

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

• **SPECIAL MEETING AGENDA •**

• STATEMENT OF LEGAL ACTIONS

• Wednesday, October 28, 2009

NOTE TIME: 5:30 p.m.

City Council Chambers

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.)

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the special meeting to order on Wednesday, October 28, 2009 at 5:32 p.m.
2. **ROLL CALL**-Mayor Lindsey announced to let the record show that all council members are present except for Councilman Jimmy Norris.

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Larry Schultz
Councilman Elwood Johnson
Councilwoman Monika Cronberg
Councilman Stephen Klump
Councilman Christopher Donahue

STAFF

City Manager Pat McCourt
City Attorney Hector Figueroa
City Clerk Cristina G. Whelan, CMC

ABSENT

Councilman Jimmy Norris

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.
4. **CALL TO THE PUBLIC**-There was no response from the public present.
5. **DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Mayor, Council members or staff.
6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented. **CARRIED.**
7. **PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**
Communications: Mayor Lindsey read the First Reading of Ordinance NS298 Amending The City Code, Title 5, Health And Sanitation, Title 5, Chapters 1, Section 5-1-5, By Reference, Repealing The Current Section 5-1-5 And Part Of Ordinance NS292 Relating To Repealed Section 5-1-5 Enumerated Therein.

Public Hearing: The Mayor announced that the Mayor and Council will hold two (2) public **hearings** at the regular meeting on Monday, November 16, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive regarding (1) Application for Liquor License New License, Limited Liability Co., Carlson Creek Vineyard, LLC, 114 N. Railview Avenue, Willcox, AZ; and

(2) Ordinance NS298 Amending The City Code, Title 5, Health And Sanitation, Title 5, Chapters 1, Section 5-1-5, By Reference, Repealing The Current Section 5-1-5 And Part Of Ordinance NS292 Relating To Repealed Section 5-1-5 Enumerated Therein.

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 RESOLUTION NO. 2009-66 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "AMENDED TITLE 5, CHAPTER 1, SECTION 5-1-5".

It was moved and seconded to adopt Resolution No. 2009-66, as stated, relating to Declaring as a public record "Amended Title 5, Chapter 1 Section 5-1-5" as stated. **CARRIED.**

9. DISCUSSION/DECISION REGARDING TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO A.R.S. 38-431.03A(7) - DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY.

It was moved and seconded to enter into an Executive Session Pursuant to A.R.S. 38-431.03A (7) consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property. **CARRIED.**

10. RECESS TO EXECUTIVE SESSION, IF APPROVED-5:38 p.m.

11. RECONVENE FROM EXECUTIVE SESSION-6:28 p.m.

12. DISCUSSION/DECISION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION RELATING TO NEGOTIATIONS FO THE PURCHASE, SALE OR LEASE OF REAL PROPERTY

It was moved and seconded that it is determined not to sell the property in question. **CARRIED.**

Mayor Lindsey directed staff and Legal Counsel to negotiate with the Stouts to see if something can be worked out in new license.

13. ADJOURN-6:30 p.m.

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, ext. 4204, during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.