

**THE MINUTES OF THE REGULAR MEETING SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 17TH DAY OF JUNE 2013**

CALL TO ORDER by Mayor Irvin at 7:00pm and welcomed all in attendance.

ROLL CALL by City Clerk Virginia A. Mefford

PRESENT

Mayor Robert Irvin
~~Vice Mayor Bill Holloway~~
~~Councilman Gerald Lindsey~~
Councilman Elwood Johnson
Councilwoman Monika Cronberg
Councilman Earl Goolsby
~~Councilman Bill Nigh~~

STAFF

City Manager Tedmond Soltis
City Clerk Virginia A. Mefford
City Attorney Ann P. Roberts
Finance Director Ruth Graham
Interim Public Safety Director Glenn Childers
Library Director Tom Miner
Development Services Jeff Stoddard

ABSENT

Vice Mayor Bill Holloway
Councilman Bill Nigh- Excused
Councilman Gerald Lindsey-Excused

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Irvin

CALL TO THE PUBLIC –

Alfred Tellez- Addressed the Council -1st is having a farmers market in the park area. The farmers were told they would need a permits and the Museum would like to carry them or waive their permits. This would happen on Saturday to bring more people into the downtown area. 2nd item is regarding reserving the parks. There has been controversy on this and I would like a policy or see a policy on how this. In 2004 to now and in 2012 it was reserved under the Museum and it got a bit cross ways and I know it is under the RAD for the next five years. I would like to address the policy. I know RAD does have some things for the Museum I would like to have clarification on this. I would like for the reservation to stay with the organization not the person reserving it. Thank you.

Rob Jones- Addressed the Council and stated he commends the Council with whom they are recommending as the new City Manager: This is a great opportunity for the City and Council to work together and move forward. I would like to commend some of the business that are already in business here in the community, for example, KT Market we should be doing a big fan fare on this and also Serra lumber for all the upgrades they have done. I noticed that the council didn't open with a word of prayer I would like for the Council to look into doing this for the future.

Chamber of Commerce Alan Baker- Presented Mr. McCourt with a Plaque for his accomplishments he has given to the community. RAD and RAM had a discussion last week to address the issues in the previous call to the public regarding the parks; they would like to meet with the new City Manager to see if this can be resolved before presenting it to the Council.

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA

MOTION: Councilman Cronberg moved to adopt the agenda as presented.

SECONDED: Councilmember Goolsby **CARRIED**

CONSENT AGENDA

MOTION: Councilmember Cronberg moved to adopt the agenda as presented.

SECONDED: Councilmember Goolsby **CARRIED**

The following minutes:

- 6a. Approval of Special Meeting Minutes of May 29, 2013
- 6b. Approval of Regular Meeting Minutes June 3, 2013
- 6c. Approval of Special Meeting Minutes June 6, 2013

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6d. Approval of Special Meeting Minutes June 10, 2013

REGARDING WILLCOX ELKS LODGE IS REQUESTING FEES BE WAIVED FOR AN EVENT AT THE POOL.

MOTION: Councilman Johnson moved to approve Willcox Elks Lodge is requesting fees be waived for an event at the pool.

SECONDED: Councilmember Cronberg **CARRIED**

RESOLUTION NO. 2013-39 APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX AND BLUE CROSS BLUE SHIELD FOR MEDICAL INSURANCE BENEFITS FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014; AUTHORIZING THE MAYOR TO EXECUTE SUCH BENEFITS CONTRACT AS PRESENTED AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION

MOTION: Councilman Johnson moved to approve Resolution No. 2013-39 approving and adopting the agreement between the city of Willcox and Blue Cross Blue Shield for medical insurance benefits for the fiscal year July 1, 2013 through June 30, 2014

SECONDED: Councilmember Cronberg **CARRIED**

RESOLUTION NO. 2013-40 APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX AND METLIFE FOR LIFE INSURANCE BENEFITS FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014; AUTHORIZING THE MAYOR TO EXECUTE SUCH BENEFITS CONTRACT AS PRESENTED AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION.

MOTION: Councilman Johnson moved to approve Resolution No. 2013-40 approving and adopting the agreement between the City of Willcox and MetLife for life insurance benefits for the Fiscal Year July 1, 2013 through June 30, 2014

SECONDED: Councilmember Cronberg **CARRIED**

RESOLUTION NO. 2013-41 APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX AND THE ARIZONA RANGE NEWS FOR ADVERTISING AND PUBLICATION SERVICES FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014; AUTHORIZING THE MAYOR TO EXECUTE SUCH CONTRACTS AS PRESENTED AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION.

MOTION: Councilman Johnson moved to approve Resolution No. 2013-41 approving and adopting the agreement between the City of Willcox and the Arizona Range News for advertising and publication services for the Fiscal Year July 1, 2013 through June 30, 2014

SECONDED: Councilmember Cronberg **CARRIED**

RESOLUTION NO. 2013-42 APPROVING THE EQUIPMENT LEASE PURCHASE AGREEMENT BETWEEN OKLAHOMA STATE BANK, LESSOR, AND CITY OF WILLCOX, LESSEE, FOR THE ASPHALT ZIPPER PURCHASE APPROVED BY RESOLUTION 2013-06 ON JANUARY 22, 2013; AUTHORIZING THE MAYOR TO EXECUTE THE LEASE, AND DIRECTING CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION

MOTION: Councilmember Goolsby moved to approve Resolution No. 2013-42 approving the equipment lease purchase agreement between Oklahoma State

Bank, lessor, and City of Willcox, lessee, for the Asphalt Zipper purchase approved by resolution 2013-06 on January 22, 2013

SECONDED: Councilmember Cronberg **DISCUSSION:** On the previous resolution it was a different finance company and that is why it is back on the agenda and it saves the City about \$500.00 **CARRIED**

RESOLUTION NO. 2013-43 APPROVING THE SERVICE CONTRACT FOR PURCHASE OF RECREATIONAL AND EDUCATIONAL SERVICES, "SERVICE CONTRACT", BETWEEN THE CITY OF WILLCOX, "CITY", AND WILLCOX AGAINST SUBSTANCE ABUSE, "WASA", AND AUTHORIZING THE MAYOR TO EXECUTE THE THIS RESOLUTION AND THE SERVICE CONTRACT.

MOTION: Councilwoman Cronberg moved to **table** Resolution No. 2013-43 approving the Service Contract for purchase of recreational and educational Services, "Service Contract", Between the City of Willcox, "City", And Willcox Against Substance Abuse, "WASA", councilwoman stated not all the back information was in the proper area in her Council book .

SECONDED: Councilmember Johnson **CARRIED**

RESOLUTION NO. 2013-44 APPROVING AND ADOPTING THE FY2013-2014 AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLCOX, "CITY" AND THE WILLCOX UNIFIED SCHOOL DISTRICT #13, "SCHOOL", FOR THE PURPOSE OF CONTINUING A SCHOOL SAFETY PROGRAM, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE IGA

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MOTION: Councilmember Cronberg moved to approve Resolution No. 2013-44 approving and adopting the FY 2013-2014 Amendment to the Intergovernmental Agreement between the City of Willcox, "City" And the Willcox Unified School District #13, "School", For The Purpose Of Continuing a School Safety Program

SECONDED: Councilmember Goolsby **DISCUSSION:** Ms Cronberg asked from what fund this is coming from. Mr. McCourt sated this comes from the General fund. Councilwoman Cronberg asked if this was reflected on the current budget. Mr. McCourt stated yes it is. **CARRIED**

RESOLUTION NO. 2013-45 THE TENTATIVE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2013-2014, AUTHORIZING AND DIRECTING PUBLICATION OF STATEMENTS AND SCHEDULES OF THE TENTATIVE BUDGET AND SETTING THE DATES FOR THE PUBLIC HEARINGS ON THE TENTATIVE BUDGET BEFORE FINAL ADOPTION.

MOTION: Councilmember Goolsby moved to approve Resolution No. 2013-45 the tentative budget of the city of Willcox for Fiscal Year 2013-2014, authorizing and directing publication of statements and schedules of the tentative budget and setting the dates for the public hearings on the tentative budget before final adoption. **SECONDED:** Councilmember Cronberg

DISCUSSION: Ms. Graham gave a presentation form the budget from the Councilmember's Council books, and indicated a small correction to reallocate funds . All the numbers do stay the same. Our primary and secondary property taxes represent about 10% of the total tax bill a tax payer receives from the county. Mr. McCourt asked if the secondary taxes were voter approved. Ms. Graham stated yes they were. This FY13-14 Budget Draft are the totals of the 2013 budget and this coming year will be a bit more due to the magistrate court and we have had turnover and it has reduced the wages and lowered our overtime. She went line by line on the budget of the impact of the budget. Ms. Graham asked the council to approve the tentative budget tonight. Councilwoman Cronberg asked if **this budgets** councilman Johnson asked on the General fund expenditures then is form FY2013-14 953, 2014 in the stated of Arizona we do an estimate this year we are hoping on special revenue funds did we expend all the golf course money. Ms Graham stated there is about \$8200 in their budget. 3 Ayes- Mayor Irvin, councilmember's Cronberg and Goolsby one nay Councilman Johnson **CARRIED**

RESOLUTION NO. 2013-46 APPROVING AND AUTHORIZING THE BASE CONTRACT FOR THE SALE AND PURCHASE OF NATURAL GAS WITH SEMINOLE ENERGY COMPANY; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilmember Goolsby moved to approve Resolution No. 2013-46 approving and authorizing the base contract for the sale and purchase of natural gas with Seminole Energy Company; directing authorized city officers and agents to carry out the purposes and intent of this resolution

SECONDED: Councilmember Johnson **DISCUSSION:** Mr. Bowen stated BP went up 6 cents and we checked with other companies but Serra Southwest came back with 3 cents less and we are back to 2001 price. **CARRIED**

CITY MANAGER REPORTS

- **General-** City Manager officially retires on July 08, 2013. City doesn't anticipate any difficulties; Mr. Soltis anticipates starting on July 1, 2013 and Ms. Graham agreed to fill in until until he arrives.
- **Mayor/Manager Luncheon-** Thursday, June 20. 2013 at Douglas
- **League of Cities and Towns** Annual conference August 27-30, 2013 at El Conquistador, Tucson please let City Clerk, know if you are planning to attend. She has secured 6 rooms for this conference; we will have to book in the overflow if we have more who would like to attend. Parade of Flags on August 28 at 9:00 am and Booth at 6 pm. We will have to make a decision at the next Council meeting on whom carry the flag and booth cost. City Clerk has the contact information for Nature Sweet to get the donation of tomatoes.
- **City Manager-** has contacted the new City Manager Tedmond Soltis and has welcomed him.
- **Arizona Office of Tourism-**The Marketing Cooperative FY 2014 Affidavit to Support of Application was signed and sent to Ms. Gussie Motter.
- **LTSA-** was granted for \$17,829.00 and was approved by Resolution 2013-13.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilman Goolsby stated in anticipation to this being City Manager's last meeting I would like to wish him the best and thank you for helping me along with being a new council member.

Monika would like to wish you well.

Johnson Good luck to you and Gwen.

Mayor Irvin stated I would like to say I appreciate what you have done for the City and would like to add he plays dominoes with as much passion as he runs the city.

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

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MOTION: Councilmember Cronberg moved to 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 Johnson **CARRIED**

RECESS TO EXECUTIVE SESSION, IF APPROVED: at 7:45 pm.

RECONVENE FROM EXECUTIVE SESSION: at 8:25 pm

RESOLUTION NO. 2013-47 APPROVING THE EMPLOYMENT AGREEMENT WITH TEDMOND J. SOLTIS; APPOINTING TEDFORD J. SOLIS TO THE POSITION OF CITY MANAGER AND, AUTHORIZING THE MAYOR TO EXECUTE THE EMPLOYMENT AGREEMENT AS PRESENTED AND THIS RESOLUTION

MOTION: Councilmember Cronberg moved to table Resolution No. 2013-47 approving the employment agreement with Tedmond J. Soltis; appointing Tedmond J. Soltis to the position of City Manager

SECONDED: Councilmember Johnson **DISCUSSION:** Ms. Roberts stated we can table that and finalize it at the next Council meeting. **CARRIED**

MOTION: Councilmember Cronberg moved to approve contract amount of \$90,000 annually initial term three years, effective July 1, 2013; contract terms include: six month severance pay, up to \$5000 moving and relocation cost, 160 hours of annual vacation, and annual review/evaluation by 15th of December. The contract will be formally presented for council ratification on July 1st at the next Council meeting. **Second:** Councilmember Johnson

MOTION: Councilman Johnson made a motion to recess for five minutes **SECONDED:** Councilwoman Cronberg **CARRIED** at 8: 34 pm.

Reconvene from recess at 8:50 pm.

Ms. Roberts stated there is a motion on the floor. Mayor Irvin called for the vote: **CARRIED**

~~REGARDING DIRECTION FROM CITY COUNCIL TO CITY ATTORNEY ON HOW TO PROCEED WITH THE HIRING CONTRACT OF TEDMOND J. SOLTIS AS CITY MANAGER~~

~~Council gave City Attorney Ms. Roberts direction to proceed with the hiring contract of Tedmond J. Solis as City Attorney~~

ADJOURN- with no further discussion at 8:51 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 17th day of June 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 17th day of June 2013

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 1st day of July 2013.

MAYOR ROBERT A IRVIN

Signed _____

ATTEST:

City Clerk Virginia A. Mefford