

CITY OF WILLCOX

MAYOR AND CITY COUNCIL AGENDA

STATEMENT OF LEGAL ACTION

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA
WILL BE HELD ON JUNE 17, 2013, AT 7:00 P.M.

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

2. **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

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**- led by Mayor Irvin

4. CALL TO THE PUBLIC

Alfred Tellez- Addressed the council 1 thing is farmers market in the park area. Would like to move forward with this and the farmers were told they would need a permits and the Museum would like to carry them or waive their permits, on Saturday to bring more people to the downtown area. 2nd item reserving the parks there has been controversy on this I would like a policy on how this works 2004 to know and in 2012 it was reserved under the Museum and it got a bit crossed ways and knows 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 know to have clarification on this. I would like for the reservation to stay with the organization not the person reserving it.

Rob Jones- Like to commend 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. I noticed that the council didn't open with a word of prayer I would like for the Council to look into doing this in 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.

5. DECLARATION ON CONFLICT OF INTEREST

None Declared

6. ADOPTION OF THE AGENDA

It was moved and seconded to adopt the agenda as presented. **CARRIED**

7. CONSENT AGENDA

It was moved and seconded to adopt the agenda as presented. **CARRIED**

The following minutes:

- 7a. Approval of Special Meeting Minutes of May 29, 2013
- 7b. Approval of Regular Meeting Minutes June 3, 2013
- 7c. Approval of Special Meeting Minutes June 6, 2013
- 7d. Approval of Special Meeting Minutes June 10, 2013

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

It was moved and seconded to approve Willcox Elks Lodge is requesting fees be waived for an event at the pool. **CARRIED**

9. 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

It was moved and seconded 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. **CARRIED**

10 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.

It was moved and seconded 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. **CARRIED**

11. 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.

It was moved and seconded 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. **CARRIED**

12 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

It was moved and seconded 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. **CARRIED**

13. 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.

It was moved and seconded 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. **CARRIED**

14. 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

It was moved and seconded 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 **CARRIED**

15. 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.

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It was moved and seconded 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. **CARRIED**

16. 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.

It was moved and seconded 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 **CARRIED**

17. 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.

18. 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.

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

It was moved and seconded 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. **CARRIED**

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

21. RECONVENE FROM EXECUTIVE SESSION: at 8:25 pm

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

It was moved and seconded to table Resolution No. 2013-47 approving the employment agreement with Tedmond J. Soltis; appointing Tedmond J. Soltis to the position of City Manager **CARRIED**

MOTION It was moved and seconded 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:** Councilman Johnson

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It was moved and seconded to recess for five minutes 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

23. 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~~

24. ADJOURN- with no further discussion at 8:51 PM