

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

**Statement of Legal Actions**

**Note Date: Tuesday, September 8, 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. 2009-57  
Ordinance NS298**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the special meeting to order on Tuesday, September 8, 2009 at 7:00 p.m.
2. **ROLL CALL** –Mayor Lindsey welcomed all present and announced that all the Council members are present except for Vice Mayor Schultz.

**PRESENT**

Mayor Gerald W. Lindsey  
Councilman Elwood Johnson  
Councilman Jimmy Norris  
Councilwoman Monika Cronberg  
Councilman Stephen Klump  
Councilman Christopher Donahue

**STAFF**

Public Safety Director Jake Weaver  
City Attorney Hector Figueroa  
City Clerk Cristina G. Whelan, CMC  
Library Director Tom Miner  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Building Inspector Jeff Stoddard

**ABSENT**

Vice Mayor Larry Schultz

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.
4. **CALL TO THE PUBLIC**-Delcie Schultz expressed her concern about the new playground equipment scheduled to be installed in Railroad Park. She said that each day at the park there are 5-6 transients sleeping or hanging out. Ms. Schultz said that tourists do not go over there because of them and she is concerned that we are going to have children present.

Phil Stratton addressed the Mayor and Council and said he has not heard any word on Senior Center being established. He is here again to remind the Council that he's been talking about this for three months and thinks that is ample time for action. Mr. Stratton urged the Mayor and Council to "expedite whatever it is that you are doing and get a Senior Center established."

Mr. Stratton also said that he had to leave the last meeting before the agenda item on the renewal of the City's lease with the Department of Public Safety, but he wanted to comment on the issue of utilities. He said the City has more money than he thought they did. The City covers for DPS from midnight to about 6:00 a.m. each day without any reimbursement. The City provides them a place to stay and utilities, at least water and trash at a minimal cost. When our officers are covering for DPS without reimbursement the pluses are that they get to practice high speed chases on the freeway and increase crime stats. The drawback is wear and tear on vehicles the City maintains, gas, and depreciation. Mr. Stratton said he would not be surprised if the Chief started to ask for new vehicles. Mr. Stratton is sure the Mayor and Council understands more about it than he does. When he was on the Council, he was named a champion of the taxpayer because he watched the little stuff. It is the little stuff that sets a bad example. Mr. Stratton thanked the Mayor and Council.

5. **DECLARATION ON CONFLICT OF INTEREST** –There was no response from the Mayor and Council or staff.
6. **ADOPTION OF THE AGENDA**–It was moved and seconded to adopt the agenda with removal of #7, the Public Hearing on Liquor License for Saxon Steakhouse, and #9 its discussion/decision, and to adopt the remainder of the agenda as presented. **DISCUSSION:** Mayor Lindsey asked if we had been advised to remove this item and Councilwoman Cronberg replied Mrs. Atwood contacted her today and requested its removal. Chief Jake Weaver added that staff was also advised this afternoon that Ms. Atwood had asked to remove the item from the agenda. **CARRIED.**
7. **PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**  
**Public Hearings:** The Mayor and Council will hold (1) a public hearing at the Special Meeting on 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~~ **Tab 4**  
**REMOVED PER MOTION!**
- (2) Mayor Lindsey announced Public hearings on Monday, September 21, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive on:  
(A) The proposed increase In Wastewater System Rates and Charges; and  
(B) Application for Bingo License by the Rex Allen Museum at the Rex Allen Theater, 130 N. Railroad Avenue. **Tab 3**
- 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 REGULAR MEETING MINUTES HELD ON AUGUST 17, 2009** **Tab 4**  
It was moved and seconded to approve the regular meeting minutes held on August 17, 2009, as presented. **CARRIED.**
9. ~~**DISCUSSION/DECISION REGARDING APPLICATION FOR NEW SERIES #12 (RESTAURANT) LIQUOR LICENSE LIMITED LIABILITY CO., FOR DEBRA RAE ATWOOD, SAXON STEAKHOUSE, 308 S. HASKELL AVENUE**~~ **Tab 4**  
**Removed by motion.**
10. **DISCUSSION/DECISION REGARDING APPLICATION FOR EXTENSION OF PREMISES/PATIO PERMIT AS REQUESTED BY GLADYS ELOISE OLSEN, SALSA FIESTA, 1201 W. REX ALLEN DRIVE, FROM SEPTEMBER 27, 2009 TO OCTOBER 11, 2009** **Tab 5**  
It was moved and seconded to approve the request for Application for Extension of Premises/Patio Permit requested by Ms. Olsen, Salsa Fiesta, from September 27, to October 11, 2009. **CARRIED.**
11. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-53 APPROVING AND ADOPTING THIS ENACTMENT RESOLUTION AND THE ATTACHED MEMORANDUM DOCUMENT FOR SUBMISSION TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE PURPOSE OF OBTAINING PRE-CLEARANCE TO CHANGE POLLING PLACE FOR ALL CITY ELECTIONS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** **Tab 6**  
It was moved and seconded to adopt Resolution NO. 2009-53, as stated, relating to submission to DOJ for the purpose of obtaining pre-clearance to change polling place for all City Elections. **CARRIED.**
12. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-54 APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE ARIZONA DEPARTMENT OF TRANSPORTATION [“LTAf II”] FOR THE PURPOSE OF FUNDING LOCAL TRANSPORTATION SERVICES, AUTHORIZING AND DIRECTING CITY STAFF TO SUBMIT SAID APPLICATION AND DECLARING AN EMERGENCY TO EXIST.** **Tab 7**  
It was moved and seconded to adopt Resolution No. 2009-54 as stated, relating to Submission of an Application for LTAf II for the purpose of funding Local Transportation Services. **CARRIED.**
13. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-55 APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLCOX [CITY] AND THE WILLCOX UNIFIED** **Tab 8**

**SCHOOL DISTRICT #13 [SCHOOL] FOR THE PURPOSE OF IMPLEMENTING A SCHOOL SAFETY PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AND DECLARING AN EMERGENCY TO EXIST**  
It was moved and seconded to adopt Resolution No. 2009-55, as stated related to the IGA between the City and School for the purpose of implementing a School Safety Program. **CARRIED.**

- 14. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-56 APPROVING AND AUTHORIZING THE FILING OF THE LONG-TERM LGIP ACCOUNT APPLICATIONS NECESSARY TO PARTICIPATE IN INVESTMENT POOL 500 AND POOL 700 IN THE LOCAL GOVERNMENT INVESTMENT POOL ("LGIP"); DESIGNATING INDIVIDUALS AUTHORIZED FOR DEPOSITS, WITHDRAWALS AND TRANSFERS; AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 9

It was moved and seconded to adopt Resolution No. 2009-56, as stated, relating to the LGIP participation in the Investment Pool 500 and Pool 700 and designating individuals authorized to execute. **CARRIED.**

- 15. DISCUSSION/DECISION REGARDING WELL PROJECT UPDATE ON CHANGE ORDER #9 AND APPROVE CHANGE ORDER #10** Tab 10

It was moved and seconded to approve the Well Project Update on Change Order #9 as presented and wait on decision on Change Order #10 until more information is received. **CARRIED.**

- 16. DISCUSSION/DECISION REGARDING THE APPROVAL OF WORK COMPLETED BY VALLEY TELECOM ON THE PUBLIC SAFETY COMPLEX** Tab 11

It was moved and seconded to approve the work completed by VTC on the Public Safety Complex. **CARRIED.**

- 17. DISCUSSION/DECISION REGARDING REQUEST FOR APPROVAL FOR FREMONT STREET PROJECT: VALLEY GUTTERS, COLD MIX OVERLAY AND DOUBLE CHIP SEAL** Tab 12

It was moved and seconded to approve the approval for the Fremont Street Project: Valley Gutters, Cold Mix Overlay and Double Chip Seal. **CARRIED.**

- 18. REPORTS BY THE CITY MANAGER PAT McCOURT (CHIEF WEAVER REPORTING)**

Consideration, discussion and/or decision regarding the following topics by the City Manager (Chief Weaver Acting City Manager reporting):

- **Report on Globe File Cabinet**-City Manager McCourt reported it has been received and invites the Mayor and Council and the public to come see it! The Cabinet is located in the foyer of City Hall-Depot.

- **Report on Unaudited Financial Statements at June 30, 2009, as presented at the August 17, 2009 Council meeting**- Finance Director Ruth Graham reported that at the last meeting Councilman Johnson asked for clarification of the change in revenues and expenses from the June 30<sup>th</sup> projection to the August 17<sup>th</sup> report on the Fiscal Year Ended June 30, 2009. Ms. Graham stated the City does not yet have its audit completed and there may be additional adjustments. Discussion was held by staff, Councilman Johnson and City Attorney regarding Financial Reports, privacy of businesses, and the City's IGA with the Department of Revenue for transaction privilege tax collections.

- 19. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.**

Mayor Lindsey commended those that had a part in the League of Arizona Cities and Towns Annual Conference held this past week. Thinks everyone there learned something along the line. There are still many uncertainties because the State budget has not yet been passed. The Mayor extended a special thank you to Councilman Johnson and Vice Mayor Schultz for their efforts to prepare for the City's booth at the Festival of Cities and Towns. He heard that the booth from Willcox was probably the best one there. All those present worked in the booth and participated and Councilman Johnson and the Vice Mayor did a lot of the work and happenings to make it a success.

Councilman Johnson thanked several businesses and individuals on behalf of the City Council for their contributions to the City's booth at the League conference. Their donations gave the Council an opportunity to give the donated items out in the booth to promote Willcox. It was a huge success and a certificate of appreciation should be sent to each of those that donated. Councilman Johnson also said that every City and Town talked about their budget woes and what they were cutting. He thinks Willcox is a year behind and wants Mayor and Council to put together a work session to go over the information they gathered and come up with a plan for the months to come.

Councilwoman Cronberg stated she appreciated the opportunity to attend the conference and learned a lot. Also agrees the Showcase Booth was a huge success because of all those that contributed. At times the lines were very long and people

came back several times. A lot of people did not have any clue what we have here in little Willcox, and it was a lot of fun to be able to promote Willcox.

Councilman Donahue said that he was unable to attend because some of us had to stay back and continue working on economic goals (laughter). He said to Mr. Sheats that he needs to call SEAGO who administers the funding for the program he asked about, and they will answer his questions.

Councilman Norris stated he was unable to attend the League Conference.

Councilman Klump said he appreciates the work Mr. Bonner and his staff are doing to find alternative ways to fix these streets and appreciates their efforts to find a way to get it done early.

**20. ADJOURN- 8:29 p.m.**

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**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.