

THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 19th DAY OF MAY 2016

CALL TO ORDER - Mayor Robert Irvin called the meeting to order at 6:30 p.m.

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

PRESENT

Mayor Robert A. Irvin
Vice Mayor Earl Goolsby
~~Councilman Elwood A. Johnson~~
Councilman Gerald W. Lindsey
Councilman William "Bill" Nigh
Councilman Timothy A. Bowlby
Councilman Michael J. Laws

STAFF

City Manager Ted Soltis
City Clerk Virginia Mefford
~~City Attorney Ann P. Roberts~~
Police Chief Jose Rios
Finance Director Crystal Hadfield

ABSENT

Councilmember Elwood A. Johnson

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Mayor Irvin

CALL TO THE PUBLIC - None

DECLARATION ON CONFLICT OF INTEREST - None

ADOPTION OF THE AGENDA

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

SECONDED: Councilmember Laws seconded the motion.

MOTION CARRIED

APPROVAL OF MINUTES OF THE REGULAR MEETING OF APRIL 21, 2016

MOTION: Councilmember Bowlby made a motion to approve the minutes as presented.

SECONDED: Councilmember Lindsey seconded the motion.

MOTION CARRIED

RESOLUTION 2016-06 - A RESOLUTION APPROVING AND ADOPTING THE COURT CONSOLIDATION AGREEMENT BETWEEN THE CITY OF WILLCOX "CITY" AND COCHISE COUNTY "COUNTY"

MOTION: Councilmember Laws made a motion to approve Resolution 2016-06.

SECONDED: Councilmember Bowlby seconded the motion.

DISCUSSION: City Manager Soltis stated it is for three years. Councilmember Lindsey asked if this was an increase. City Manager stated it is a balance due and explained this is for court costs agreement only. He is working with the County on the jail cost agreement which will be presented at a later date.

MOTION CARRIED

RESOLUTION 2016-07 - A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF WILLCOX AND THE STATE FORESTER FOR THE PROTECTION OF ITS FORESTS, WILD AND AGRICULTURAL LANDS, AND RURAL STRUCTURES

MOTION: Councilmember Lindsey made a motion to approve Resolution 2016-07.

SECONDED: Councilmember Bowlby seconded the motion.

DISCUSSION: Councilmember Laws asked for clarification. Chief Rios explained when the City is assisting in wild land fires, the initial responder is usually the incident commander. If it is unsafe or unlawful, however, the City does not have to obey a command; firefighters will not be put at risk. There is no cost to the City as the City gets reimbursed from the State Forestry Department for any time put in to assist with wild fires.

MOTION CARRIED

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 19th DAY OF MAY 2016**

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 19th day of May 2016. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 19th day of May 2016

City Clerk Virginia Mefford, CMC

PASSED, APPROVED AND ADOPTED this 9th day of June 2016.

Mayor Robert A. Irvin

ATTEST:

City Clerk Virginia A. Mefford, CMC

CITY OF WILLCOX
Request for Council Action

Agenda Item: 8
Tab Number: 2

Meeting Date:
06/02/2016

Action:
 Resolution
 Ordinance
 Other

Subject: Planning & Zoning
Commission (P&Z) Reappoint
– Jim Fusco

To: Mayor and City Council

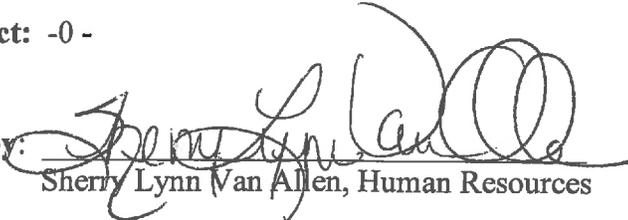
From: Sherry Lynn Van Allen, Human Resources

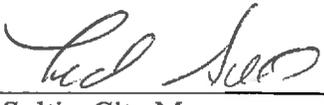
Discussion: In accordance with the Willcox Municipal Code 2.01.02, vacancies shall be filled by appointment by the Mayor and City Council.

Mr. Fusco is a currently an active member of the Planning and Zoning Commission; his appointed term is expiring on June 30, 2016. He would like to be reappointed to fill another four year term beginning July 01, 2016 through June 30, 2020.

Recommendation: Reappoint Jim Fusco to the Planning and Zoning Commission

Fiscal Impact: -0 -

Submitted by: 
Sherry Lynn Van Allen, Human Resources

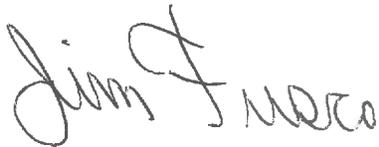
Approved by: 
Ted Soltis, City Manager

April 18, 2016

To: City of Willcox Mayor and City Council

I would like to submit my request for another term as a planning and zoning commissioner for the City of Willcox. My current term expires on June 30, 2016.

Thank you,

A handwritten signature in black ink that reads "Jim Fusco". The signature is written in a cursive style with a large, stylized "J" and "F".

Jim Fusco

Chairman Willcox Planning and Zoning Commission

CITY OF WILLCOX
Request for Council Action

Agenda Item: 9
Tab Number: 3

Meeting Date:
06/02/2016

Action:
 Resolution
 Ordinance
 Other

Subject: Planning & Zoning
Commission (P&Z) Reappoint
- Don Ulses

To: Mayor and City Council

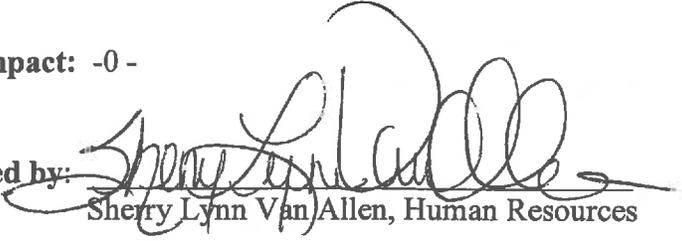
From: Sherry Lynn Van Allen, Human Resources

Discussion: In accordance with the Willcox Municipal Code 2.01.02, vacancies shall be filled by appointment by the Mayor and City Council.

Mr. Ulses is a currently an active member of the Planning and Zoning Commission; his appointed term is expiring on June 30, 2016. He would like to be reappointed to fill another four year term beginning July 01, 2016 through June 30, 2020.

Recommendation: Reappoint Don Ulses to the Planning and Zoning Commission

Fiscal Impact: -0 -

Submitted by: 
Sherry Lynn Van Allen, Human Resources

Approved by: 
Ted Soltis, City Manager

The Mardon Companies

The Mardon Family Partnership
1541 W Jonnie Drive

Mardon Ventures, LLC
520-766-0526
FAX: 520-766-0527

Mardon Classics, LLC
Willcox AZ 85643-3192

RECEIVED

MAY 12 2016

OFFICE OF CITY MANAGER

May 4, 2016

The Honorable Robert Irvin, Mayor
City of Willcox
300 West Rex Allen Drive
Willcox, Arizona 85643

RE: Remaining on Planning and Zoning Commission

Dear Mayor Irvin:

My name is Paul "Don" Ulses and I am a current member of the Planning and Zoning Commission. My current term on the Commission ends in June this year..

I am submitting this letter to express my interest in remaining on the Commission. I feel the work of the Commission is vital to establishing and maintaining a quality of life here in Willcox that we can all enjoy.

I respectfully request that my term on the Commission be extended for an additional term. If you have any questions do not hesitate to contact me at 520-766-0526 (H) or 623-680-9721 (C).

Thank you in advance for your consideration of my request.

Respectfully submitted,

THE MARDON COMPANIES



P. Don Ulses
Planning and Zoning Commissioner

cc. Jeff Stoddard, Sandi Thomas, Mary Ulses

CITY OF WILLCOX
Request for Council Action

Agenda Item: 10
Tab Number: 4

Meeting Date:
06/02/2016

Action:
 Resolution
 Ordinance
 Other

Subject: Planning & Zoning
Commission (P&Z) Reappoint
– Stephen Klump

To: Mayor and City Council

From: Sherry Lynn Van Allen, Human Resources

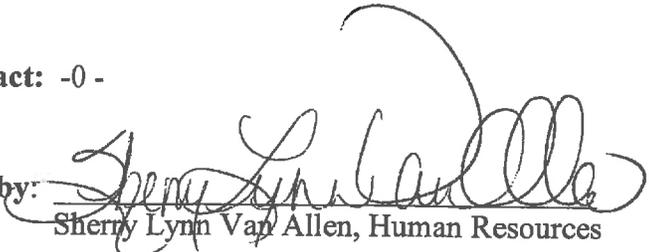
Discussion: In accordance with the Willcox Municipal Code 2.01.02, vacancies shall be filled by appointment by the Mayor and City Council.

Mr. Klump is a currently an active member of the Planning and Zoning Commission; his appointed term is expiring on June 30, 2016. He would like to be reappointed to fill another four year term beginning July 01, 2016 through June 30, 2020.

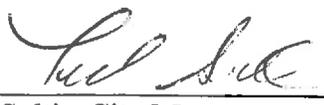
Recommendation: Reappoint Stephen Klump to the Planning and Zoning Commission

Fiscal Impact: -0 -

Submitted by:


Sherry Lynn Van Allen, Human Resources

Approved by:


Ted Soltis, City Manager

5/25/2016

City manager and council,

I am interested in retaining my position on the planning and zoning commission.

Stephen Klump

CITY OF WILLCOX
Request for Council Action

Agenda Item: 11
Tab Number: 5

Meeting Date:

June 2, 2016

Action:

Resolution
 Ordinance
 Other

Subject: Ordinance NS324
Public Library Committee
Dissolution

To: Mayor and City Council

From: Tom Miner, Library Director

Discussion: As libraries move into the 21st Century, and with the rapid rise in modern technology already in widespread use around the country in terms of information availability and dissemination capability, the need for a standing five-member committee to discuss policies, public relations, and evaluation and development of local library services, is fading. The Library and City's websites could serve that purpose just as well, and receive wider community input. The local newspaper has done a magnificent job of promoting library programs in recent years. Surveys conducted by the library could focus on public input regarding specific issues.

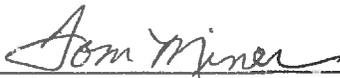
To carry out the Committee's duties currently mandated by Title 2-4-5 of the Municipal Code, an AD-Hoc Committee could be convened to address specific issues or needs, for example, developing the Library's 5-Year Strategic Plan, or to review and evaluate the Library General Policy. Our current PLAC members support being part of an AD-Hoc committee.

On May 10th the majority of the PLAC members voted to dissolve the committee and the chairman resigned.

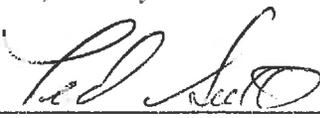
Recommendation: Approve Ordinance NS324

Fiscal Impact: There will be staff time savings as currently staff members prepare the agenda, attend the meeting, prepare minutes, etc. There will also be vacancy advertising savings.

Submitted by:


Tom Miner, Library Director

Approved by:


Ted Soltis, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

ORDINANCE NS324

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, AMENDING THE WILLCOX MUNICIPAL CODE, TITLE 2 BOARDS, COMMISSION, AND COMMITTEES BY REMOVING CHAPTER 2.04 PUBLIC LIBRARY ADVISORY COMMITTEE

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA:

SECTION 1: The Willcox Municipal Code, Title 2, Chapter 2.02, is hereby amended by removing Chapter 2.02 entitled "Public Library Advisory Committee."

SECTION 2: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the public record adopted by reference are hereby repealed.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the public record adopted herein by reference 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 portion thereof.

SECTION 4: The effective date of this ordinance shall be thirty (30) days after adoption.

SECTION 5: 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 2nd day of June, 2016.

APPROVED/EXECUTED:

ROBERT A. IRVIN, Mayor

ATTEST:

APPROVED AS TO FORM:

VIRGINIA A. MEFFORD, City Clerk

ANN P. ROBERTS, City Attorney

ORDINANCE NS324

Published in the Range News on June 8 and June 15, 2016

Passed and adopted by __ of the __ present

Posted on May 27, 2016

Clerk's Initials VAM

CITY OF WILLCOX
ELSIE S. HOGAN COMMUNITY LIBRARY
Phone: 520/766-4250 Fax: 520/384-0126



100 North Curtis Avenue
Willcox, Arizona 85643-2150
Email: tminer@willcoxcity.org

"Yours, Mine and Ours"

PUBLIC LIBRARY ADVISORY COMMITTEE

Michael J. Honickman
Chairman & FOL Liaison

Larry N. Snyder
Vice-Chair

Carol A. Brinton
Secretary

James M. Six
Member

Rob L. Jones
Member & Citizen Liaison Committee Representative

April 22, 2016

To: Honorable Mayor and Members of the Willcox City Council

Re: Public Library Advisory Committee (PLAC) Dissolution

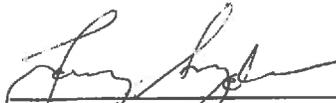
Dear Councilmembers,

After much discussion, and taking into consideration the difficulty we have had in recent months, as well as in recent past years, recruiting new members to serve on the PLAC Committee, all of the members, with the exception of the Chairman, are of the opinion that we should dissolve the Committee. Some of our member's terms of service end on June 30, 2016, so we feel this would be the optimal time to make this change effective.

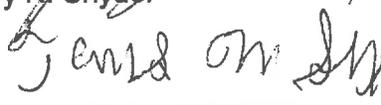
As libraries move into the 21st Century, and with the rapid rise in modern technology already in widespread use around the country in terms of information availability and dissemination capability, the need for a standing five-member committee to discuss policies, public relations, and evaluation and development of local library services, is fading. The Library and City's websites could serve that purpose just as well, and receive wider community input. The local newspaper has done a magnificent job of promoting library programs in recent years. Surveys conducted by the library could focus on public input regarding specific issues.

To carry out the Committee's duties currently mandated by Title 2-4-5 of the Municipal Code, an AD-Hoc Committee could be convened to address specific issues or needs, for example, developing the Library's 5-Year Strategic Plan, or to review and evaluate the Library General Policy. Our current members support being part of an AD-HOC committee.

Respectfully submitted,



Larry N. Snyder



James M. Six



Carol A. Brinton



Rob L. Jones

COPY

CITY OF WILLCOX
ELSIE S. HOGAN COMMUNITY LIBRARY
Phone: 520/766-4250 Fax: 520/384-0126



100 North Curtis Avenue
Willcox, Arizona 85643-2150
Email: tminer@willcoxcity.org

"Yours, Mine and Ours"

PUBLIC LIBRARY ADVISORY COMMITTEE

Michael J. Honickman
Chairman & FOL Liaison

Larry N. Snyder
Vice-Chair

Carol A. Brinton
Secretary

James M. Six
Member

Rob L. Jones
Member & Citizen Liaison Committee Representative

11 May 2016

To: Honorable Mayor and Members of the Willcox City Council

Re: PLAC Dissolution

Gentlemen,

Last night, at our regularly scheduled meeting, the majority of the members (four), voted to formally dissolve this Committee, in favor of convening Ad-Hoc committees in the future to meet and resolve specific Library issues. I alone cast the dissenting vote. At the conclusion of the meeting, I tendered my resignation from the PLAC and the Chairmanship to Director Miner. I wish to thank the Council for giving me the opportunity to serve the community on this important and worthwhile Committee.

I wish the Library continued success in the future. As President of the Friends of the Library, I will continue to support the Library's mission, goals and efforts.

Respectfully submitted,

Michael J. Honickman
Chairman
Public Library Advisory Committee

CITY OF WILLCOX
Request for Council Action

Agenda Item: 12
Tab Number: 6

Meeting Date:

June 2, 2016

Action:

Resolution
 Ordinance
 Other

Subject: Ordinance NS 325 -
Parks and Recreation
Advisory Committee

To: Mayor and City Council

From: Ted Soltis, City Manager

Discussion: The Parks and Recreation Advisory Committee was formed to meet needs like providing advice on the upgrade and renovation of Keiller Park. Since then, it's been difficult finding committee members; few people have the time or desire to meet for the sake of meeting. All of the committee member terms have expired. The committee has not met since August 26, 2013.

Other avenues for gathering public input are available, such as forming ad hoc committees for specific purposes and disbanding them when the task is complete, and/or utilizing social media.

Recommendation: Pass Ordinance and move to using ad hoc committees on an as needed basis.

Fiscal Impact: There will be staff time savings as currently staff members prepare agendas, attend meetings and prepare minutes. There will also be vacancy advertising savings.

Submitted by:



Ted Soltis, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

ORDINANCE NS325

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, AMENDING THE WILLCOX MUNICIPAL CODE, TITLE 2 BOARDS, COMMISSION, AND COMMITTEES BY REMOVING CHAPTER 2.02 PARKS AND RECREATION ADVISORY COMMITTEE

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA:

SECTION 1: The Willcox Municipal Code, Title 2, Chapter 2.02, is hereby amended by removing Chapter 2.02 "Parks and Recreation Advisory Committee."

SECTION 2: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the public record adopted by reference are hereby repealed.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the public record adopted herein by reference 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 portion thereof.

SECTION 4: The effective date of this ordinance shall be thirty (30) days after adoption.

SECTION 5: 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 2nd day of June, 2016.

APPROVED/EXECUTED:

ROBERT A. IRVIN, Mayor

ATTEST:

APPROVED AS TO FORM:

VIRGINIA A. MEFFORD, City Clerk

ANN P. ROBERTS, City Attorney

ORDINANCE NS32X

Published in the Range News on June 8 and June 15, 2016

Passed and adopted by __ of the __ present

Posted on May 27, 2016

Clerk's Initials VAM