

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

Monday, December 7, 2009

7:00 p.m.

City Council Chambers

300 W. Rex Allen Drive

Willcox, AZ 85643

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

**Resolution No. 2009-72 then 76
Ordinance NS299**

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

Tab 1

Public Hearings: The Mayor and Council will hold two (2) public hearings on Monday, December 7, 2009, at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive regarding:

(1) To gather citizen input on the use of the CDBG funds; and

(2) Application for Liquor License Interim Permit, Person Transfer, Corporation, Russell Anthony Scheid, Agent, **Tab 2**
Willcox Hometown IGA., 900 W. Rex Allen Drive, Willcox, AZ. ; and

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. POWER POINT PRESENTATION BY PUBLIC SERVICES & WORKS UTILITIES SUPERVISOR JOHN BOWEN Tab 3
ON THE ANNUAL LIAISON GAS REPORT**

Consideration and/or discussion on the power point presentation by PS&W Supervisor Mr. Bowen on the Annual Liaison Gas Report.

9. **DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES HELD ON NOVEMBER 16, 2009** Tab 4
Consideration, discussion and/or decision regarding the regular meeting minutes held on November 16, 2009.
10. **DISCUSSION/DECISION REGARDING LIQUOR LICENSE INTERIM PERMIT, PERSON TRANSFER, CORPORATION, RUSSELL ANTHONY SCHEID, AGENT, WILLCOX HOMETOWN IGA, 900 W. REX ALLEN DRIVE** Tab 2
Consideration, discussion and/or decision regarding Liquor License, as stated, for the Willcox Hometown IGA, 900 W. Rex Allen Drive.
11. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-72 APPROVING AND AUTHORIZING THE SUBMISSION OF THE APPLICATION TO THE ARIZONA DEPARTMENT OF COMMERCE ENERGY OFFICE FOR FUNDING UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM AND DIRECTING CITY OFFICIALS TO SUBMIT APPLICATION DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.** Tab 5
Consideration, discussion and/or decision regarding Resolution No. 2009-72, as stated, relating to submission of Application to the ADOC Energy Office for Funding under the Energy Efficiency and Conservation Block Grant Program.
12. **DISCUSSION/DECISION REGARDING APPROVAL OF FY 2008-09 AUDITED FINANCIAL STATEMENTS, AND FY 2008-09 ANNUAL EXPENDITURE LIMITATION REPORT.** Tab 6
Consideration, discussion and/or decision regarding FY 2008-09 Audited Financial Statements, and FY 2008-09 Annual Expenditure Limitation Report.
13. **DISCUSSION/DECISION REGARDING THE RECONCILIATION OF THE COST FOR COCHISE COUNTY JUSTICE OF THE PEACE COURT 4 TO OPERATE THE MAGISTRATE COURT FOR FISCAL YEAR 2008-2009.** Tab 7
Consideration, discussion and/or decision regarding the Reconciliation of the Cost for Cochise County Justice of the Peace Court 4 to operate the Magistrate Court for FY2008-2009.
14. **DISCUSSION/DECISION REGARDING PERMIT A VOLUNTARY PAYROLL DEDUCTION FOR UNITED WAY OF COCHISE COUNTY** Tab 8
Consideration, discussion and/or decision regarding permit a Voluntary Payroll Deduction for United Way of Cochise County.
15. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-73 APPROVING AND ADOPTING THE CONTRACT AGREEMENT BETWEEN THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] AND WOODS CONSTRUCTION [“CONTRACTOR”] FOR THE PURPOSE OF CONTRACTING REMODELING WORK AT THE EXISTING LIBRARY BUILDING AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 9
Consideration, discussion and/or decision regarding Resolution No .2009-73, as stated relating to the contract agreement between the City and Woods Construction for remodeling work at the Library building.
16. **DISCUSSION/DECISION REGARDING CHAMBER OF COMMERCE & AGRICULTURE SINGLE BUSINESS PERMIT REQUEST FOR THE APPLE FESTIVAL DECEMBER 4-5, 2009.** Tab 10
Consideration, discussion and/or decision regarding Chamber of Commerce & Agriculture single business permit request for the Apple Festival held December 4-5, 2009.
17. **DISCUSSION/DECISION REGARDING CHAMBER OF COMMERCE & AGRICULTURE SINGLE BUSINESS PERMIT REQUEST FOR THE WINGS OVER WILLCOX FESTIVAL JANUARY 13-17, 2010.** Tab 11
Consideration, discussion and/or decision regarding the Chamber of Commerce & Agriculture single business permit request for the Wings Over Willcox Festival January 13-17, 2010.
18. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-74 TO APPROVE AND ADOPT THE INTERGOVERNMENTAL AGREEMENTS [IGA] BETWEEN THE CITY OF WILLCOX [“CITY”] AND COCHISE COUNTY [“COUNTY”] FOR CERTAIN ELECTION SUPPLIES AND SERVICES FOR THE CITY’S UPCOMING 2010 CITY ELECTION AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 12
Consideration, discussion and/or decision regarding Resolution No. 2009-74, as stated, relating to the IGA with Cochise County for the 2010 elections.

19. DISCUSSION/DECISION TO APPROVE RESOLUTION NO. 2009-75 APPROVING AND ESTABLISHING MEETING DATES WHEN A REGULAR COUNCIL MEETING DATE FALLS ON A LEGAL HOLIDAY OR AN ELECTION DAY, DIRECTING THE CITY CLERK TO IMPLEMENT THE AMENDED CITY COUNCIL PROCEDURES APPROVED HEREIN AND DECLARING AN EMERGENCY TO EXIST **Tab 13**

Consideration, discussion and/or decision regarding to approve Resolution No. 2009-75, as stated, relating to establishing meeting dates when regular council meeting date falls on a legal holiday or an election day.

20. REPORTS BY THE CITY MANAGER PAT McCOURT **Tab 14**

Consideration, discussion and/or decision regarding the following topics by the City Manager:

- **Candidate Packets Due-** Candidates for the Spring 2010 Election packets are due December 9, 2009 at 5:00 p.m.
- **Financial Disclosure Statements Due-** On or before January 31, 2010 for the calendar year 2009 from each Council member through December 31, 2009, in the Office of the City Clerk.

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

22. DISCUSSION/DECISION TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED §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. **Tab 15**

Consideration, discussion and/or decision regarding to enter into an Executive Session pursuant to A.R.S. §38-431.03A(7), as stated, relating to position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

23. RECESS TO EXECUTIVE SESSION, IF APPROVED.

24. RECONVENE FROM EXECUTIVE SESSION

25. DISCUSSION/DECISION REGARDING INSTRUCTION TO STAFF ON NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY

Consideration, discussion and/or decision regarding instruction to staff on negotiations for the purchase, sale or lease of real property.

26. 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.