

CITY OF WILLCOX MAYOR AND CITY COUNCIL AGENDA

STATEMENT OF LEGAL ACTION

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA
JULY 1, 2013, AT 7:00 P.M.

1. **CALL TO ORDER**- Mayor Bob Irvin called the regular session meeting to order on Monday, July 1, 2013 at 7:00 p.m. and welcomed everyone in attendance

2. **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 Ted Soltis
City Clerk Virginia A. Mefford
City Attorney Ann P. Roberts
Finance Director Ruth Graham
Police Chief interim Glenn Childers
Public Services & Works Director John Bowen
Library Director Tom Miner
Development Services Jeff Stoddard

ABSENT

Councilman Earl Goolsby -Excused

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

4. **CALL TO THE PUBLIC**- None

5. **DECLARATION ON CONFLICT OF INTEREST**

Councilmember Lindsey declared a conflict of interest on Item #26 as he is an officer of the board.

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 consent agenda as presented. **CARRIED**

The following minutes:

7a. Approval of Special Meeting Minutes of June 17, 2013

8. **PUBLIC HEARINGS**

8a. Public Hearing on final Budget (2nd Public Hearing on July 15th): **Opened: 7:08 PM CLOSED: 7:09 PM**

8b. Property Tax Levy (July 15th and August 5th)

9. **RESOLUTION NO. 2013-47 APPROVING THE EMPLOYMENT AGREEMENT WITH TEDMOND J. SOLTIS; APPOINTING TEDMOND J. SOLTIS 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 moved to approve Resolution No. 2013-47 approving the employment agreement with Tedmond J. Soltis; appointing Tedmond J. Soltis to the position of City Manager. **CARRIED**

CITY OF WILLCOX

MAYOR AND CITY COUNCIL AGENDA

STATEMENT OF LEGAL ACTION

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA
JULY 1, 2013, AT 7:00 P.M.

10. REGARDING THE CHIRICAHUA TRAIL VOLUNTEER FIRE DEPARTMENT IS REQUESTING FEES WAIVED FOR A FUNDRAISING EVENT AT THE COMMUNITY CENTER

It was moved and seconded to approve the Chiricahua Trail Volunteer Fire Department would like fees waived for a fundraising event at the Community Center. **CARRIED**

11. REGARDING THE CHIRICAHUA TRAIL VOLUNTEER FIRE DEPARTMENT IS REQUESTING THE WAIVER OF INDIVIDUAL VENDER PERMITS.

It was moved and seconded to approve The Chiricahua Trail Volunteer Fire Department Is requesting the waiver of individual vender permits. **CARRIED**

12. REGARDING THE WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE IS REQUESTING FEES WAIVED FOR THE USE OF RAILROAD PARK ON AUGUST 31, 2013 FROM 7:30 AM UNTIL NOON.

It was moved and seconded to approve the Willcox Chamber of Commerce and Agriculture is requesting fees waived for the use of Railroad Park on August 31, 2013 from 7:30 am until Noon. **CARRIED**

13. REGARDING THE REX ALLEN DAYS INC.IS REQUESTING PERMISSION TO HAVE THE STREETS CLOSURE FOR THE REX ALLEN DAY PARADE FROM MALEY AND AUSTIN AND PROCEED TO NORTH TO FREMONT FROM FREMONT TO HASKELL; SOUTH ON HASKELL TO STEWART; EAST ON STEWART TO RAILROAD TO MALEY.;WEST ON MALEY TO HASKELL THEN SOUTH ON HASKELL TO END AT MCCOURT AVENUE.

It was moved and seconded to approve the Rex Allen Days Inc. Is Requesting Permission to have the streets closure for The Rex Allen Day Parade from Maley and Austin and Proceed to North to Fremont from Fremont to Haskell; South on Haskell to Stewart; East on Stewart to Railroad to Maley; West on Maley to Haskell Then South on Haskell to end at McCourt Avenue. **CARRIED**

14. REGARDING REX ALLEN DAYS INC. REQUEST FOR PERMISSION TO HAVE A STREET CLOSURE FROM RAILROAD AVENUE FROM STEWART TO MALEY FOR A STREET DANCE FROM 1:00 PM OCTOBER 5TH TO 5:00 PM OCTOBER 6TH

It was moved and seconded to approve the Rex Allen Days Inc. Requesting Permission to have street closure from Railroad Avenue from Stewart to Maley for a Street Dance From 1:00 PM October 5th to 5:00 PM October 6th. **CARRIED**

15. REGARDING THE REX ALLEN DAYS INC. REQUEST FOR LIQUOR LICENSE APPLICATION FOR OCTOBER 5, 2013 FROM NOON TO 11: 00 PM AT 312 N STEWART FOR A FUND RAISING EVENT

It was moved and seconded to approve the Rex Allen Days Inc. request for Liquor License Application for October 5, 2013 from noon to 11: 00 pm At 312 N Stewart for a fund raising event . **CARRIED**

16. REGARDING THE REX ALLEN DAYS INC. REQUEST FOR LIQUOR LICENSE APPLICATION FOR OCTOBER 5-6, 2013, SATURDAY FROM NOON TO 11: 00 PM AND SUNDAY FROM 1:00 PM TO 5:00 PM AT RAILROAD AVENUE FOR A FUND RAISING EVENT.

It was moved and seconded to approve the Rex Allen Days Inc. request for Liquor License Application for October 5-6, 2013, Saturday from noon to 11: 00 pm and Sunday from 1:00 pm to 5:00 pm at Railroad Avenue for a fund raising event. **CARRIED**

CITY OF WILLCOX

MAYOR AND CITY COUNCIL AGENDA

STATEMENT OF LEGAL ACTION

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA
JULY 1, 2013, AT 7:00 P.M.

17. REGARDING THE REX ALLEN DAYS INC. REQUEST FOR LIQUOR LICENSE APPLICATION FOR OCTOBER 5-6, 2013, SATURDAY FROM 8: 00 AM TO 11: 00 PM AND SUNDAY FROM NOON TO 5:00 PM AT 801 N QUAIL DRIVE FOR A FUND RAISING EVENT.

It was moved and seconded to approve The Rex Allen Days Inc. request for Liquor License Application for October 5-6, 2013, Saturday from 8: 00 am to 5: 00 pm and Sunday from noon to 5:00 pm at 801 N Quail Drive for a fund raising event. **CARRIED**

18. REGARDING THE ATTENDANCE AND PARTICIPATION AT THE LEAGUE OF ARIZONA CITIES AND TOWNS ANNUAL CONFERENCE IN TUCSON, AZ

DISCUSSION: Vice Mayor Holloway stated it is a good idea to have the booth it brings in a lot of traffic to the booth and Councilmember Lindsey stated he would be happy to carry the flag if no one else would like to. Council gave direction to staff to proceed with the booth and Councilmember Lindsey would carry the flag.

19. REGARDING THE APPROVAL LETTER FOR INDE MOTORSPORTS RANCH UPDATED MASTER PLAN

It was moved and seconded to approve the approval letter for Inde Motorsports Ranch updated Master Plan. **CARRIED**

20. REGARDING ACCEPTING DONATION FROM FOSTER SHEET METAL FOR CITY HUMANE SHELTER

It was moved and seconded Accepting Donation from Foster Sheet Metal for City Humane Shelter. **CARRIED**

21. AMENDED RESOLUTION NO. 2013-17 APPROVING THE REQUEST FOR A TWO YEAR EXTENSION OF THE LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA); DIRECTING THE EXECUTION AND DELIVERY OF SUCH REQUEST TO THE WIFA BOARD AND ANY OTHER SUPPORTING DOCUMENTATION IN CONNECTION THEREWITH; DIRECTING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED AND FURTHER DIRECTING CITY STAFF TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

It was moved and seconded to approve Resolution No. 2013-17 approving the request for a two year extension of the Loan Agreement with the Water Infrastructure Finance Authority of Arizona (WIFA); directing the execution and delivery of such request to the WIFA Board and any other supporting documentation in connection therewith. **CARRIED**

22. 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 approve 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". **CARRIED**

It was moved and seconded to amend the 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". City Attorney Roberts to add the Waiver of all fees in Section 4 to the Resolution. **CARRIED**

CITY OF WILLCOX MAYOR AND CITY COUNCIL AGENDA

STATEMENT OF LEGAL ACTION

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA
JULY 1, 2013, AT 7:00 P.M.

23. RESOLUTION NO. 2013-48 APPROVING THE TECHNICAL ASSISTANCE AGREEMENT NUMBER TAA13-005, PID:757, DPAD R 4.09M FOR THE PURPOSE OF ACCEPTING GRANT FUNDS FROM THE BORDER ENVIRONMENTAL COOPERATION COMMISSION, "BECC", FOR THE PURPOSE OF PERFORMING THE FINAL PHASE OF THE ENGINEERING AND DESIGN SERVICES FOR THE WILLCOX WASTEWATER TREATMENT PLANT, "WWTP"; AUTHORIZING CITY ADMINISTRATORS AND STAFF TO EXECUTE ALL DOCUMENTATION AND TAKE ALL NECESSARY ACTION TO IMPLEMENT ACCEPTANCE OF THE GRANT AND DIRECTING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED.

It was moved and seconded to approve Resolution No. 2013-48 approving the Technical Assistance Agreement Number Taa13-005, PID:757, DPADR 4.09m For The Purpose Of Accepting Grant Funds from the Border Environmental Cooperation Commission, "BECC", for the purpose of Performing the Final Phase of the Engineering and Design Services for The Willcox Wastewater Treatment Plant, "WWTP". **CARRIED**

24. RESOLUTION NO. 2013-49 APPROVING THE REVISED COMPENSATION SCHEDULE AS EXHIBIT "A" TO THE 2005 AGREEMENT FOR ENGINEERING AND PLANNING SERVICES APPROVED WITH W.C. SCOUTTEN INC., AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED.

It was moved and seconded to approve Resolution No. 2013-49 approving the revised compensation schedule as exhibit "A" to the 2005 Agreement for Engineering and Planning Services Approved with W.C. Scoutten Inc. **CARRIED**

25. RESOLUTION NO. 2013-50 DESIGNATING AUTHORIZED SIGNATORIES FOR THE CITY OF WILLCOX BANK ACCOUNTS, PROPERTIES, AFFAIRS, BOOKS AND CORPORATE RECORDS OF THE CITY; DIRECTING AUTHORIZED CITY ADMINISTRATORS AND STAFF TO CARRY OUT THE INTENT AND PURPOSES OF THIS RESOLUTION; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED; AND DECLARING AN EMERGENCY TO EXIST.

It was moved and seconded to approve Resolution No. 2013-50 to approve designating authorized signatories for the City of Willcox Bank Accounts, Properties, Affairs, Books and Corporate Records of the City. **CARRIED**

26. RESOLUTION NO. 2013-51 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.

It was moved and seconded to approve Resolution No. 2013-51 approving the Pledgee Agreement Form with the Federal Reserve Bank of Boston. **CARRIED**

27. RESOLUTION NO. 2013-52 APPROVING A TELECOMMUNICATIONS SERVICES NON-EXCLUSIVE LICENSE AGREEMENT WITH VALLEY TELEPHONE COOPERATIVE, INC.; AUTHORIZING THE MAYOR TO EXECUTE THE LICENSE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED AND FURTHER AUTHORIZING AND DIRECTING CITY ADMINISTRATION AND STAFF TO ACT ACCORDINGLY TO IMPLEMENT THE PURPOSES AND INTENT OF THIS RESOLUTION.

It was moved and seconded to approve Resolution No. 2013-52 approving a Telecommunications Services Non-Exclusive License Agreement with Valley Telephone Cooperative, Inc. **CARRIED**

28. RESOLUTION NO. 2013-53 APPROVING A TELECOMMUNICATIONS SERVICES NON-EXCLUSIVE LICENSE AGREEMENT WITH VALLEY CONNECTIONS LLC.; AUTHORIZING THE MAYOR TO EXECUTE THE LICENSE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AS PRESENTED AND FURTHER AUTHORIZING AND DIRECTING CITY ADMINISTRATION AND STAFF TO ACT ACCORDINGLY TO IMPLEMENT THE PURPOSES AND INTENT OF THIS RESOLUTION.

It was moved and seconded to approve Resolution No. 2013-53 approving a Telecommunications Services Non-Exclusive License Agreement with Valley Connections LLC. **CARRIED**

CITY OF WILLCOX

MAYOR AND CITY COUNCIL AGENDA

STATEMENT OF LEGAL ACTION

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA
JULY 1, 2013, AT 7:00 P.M.

29. RESOLUTION NO. 2013-54 APPROVING AND ADOPTING THE FY 2012-2013 AGREEMENT BETWEEN THE CITY OF WILLCOX, "CITY", AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC., "SEACAP", AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST

It was moved and seconded to approve Resolution No. 2013-54 approving and adopting the FY 2012-2013 with the correct FY to 2013-2014 agreement between the City of Willcox, "City", and the Southeastern Arizona Community Action Program, Inc., "SAECAP". **CARRIED**

30. RESOLUTION NO. 2013-55 APPROVING AND ADOPTING THE FY 2013-2014 UTILITIES CONTRIBUTION AGREEMENT BETWEEN THE CITY OF WILLCOX, "CITY", AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC., "SEACAP", AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

It was moved and seconded to approve Resolution No. 2013-55 approving and adopting the FY 2013-2014 Utilities Contribution Agreement between the City of Willcox, "City", and the Southeastern Arizona Community Action Program, Inc., "SEACAP". **CARRIED**

31. CITY MANAGER REPORTS

- **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. 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. Virgie has the contact information for Nature Sweet to get the donation of tomatoes.
- **Golf Course-** Pump has been installed and working great.
- **Rex Allen Day's Inc.-** Schedule of events
- Willcox Little League will host of the Willcox All Stars this coming week.

32. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilmember Nigh stated on item 23 even if Wilson Engineering does all the engineering, it won't matter how much we spend, if we don't clean this up the pond we will not get this water cleaned up.

Councilmember Johnson welcomed Mr. Soltis as our new City Manager.

Mr. Lindsey welcomed Mr. Soltis as our new City Manager.

Councilmember Holloway stated I would like to thank the Council on picking the new City Manager and welcome Ted. I would also, like to thank Mr. Levin who is a retired firefighter and a volunteer firefighter, with is said it makes me think about the lives lost recently in Prescott, AZ and I would like to thank all of our firefighters for all they do for us.

Councilmember Cronberg stated I am very glad Ted is here. I also want to say my heart goes out to the firefighter's family for their loss and my thanks to all the firefighters.

33. ADJOURN: With no further discussion the Mayor adjourned the meeting at 8:10 P.M.