

**CITY OF WILCOX
MAYOR AND CITY COUNCIL MEETING
AGENDA**

Monday, August 17, 2009

7:00 p.m.

City Council Chambers

**NOTE NEW LOCATION: 300 W. Rex Allen Drive
Willcox, AZ**

(Mayor or Designee will read only **BOLD** print of each agenda item,
except for Public Hearings, Petitions and Communications.)

**Resolution No. 2009-53
Ordinance NS298**

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. CALL TO THE PUBLIC

Mayor and Council consideration of comments or complaints from the public. Those wishing to address the Council are required to register by completing an individual speaker's form and filing it with the Clerk before the meeting. The speaker must be recognized by the Mayor before speaking. Time permitting each presentation will be given approximately three (3) minutes. It is probable that each organization will be limited to one speaker. Action taken as a result of public comment will be limited to directing staff to study or reschedule the matter for further consideration at a later date.

5. DECLARATION ON CONFLICT OF INTEREST

Council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff member determine they have a conflict of interest.

6. ADOPTION OF THE AGENDA

The Council will at this time either adopt the agenda as presented or may remove or table any of the listed agenda items. Tabled items, unless otherwise directed, will appear on the next regular agenda. Council may not add any items to the agenda at this time. Should staff have any recommendations concerning the exclusion or tabling of agenda items they will voice these recommendations at this time.

7. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Communications: Second Reading of: (1) Ordinance NS296 Relating To The Privilege License Tax; Adopting **Tab 1** "The 2009 Amendments To The Tax Code Of The City Of Willcox" By Reference; Establishing An Effective Date; Providing For Severability And Providing Penalties For Violations; and

(2) Second Reading of Ordinance NS297 Relating To Taxation: Levying Separate Amounts to Be Raised For **Tab 2** Primary and Secondary Property Tax Levies Upon Each One Hundred Dollars (\$100.00) Of The Assessed Valuation Of Property Subject To Taxation Within The City Of Willcox For The Fiscal Year Ending June 30, 2010 And Declaring An Emergency To Exist;

Public Hearings: The Mayor and Council will hold 3-public hearings on Monday, August 17, 2009 at 7:00 p.m. City Council Chambers, 300 W. Rex Allen Drive, are regarding the following:

(1) Application for Person Transfer, Individual, Liquor License Series #06 Rattlesnake Room, Eddie Andre McIntyre, **Tab 3** 116 E. Maley, Willcox, AZ 85643; and

(2) Ordinance NS296 Relating To The Privilege License Tax; Adopting "The 2009 Amendments To The Tax Code **Tab 1** Of The City Of Willcox" By Reference; Establishing An Effective Date; Providing For Severability And Providing Penalties For Violations.

(3) Ordinance NS297 Relating To Taxation: Levying Separate Amounts To Be Raised For Primary And **Tab 2** Secondary Property Tax Levies Upon Each One Hundred Dollars (\$100.00) Of The Assessed Valuation Of Property Subject To Taxation Within The City Of Willcox For The Fiscal Year Ending June 30, 2010 And Declaring An Emergency To Exist.

Public Hearings in September: The Mayor and Council will hold a public hearing at the Special Meeting on **Tab 4** Tuesday, September 8, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive regarding the Application for New Series #12 (Restaurant) Liquor License Limited Liability Co., for Debra Rae Atwood, Saxon Steakhouse, 308 S. Haskell Avenue; and

(5) public hearing on Monday, September 21, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen **Tab 5** Drive on the proposed increase In Wastewater System Rates and Charges.

All members of the public are invited to attend. For those persons wishing to comment and are unable to attend written comments will be accepted in the Office of the City Clerk until 4:00 p.m. the day of the public hearing.

8. DISCUSSION/DECISION REGARDING THE SPECIAL AND REGULAR MEETING MINUTES HELD ON **Tab 6 AUGUST 3, 2009**

Consideration, discussion and/or decision regarding the special and regular meeting minutes held on August 3, 2009.

9. DISCUSSION/DECISION REGARDING APPLICATION FOR PERSON TRANSFER, INDIVIDUAL, LIQUOR **Tab 3 LICENSE SERIES #06 RATTLESNAKE ROOM, EDDIE ANDRE MCINTYRE, 116 E. MALEY, WILLCOX, AZ 85643**

Consideration, discussion and/or decision regarding the Application for Person Transfer, Individual, Liquor License Series #06 Rattlesnake Room, Eddie Andre McIntyre, 116 E. Maley, Willcox, AZ

10. DISCUSSION/DECISION REGARDING ORDINANCE NS296 RELATING TO THE PRIVILEGE LICENSE TAX; **Tab 1 ADOPTING "THE 2009 AMENDMENTS TO THE TAX CODE OF THE CITY OF WILLCOX" BY REFERENCE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS.**

Consideration, discussion and/or decision regarding Ordinance NS296, as stated, relating to adopting "The 2009 Amendments to the Tax Code of the City of Willcox.

11. DISCUSSION/DECISION REGARDING ORDINANCE NS297 RELATING TO TAXATION: LEVYING **Tab 2 SEPARATE AMOUNTS TO BE RAISED FOR PRIMARY AND SECONDARY PROPERTY TAX LEVIES UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF THE ASSESSED VALUATION OF PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF WILLCOX FOR THE FISCAL YEAR ENDING JUNE 30, 2010 AND DECLARING AN EMERGENCY TO EXIST.**

Consideration, discussion and/or decision regarding Ordinance NS297, as stated, relating to Primary and Secondary Property Tax Levies Subject to Taxation within the City of Willcox.

12. DISCUSSION/DECISION REGARDING REQUEST TO HAVE THE SECOND ANNUAL WILLCOX WINE AND **Tab 7 ART FESTIVAL IN RAILROAD PARK ON OCTOBER 17 & 18, 2009**

Consideration, discussion and/or decision regarding to have the 2nd Annual Willcox Wine & Art Festival in Railroad Park on October 17 & 18, 2009.

13. DISCUSSION/DECISION REGARDING APPOINTMENT TO FILL VACANCY ON THE LIBRARY ADVISORY **Tab 8 COMMITTEE (Term expires 06-30-2012)**

Consideration, discussion and/or decision regarding the appointment to fill vacancy on the Library Advisory Committee.

- 14. DISCUSSION/DECISION REGARDING RAILROAD PARK STAKEHOLDERS REQUEST FOR USE OF UNION PACIFIC DONATION ON SPECIFIC PROJECTS AND STAFF TO PURSUE GRANTS FUNDING** **Tab 9**
 Consideration, discussion and/or decision regarding Railroad Park Stakeholders request for use of UP donation on specific projects and staff to pursue grants funding.
- 15. DISCUSSION/DECISION REGARDING A CHANGE ORDER ON LINTEL AND PLASTER WORK ON THE 2009 COMMUNITY CENTER PROJECT** **Tab 10**
 Consideration, discussion and/or decision regarding a change order on lintel and plaster wok on the 2009 Community Center Project.
- 16. DISCUSSION/DECISION REGARDING CONTRACT AMENDMENT WITH AECOM FOR THE FORT GRANT ENHANCEMENT PROJECT** **Tab 11**
 Consideration, discussion and/or decision regarding Contract Amendment with AECOM for the Ft Grant Enhancement Project.
- 17. DISCUSSION/DECISION REGARDING REQUEST FROM THE REX ALLEN ARIZONA COWBOY MUSEUM, INC. FOR STREET CLOSURE OF RAILROAD AVENUE FROM STEWART STREET TO MALEY AND FROM MALEY TO GRANT ON OCTOBER 2 & 3, 2009** **Tab 12**
 Consideration, discussion and/or decision regarding the request from the Rex Allen Arizona Cowboy Museum, Inc., for street closure of Railroad Avenue from Stewart Street to Maley and from Maley to Grant on October 2 & 3, 2009.
- 18. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-45 APPROVING AND ADOPTING THE LEASE AGREEMENT RENEWAL BETWEEN THE CITY OF WILLCOX ["CITY"] AND ARIZONA DEPARTMENT OF PUBLIC SAFETY ["ADPS"] CONTRACT NO. 98-206 FOR PARCEL OF LAND AT 1101 N. CIRCLE I ROAD AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE LEASE RENEWAL AND DECLARING AN EMERGENCY TO EXIST (Item was tabled 08-03-2009)** **Tab 13**
 Consideration, discussion and/or decision regarding Resolution No. 2009-45, as stated, relating to the ADPS Contract No. 98-206 for parcel of land at 1101 N. Circle I Road. (Item was tabled on 08-03-2009)
- 19. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-50 ADOPTING THE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2009-2010 (Corrected Language)** **Tab 14**
 Consideration, discussion and/or decision regarding Resolution No. 2009-50, as stated, to correct language in Resolution.
- 20. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-52 APPROVING AND FORMING A PARTNERSHIP WITH THE U. S. CENSUS BUREAU "BUREAU" TO CONDUCT THE 2010 CENSUS, AUTHORIZING THE CITY STAFF TO PROVIDE STAFF TIME AND MINOR CASH EXPENDITURES IN FURTHERANCE OF THE CENSUS AND DECLARING AN EMERGENCY TO EXIST** **Tab 15**
 Consideration, discussion and/or decision regarding Resolution No. 2009-52, as stated, relating to a partnership with the U.S. Census Bureau to conduct the 2010 Census.
- 21. PRESENTATION OF THE CITY'S UNAUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR 2008-2009 BY FINANCE DIRECTOR RUTH GRAHAM** **Tab 16**
 Consideration and/or discussion on the presentation of the City's Unaudited Financial Statements for the FY 2008-2009 by Finance Director Graham.
- 22. REPORTS BY THE CITY MANAGER PAT McCOURT** **Tab 17**
 Consideration, discussion and/or decision regarding the following topics by the City Manager:
- **Report on Tennis Courts Lights**-Dave Bonner, Public Services & Works Director
 - **Report on new lamping Baseball Fields**-Dave Bonner, PS&W Director
 - **Report Library Closed half day and open later hours August 27, 2009**-Tom Miner, Library Director
 - **Report on Voluntary Inspection performed by SouthWest Risk**-Jeff Stoddard, Building Inspector
 - **Report on Quail Park Meeting**- Pat McCourt, City Manager, will be held on Tuesday, August 25, 2009 at 6:00 p.m. City Council Chambers, 300 W. Rex Allen Drive.
 - **Mayors/Managers Luncheon**-Pat McCourt, City Manager, and the City of Sierra Vista is hosting the luncheon on Thursday, August 20, 2009, RSVP due ASAP; and

- **September**-Pat McCourt, City Manager is on vacation from September 4-18, 2009

23. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

24. ADJOURN.

NOTE: People with disabilities may request reasonable accommodations. Requests must be made 48 hours prior to the meeting by contacting City Hall at 384-4271 during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.