOULD LIKE A STREET CLOSURE BETWEEN STEWART AND MALEY ON MAY 25, 2013 FROM 6:00 AM UNTIL 5:00 PM FOR THE 7TH ANNUAL WILLCOX ROD AND CLASSIC CAR SHOW

MOTION: Councilmember Johnson to approve the Rex Allen Museum would like a street closure between Stewart and Maley on May 25, 2013 from 6:00 am until 5:00 pm for The 7th Annual Willcox Rod and Classic Car Show

SECONDED: Councilmember Cronberg **CARRIED**

REGARDING RESOLUTION NO. 2013-29 OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, "CITY", APPROVING A BID FROM BILL'S PUMP SERVICE FOR THE REFURBISHING OF THE IRRIGATION PUMP AT THE TWIN LAKES GOLF COURSE; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

MOTION: Vice Mayor Holloway made a motion to approve Resolution No. 2013-29 A resolution of the Mayor and Council of the City of Willcox, Cochise County, Arizona, "City", approving a bid from bill's pump service for the refurbishing of the irrigation pump at the Twin Lakes Golf Course

SECONDED: Councilmember Cronberg **DISCUSSION:** there were a few minor corrections on this resolution and one was the price and a minor spelling error. Councilmember Nigh asked if this was a pump from a Well. Mr. Bowen stated sometimes we have great pressure and sometimes we don't it is just warren and we need to replace it. Councilmember Lindsey asked if they have done any study to use a sand separator. Mr. Bowen stated we have a very comprehensive He also stated we do have a neutral water coming out it is a 7.6 ph. **6 AYES:** Mayor Irvin, Vice Mayor Holloway, and Councilmembers, Lindsey, Johnson, Cronberg, and Goolsby **1 Nay:** Councilmember Nigh. **CARRIED**

RESOLUTION NO. 2013-30 OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, "CITY", APPROVING THE EXTENSION OF THE REQUEST FOR PROPOSALS FOR THE CITY OF WILLCOX BILLBOARD PERMIT AREAS; DIRECTING AUTHORIZED CITY OFFICERS, AGENTS AND CITY STAFF TO CONTINUE TO RECEIVE PROPOSALS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION.

MOTION: Councilmember Lindsey made a motion to approve Resolution No. 2013-30 A resolution of The Mayor and Council of the City of Willcox, Arizona Resolution of The Mayor and Council of the City of Willcox, Arizona, "City", approving The extension of the request for proposals for the City of Willcox billboard permit areas; directing authorized city officers, agents and city staff to continue to receive proposals

SECONDED: Councilmember Cronberg **DISCUSSION:** Mr. Stoddard stated you gave us permission to go out to bid and I would like to go out to other billboard companies to bid on these and I am asking the Council to approve this. **CARRIED**

RESOLUTION NO. 2013-31 OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, "CITY", WILLCOX, ARIZONA APPROVING BILLBOARD LEASE NUMBER 1-2013, WITH APPLE ANNIE'S ORCHARD, INC., DIRECTING AUTHORIZED CITY OFFICERS, AGENTS AND CITY STAFF TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED.

MOTION: Councilmember Lindsey made a motion to approve Resolution No. 2013-31 a resolution of the mayor and council of the city of resolution of the mayor and council of the city of Willcox, Arizona, "City", approving billboard lease number 1-2013, with Apple Annie's Orchard, Inc., directing authorized city officers, agents and city staff to carry out the purposes and intent of this resolution

SECONDED: Vice Mayor Holloway **DISCUSSION:** Mr. Stoddard stated we had an opening and one bid came in and it was from Apple Annie's they had a minimum bid of \$2400 a year for the first five years and then it would go up to \$3000 the next five years. Once the lease is up and they do not want to renew we would go out to bid with this. **CARRIED**

RESOLUTION NO. 2013-32 OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, "CITY", AUTHORIZING AND APPROVING THE ACCEPTANCE OF HERITAGE GRANT FUNDS IN THE AMOUNT OF \$3,000.00 FROM THE STATE OF ARIZONA GAME AND FISH DEPARTMENT, DIRECTING AUTHORIZED CITY OFFICERS, AGENTS AND CITY STAFF TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED.

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MOTION: Vice Mayor Holloway made a motion to approve Resolution No. 2013-32 of the mayor and council of the city of Willcox, Arizona, "City", Authorizing and approving the acceptance of Heritage Grant Funds in the amount of \$3,000.00 from the State of Arizona Game and Fish Department, directing authorized city officers, agents and city staff to carry out the purposes and intent of this resolution

SECONDED: Councilmember Cronberg **DISCUSSION:** City Manager McCourt explained WOW was not eligible to apply for this grant and asked for the City and to maintain this grant. Councilmember Lindsey asked what this grant would be used for. Mr. Baker stated it will be used for Public Speakers and Publication. **CARRIED**

RESOLUTION NO. 2013-33 OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, "CITY", APPROVING THE PURCHASE OF ONE (1) IN CAR VIDEO CAMERA SYSTEM FOR THE 2007 CROWN VICTORIA FROM WATCH GUARD DIGITAL IN CAR VIDEO, AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

MOTION: Councilmember Goolsby made a motion to approve Resolution No. 2013-33 of the mayor and council of the city of Willcox, Cochise County, Arizona, "City", approving the purchase of one (1) in car video camera system for the 2007 Crown Victoria from Watch Guard Digital in car video, and directing authorized city officers and agents to carry out the purposes and intent of this resolution.

SECONDED: Councilmember Lindsey **DISCUSSION:** Councilmember Lindsey asked if this was a car we just requires. Interim Chief Childers stated yes. Councilmember Lindsey stated I thought this was fully equipped Interim Chief Childers stated the video equipment was not included. **CARRIED**

RESOLUTION NO. 2013-34 OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, "CITY", FOR THE PURPOSE OF APPROVING THE APPOINTMENT OF VIRGINIA A. MEFFORD TO THE APPOINTED POSITION OF CITY CLERK AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION.

MOTION: Vice Mayor Holloway made a motion to approve Resolution No. 2013-34 of the Mayor and Council of the City of Willcox, Cochise County, Arizona, "City", for the purpose of approving the appointment of Virginia A. Mefford to the appointed position of city clerk and authorizing the Mayor to execute this resolution.

SECONDED: Councilmember Goolsby **DISCUSSION:** Councilmember Cronberg stated I have a problem with this process, to ask the Council to retroactive this appointment by Council, and I don't have a problem with Virgie I just have a problem rubber stamping this, not her, but the way this has been handled **5 Ayes:** Mayor Irvin, Vice Mayor Holloway and Councilmembers Lindsey, Goolsby and Nigh. **2 Nays:** Councilmembers Johnson and Cronberg. **CARRIED**

RESOLUTION NO. 2013-35 OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING EMPLOYEE BENEFIT ADVOCATE SERVICE APPLICATION AND THE ADMINISTRATION SERVICES RENEWAL AGREEMENT BETWEEN THE CITY OF WILLCOX AND EMPLOYEE SOLUTIONS GROUP TO ACT AS HEALTH INSURANCE AGENT AND ADMINISTRATOR OF EMPLOYEE BENEFIT PLANS, AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION

MOTION: Vice Mayor Holloway made a motion to approve Resolution No. 2013-35 of the mayor and city council of the City of Willcox, Cochise County, Arizona approving and adopting employee benefit advocate service application and the administration services renewal agreement between the City of Willcox and employee solutions group to act as health insurance agent and administrator of employee benefit plans, and authorizing the mayor to execute this resolution.

SECONDED: Councilmember Cronberg **DISCUSSION:** ESG representatives Al Thunburg and Jon Stewart gave an overview of the health insurance. Employee Advocate services, administrative Services agreement we actually assist the employees. We have agreed to no increases in these services. We have been doing this for about 4 years for the City of Willcox. As Vice Mayor Holloway pointed out they have come back with a huge increase. They do not want to negotiate the rates were too high they came back with a 58% increase. Why the change why 58% you have been better than most of the other carriers so this was very unusual it was clear to us we would have to go out in the marketplace to secure a better rate. The carriers when we do out to bid they request the rate increase of 58% and they didn't want to give us a quote. Blue Cross Blue Shield did give us a very competitive quote they are not secured yet but we will be in our budgeted amount. We were in shock of the rate increase of the HealthNet increase that was not explainable. You are running better then what we predicted. Councilmember

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Lindsey stated I find that interesting but the most recent meeting I was in they had a 57% rate increase I don't know who the carrier was. We recommend at this time to deny this increase. We are in the year in mandates to the carriers but the 58% is not a fair realistic increase. Is anyone not a fan of the blue, councilmember Lindsey stated he has been a member since 1962. All in all we are confident of securing this; we just wanted to keep you abreast of our negotiations. It is a difficult process with the employees and we do an open enrollment with the employees so they understand what they are getting, I would like to say the City of Willcox does give the employees a very good benefits and continue to improve the benefits it offers. We do not get a commission we just get a fixed fee. Councilmember Johnson stated the Councilmember did not realize we paid for this fee. Mr. Thunburg stated I think it would be more if they did a commission basis. **CARRIED**

REVIEW OF PROPOSED CITY ATTORNEY'S CONTRACT

DISCUSSION: City Attorney Roberts stated I brought this as reviews just encase you wanted to add additional language or modify. Councilmember Holloway stated it looks like she added in what we wanted. Ms. Roberts stated I asked Ms. Graham to do the numbers. At the next meeting I will have the Contract and Ordinance modification for you.

CITY MANAGER REPORTS

Council Work Session Meetings- in the Month of May

- **General-** City Manager to take vacation from June 3-5, 2013. Ruth Graham will step in while away.
- **June 3, 2013** present preliminary Budget and adoption at next Regular Council Meeting on June 17, 2013.
- **June 1, 2013** we will have a free dump day at the transfer station and it will be fee of charge.
- **League of Cities and Towns** Annual conference August 27-30, 2013 at El Conquistador, Tucson please let City Clerk, Virgie know if you are planning to attend as the reservations and rooms open up at the end of May.

18. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilmember Goolsby stated when I recall what happened in Boston and know the tragedy that hit Moore Oklahoma and what the City Council must be going through my prayers are with them tonight.

Cronberg stated she echoes Councilmember Goolsby sentiments, asked about the MOU of the Senior Center has been sent to the City Attorney, and Kudos to the Wine Festival it was nicely done.

Vice Mayor Holloway stated Kudos for all the efforts of the Wine Festival and Apple Annie's opened up.

Mayor Irvin stated this weekend was a busy weekend. The Wine festival was a success. We went out to Apple Annie's and it was a nice turnout.

Councilmember Lindsey stated he echoes the Oklahoma commits. Mr. Ellis had a twelve string guitar and I'm glad he did, as he broke two of the strings. I can't believe the amount of people who attended the Wine Festival this weekend.

Councilmember Johnson stated I wanted to point out that the Run for the Wall was overlooked; there were over 500 motorcycles that came in and the Elks Club feed about 570 in total. This is the first time ever they had such a welcome.

Councilmember Nigh stated I am a proud sponsor of the Wine festival, it was a wonderful day.

19. EXECUTIVE SESSION FOR DISCUSSION/CONSIDERATION REGARDING THE HIRING OF THE CITY MANAGER AND CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OF THE PUBLIC BODY

MOTION: Vice Mayor Holloway to approve entering into an Executive Session pursuant to A.R.S. §38-431.03(A) (1) and (A)(3), for the purpose of Discussion or consideration of employment.

SECONDED: Councilmember Cronberg **CARRIED**

20. RECESS TO EXECUTIVE SESSION, IF APPROVED at 8:19 pm.

21. RECONVENE FROM EXECUTIVE SESSION 8:47 p.m.

22. REGARDING CITY MANAGER ADVERTISEMENTS AND TENTATIVE HIRING TIMEFRAME

MOTION: Councilmember Johnson motion to approve City Manager Advertisements, and tentative hiring timeframe and gave direction to staff to proceed to send out the questions discussed in executive session.

SECONDED: Councilmember Cronberg **DISCUSSION:** Mayor Irvin stated the council did have discussion of the hiring process and gave direction to proceed to send out questions as discussed in executive session. **CARRIED**

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23. **ADJOURN** -with not further discussion at 8:56 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 20th day of May 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 20th day of May 2013

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

PASSED, APPROVED AND ADOPTED this 3rd day of June 2013.

/s/ Robert A. Irvin
MAYOR ROBERT A IRVIN

Signed 6-19-2013

ATTEST:

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