

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 21st DAY OF JANUARY, 2014**

CALL TO ORDER - Mayor Bob Irvin called the meeting to order at 7:00 p.m.

ROLL CALL - City Clerk, Virginia A. Mefford called the roll.

PRESENT

Mayor Robert A. Irvin
Vice Mayor Bill Holloway
Councilman Elwood A. Johnson-
Councilman Gerald W. Lindsey
Councilwoman Monika Cronberg
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

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

ABSENT

Councilman William "Bill" Nigh

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Mayor Irvin

CALL TO THE PUBLIC

DECLARATION ON CONFLICT OF INTEREST - None

ADOPTION OF THE AGENDA

MOTION: Councilmember Johnson made a motion to adopt the agenda.

SECONDED: Councilmember Cronberg

MOTION CARRIED

APPROVAL OF MINUTES OF THE REGULAR MEETING OF JANUARY 21, 2013.

MOTION: Councilmember Lindsey made a motion to approve the minutes.

SECONDED: Vice Mayor Holloway

MOTION CARRIED

**SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC. (SSVEC) CAPITAL CREDITS CHECK
PRESENTATION - TELLY STANGER**

Mr. Stanger presented a capital check in the amount of \$1,364.95 to the Council. The Council thanked SSVEC.

MOTION: Vice Mayor Holloway made a motion to accept the check.

SECONDED: Councilmember Lindsey

MOTION CARRIED

WILLCOX CARES REQUEST FOR ADDITIONAL MOTEL DEMOLITION FUNDS

MOTION: Vice Mayor Holloway made a motion to approve Willcox Cares request for additional motel demolition funds.

SECONDED: Councilmember Cronberg

DISCUSSION: Chamber Director, Alan Baker, thanked Mike Kauffman with Willcox Cares, the County, and the City. Councilmembers noted that this was a win/win situation. Councilmember Cronberg said considering the time frame given, it was amazing and she thanked them.

MOTION CARRIED

**ARIZONA MUNICIPAL RISK RETENTION POOL (AMRRP) MUNICIPAL LIABILITY COVERAGE APPROVAL -
PRESENTATION BY ED BANTEL**

MOTION: Vice Mayor Holloway made a motion to approve Arizona Municipal Risk Retention Pool (AMRRP) Municipal Liability Coverage.

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Seconded: Councilmember Cronberg

DISCUSSION: Mr. Bantel gave a presentation on the AMRRP Municipal Liability Coverage. He stated the City of Willcox is one of their best clients for property casualty. Councilmember Lindsey asked for clarification regarding the buildings in question. He asked staff if they could better describe the buildings. Vice Mayor Holloway asked staff to provide Council with a breakdown of the structures. Mr. Stoddard asked for an explanation on building replacement coverage. Mr. Bantel explained that the structure would be replaced "as is" with additional coverage to meet building codes.

MOTION CARRIED

FRIENDS OF MARTY ROBBINS MUSEUM REQUEST FOR RAILROAD AVE. STREET CLOSURE FROM HASKELL AVE. TO MALEY ST. ON MARCH 1ST 8:00 AM UNTIL 8:30 AM FOR A PARADE

MOTION: Councilmember Johnson made a motion to approve Friends of Marty Robbins Museum request for Railroad Ave. street closure from Haskell Avenue to Maley St. on March 1st 8:00 am until 8:30 am for a parade.

SECONDED: Councilmember Lindsey

DISCUSSION: Councilmember Johnson noted that there may be a typo as the parade starts at 9:00 am.

MOTION CARRIED

FRIENDS OF MARTY ROBBINS MUSEUM REQUEST FOR RAILROAD AVE. STREET CLOSURE FROM STEWART ST. TO MALEY ST. ON MARCH 1ST AND 2ND FROM 8:00 AM UNTIL 4:00 PM

MOTION: Councilmember Johnson made a motion to approve Friends of Marty Robbins Museum request for Railroad Ave. street closure from Haskell Avenue to Maley St. on March 1st and 2nd from 8:00 am until 4:00 pm.

SECONDED: Councilmember Lindsey

MOTION CARRIED

RESOLUTION 2014-05 SETTING THE DAY AND TIME FOR THE REGULAR COUNCIL MEETINGS

MOTION: Councilmember Cronberg made a motion to approve the time change to 6:30 pm.

SECONDED: Councilmember Johnson

DISCUSSION: Councilmember Johnson asked if there would be a scheduling conflict with work sessions. Councilmember Goolsby said we could work around this if we needed to.

MOTION CARRIED

MOTION: Councilmember Cronberg stated, "The way this resolution reads, is to reevaluate the date change. I would like at this time to move the meeting days to Thursday evenings."

SECONDED: Councilmember Johnson

DISCUSSION: Councilmember Cronberg stated things change and she was able to accommodate this at this time. Councilmember Lindsey asked if this would take effect in February. City Manager Soltis said yes.

MOTION CARRIED

RESOLUTION 2014-06 APPROVING AND ADOPTING THE MISSION AND VISION STATEMENTS PROPOSED BY THE PUBLIC LIBRARY ADVISORY COMMITTEE FOR THE ELSIE S. HOGAN COMMUNITY LIBRARY

MOTION: Vice Mayor Holloway made a motion to approve Resolution 2014-06.

SECONDED: Councilmember Cronberg

MOTION CARRIED

NATURESWEET LETTER OF SUPPORT

MOTION: Councilmember Cronberg made a motion to approve the NatureSweet letter of support.

SECONDED: Councilmember Lindsey

DISCUSSION: City Manager Soltis said NatureSweet asked for Council to help them with this request. He drafted the letter based on the recommendation of NatureSweet and recommended Council approve the letter of support.

MOTION CARRIED

FINANCIAL REPORTS

DISCUSSION: Ms. Graham presented the financial reports for Fiscal Year 2013-2014. Councilmembers asked questions.

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CITY MANAGER REPORTS

- He attended a Willcox Historic Theater meeting. Input was gathered from individuals representing various organizations. He said we are fortunate to have the theater and we need to support it.
- Public Works had a pot-luck for retiring city worker, Joe Fimbres. He retired after 10 years of service. He thanked Joe for his hard work and dedication.
- He met with Small Business Development Center (SBDC) which works closely with Cochise Community College. He indicated they are a good resource and he encouraged businesses that need assistance to contact them. Information is available at City Hall.
- The City is nearly about finished with Wings Over Willcox (WOW) property donation.
- He attended the WOW banquet and was very impressed with the event. The Mayor and he met with Congressman Barber.
- He attended the Mayor Manager luncheon in Sierra Vista with Mayor Irvin and Councilmember Lindsey.
- He attended the annual Firemen's Pension Board meeting. The Mayor ran that meeting and did a great job.
- We have a solution to the City's unsightly recycling center on Railroad Avenue; it's currently more of a dump site than a recycling center. The City is partnering with the County as they offer free recycling at the transfer station.
- Interim Chief Childers presented an end-of-the-year report.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilmember Johnson commented on recycling. He usually takes his cardboard after work and couldn't drop it off on Saturday night; he had to keep it until Tuesday. He used to have a dumpster at Kempton and it was there so people could dump their trash rather than in the alley or behind buildings. He was concerned that tipping fees would go up. He suggested the City may want to think about having a place to recycle at least the cardboard and newspaper.

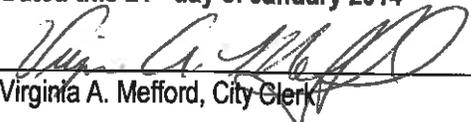
Mayor Irvin welcomed the Chamber Director's wife, Pam, to Willcox.

ADJOURN Being no further business before the Mayor and Council, the meeting was adjourned at 8:10 pm by Mayor Irvin.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Willcox held on the 21st day of January, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 21st day of January 2014


Virginia A. Mefford, City Clerk

PASSED, APPROVED AND ADOPTED this 6th day of February 2014.

MAYOR ROBERT A IRVIN

ATTEST:

Date signed: _____

City Clerk Virginia A. Mefford

CITY OF WILLCOX
Request for Council Action

Agenda Item: 8
Tab Number: _____

Date:
2/20/14

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Ordinance NS317
Tax Code Amendment

To: Honorable Mayor and City Council

From: City Manager

History: Some time ago the City Tax Code was removed by Ordinance from the Municipal Code Book. Since then the Tax Code has been kept up-to-date by the League of Arizona City and Towns via recommended ordinances passed by City Council.

As part of the codification process it was discovered that the removal of the Tax Code from the Code Book was not complete, Section 3-2-1 "Transient Occupancy Tax" remained. This ordinance will rectify this oversight and also remove any ambiguity related to the Tax Code's removal from the Code Book.

Recommendation: Pass Ordinance

Fiscal Impact: None

Approved By: _____


Ted Soltis, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

ORDINANCE NS317

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF WILLCOX, ARIZONA, AMENDING THE CITY CODE, TITLE 3, CHAPTER 2, "CITY TAX CODE", SECTION 3-2-1, "CODE ADOPTED" AND TITLE 3, CHAPTER 3, "TRANSIENT OCCUPANCY TAX"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1: The Willcox City Code, Title 3, Chapter 2, "City Tax Code", Section 3-2-1, "Code Adopted", shall hereby be amended to read as follows:

3-2-1: CODE ADOPTED:

THE "WILLCOX CITY TAX CODE", AS ADOPTED AND AMENDED BY THE WILLCOX CITY COUNCIL FROM TIME TO TIME BY ORDINANCE, IS ~~The Amendments to the tax code of the city as passed and adopted by the Willcox City Council,~~ are hereby referred to and made a part hereof as if fully set out in this Chapter.

SECTION 2: Said TAX CODE AS PRESENTLY ADOPTED ~~Amendments are~~ IS a public record of the City; ~~and~~ three (3) copies OF SUCH REFERENCED DOCUMENT are on file in the office of the city clerk for public inspection.

SECTION 3: The Willcox City Code, Title 3, Chapter 3, "Transient Occupancy Tax", is repealed in its entirety.

SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the City Code adopted herein by reference are hereby repealed.

SECTION 5: If any section, subsection, sentence, clause, phrase or portion of the ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6: The effective date of this ordinance shall be thirty (30) days after adoption.

SECTION 7: Pursuant to A.R.S. §9-812, the City Clerk is directed to publish the text of this Ordinance for two (2) consecutive weeks in a newspaper of general circulation, and further, to post a copy of this Ordinance in three (3) or more public places within the City.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 20th day of February, 2014.

APPROVED/EXECUTED:

ROBERT A. IRVIN, MAYOR

ATTEST:

VIRGINIA A. MEFFORD, City Clerk

APPROVED AS TO FORM:

ANN P. ROBERTS, City Attorney

ORDINANCE NS317

Published in the Range News on the _____ and _____.

Passed and Adopted by ___ of 7 Council Votes.

Posted on February ____, 2014.

Clerk's Initials _____

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

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3-2-1: CODE ADOPTED:

The "Willcox City Tax Code", as adopted and amended by the Willcox City Council from time to time by ordinance, is hereby referred to and made a part hereof as if fully set out in this Chapter.

SECTION 2: Said Tax Code as presently adopted is a public record of the City; three (3) copies of such referenced document are on file in the office of the city clerk for public inspection.

SECTION 3: The Willcox City Code, Title 3, Chapter 3, "Transient Occupancy Tax", is repealed in its entirety.

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APPROVED/EXECUTED:

ROBERT A. IRVIN, MAYOR

ATTEST:

VIRGINIA A. MEFFORD, City Clerk

APPROVED AS TO FORM:

ANN P. ROBERTS, City Attorney

ORDINANCE NS317

Published in the Range News on the _____ and _____.

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