

**CITY OF WILLCOX
MAYOR AND CITY COUNCIL MEETING
AGENDA-Statement of Legal Actions
Monday, February 15, 2010**

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. 2010-15
Ordinance NS299**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, February 15, 2010 at 7:00 p.m. And glad to have the FFA group here with us tonight and the rest it is good to have attendance.
2. **ROLL CALL** –City Clerk Cristina G. Whelan, CMC called the roll.

COUNCIL

Mayor Gerald W. Lindsey
Vice Mayor Larry N. Schultz
Councilman Elwood A. Johnson
Councilman Jimmy L. Norris
Councilman Stephen Klump
Councilman Christopher Donahue

STAFF

City Manager Pat McCourt
City Attorney Hector M. Figueroa
City Clerk Cristina G. Whelan, CMC
Public Safety Director Jake Weaver
Library Director Tom Miner
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner

ABSENT

Councilwoman Monika Cronberg

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**-Councilman Klump declared conflict on item #9 relating to decision on Liquor License Series #13 and Mayor Lindsey declared conflict on agenda item #16 relating to Platting of the Industrial Park.
6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented. **CARRIED.**
7. **PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

Proclamation: The Mayor read and proclaimed the week of February 20 through February 27, 2010 as **WILLCOX Tab 1 FFA WEEK**. Mayor Lindsey said we appreciate the FFA we know the good that they do and we see the results that they bring to community with the honors that they bring. The Mayor presented the Proclamation to FFA students Leah Reising, Brooke Bowyer and Holly Smith. **APPLAUSE.** Willcox has always been blessed with a great FFA and look forward to many years with the same leadership.

Public Hearing: The Mayor and Council will hold a public hearing on Monday, February 15, 2010 regarding **Tab 2** the Application for Liquor License Series #13 Domestic Farm Winery, Hammelman Wines, LLC, Sand –Reckoner Vineyards, Robert Michael Hammelman, 130 S. Haskell Avenue, Willcox, AZ

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.

Mayor Lindsey opened the public hearing at 7:08 p.m. and asked if there was anyone that wished to comment on this application. Mr. Rob Hammelman stated he is applying for Series #13 Domestic Wine License at 130 S. Haskell and looking to use facility as Wine Production from Sand-Reckoner Vineyards which is located in Kansas Settlement. The Mayor asked again are there any other comments. Mr. Rod Keeling, 154 N. Railroad Avenue stated he is here in support of the application. Thank You very much. Mayor Lindsey again asked anyone else wants to comment. Councilman Johnson said it is great, wonderful and now we have six (6) Wineries and four (4) are in the City limits and all within a mile. Mayor Lindsey again asked any other comments. Hearing none the Mayor closed the public hearing at 7:11 p.m.

8. **DISCUSSION/DECISION REGARDING THE MINUTES OF THE SPECIAL MEETING HELD ON JANUARY 19, 2009, THE WORK SESSION MEETING HELD ON FEBRUARY 1, 2010 AND THE SPECIAL MEETING HELD ON FEBRUARY 5, 2010**-It was moved and seconded to approve the minutes of the special meeting held on January 19, 2009, the work session meeting held on February 1, 2010 and the special meeting held on February 5, 2010. **CARRIED.** **Tab 3**
9. **DISCUSSION/DECISION REGARDING THE APPLICATION FOR LIQUOR LICENSE SERIES #13 DOMESTIC FARM WINERY, HAMMELMAN WINES, LLC, SAND-RECKONER VINEYARDS, ROBERT MICHAEL HAMMELMAN, 130 S. HASKELL AVENUE, WILLCOX, AZ.**-It was moved and seconded to approve the application for Series #13 Domestic Farm Winery, Robert Michael Hammelman at 130 S. Haskell Avenue. **VOTE: Ayes-** Mayor Lindsey, Vice Mayor Schultz, Council members Johnson, Norris and Donahue. **NAYS – None. ABSENT:** Councilwoman Cronberg. **CONFLICT ABSTAINED:** Councilman Klump **CARRIED 5-0-1-1.** **Tab 2**
10. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-14 FOR THE PURPOSE OF APPROVING AND ADOPTING THE REVISION TO SECTION 303 OF THE WILLCOX EMPLOYEE HANDBOOK, ESTABLISHING THE EFFECTIVE DATE AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** It was moved and seconded to adopt Resolution NO. 2010-14, as stated, relating to the revision to Section 303 of the Willcox Employee Handbook. **VOTE: Ayes-** Mayor Lindsey, Vice Mayor Schultz, Council members Norris, Klump and Donahue. **NAYS –** Councilman Johnson. **ABSENT:** Councilwoman Cronberg. **CARRIED 5-1-1.** **Tab 4**
11. **DISCUSSION/DIRECTION TO STAFF REGARDING THE COCHISE COUNTY AIRPORT** **Tab 5**
City Manager and Council held discussion regarding Cochise County Airport and seeking direction from the Mayor and Council to begin discussions with the County and obtain information on what the County is willing to do and what obligations we will have. City Attorney takes that as direction to City Manager and staff to proceed to get details to proceed.
12. **DISCUSSION/DECISION REGARDING SINGLE TEMPORARY BUSINESS PERMIT REQUEST FOR THE 19th ANNUAL MARTY ROBBINS TRIBUTE SPONSORED BY THE FRIENDS OF MARTY ROBBINS** –It was moved and seconded to approve the Single Temporary Business Permit request for the 19th Annual Marty Robbins Tribute sponsored by the Friends of Marty Robbins. **CARRIED.** **Tab 6**
13. **DISCUSSION/DECISION REGARDING THE STREET CLOSURE REQUEST FOR THE 19TH ANNUAL MARTY ROBBINS TRIBUTE BEGINNING AT 8:00 A.M. FRIDAY, MARCH 5th UNTIL SATURDAY EVENING MARCH 6th AT 6:00 P.M.** –It was moved and seconded to approve the street closure request for the 19th Annual Marty Robbins Tribute, beginning at 8:00 a.m. Friday, March 5th until Saturday evening March 6th at 6:00 p.m. **CARRIED.** **Tab 7**
14. **DISCUSSION/DECISION REGARDING THE REQUEST FROM ARIZONA JUNIOR RODEO ASSOCIATION (AJRA) FOR FEES TO BE WAIVED FOR THE QUAIL PARK ARENAS AND CONCESSION STAND BEGINNING ON FRIDAY, APRIL 16, 2010 THROUGH SUNDAY, APRIL 18, 2010**-It was moved and seconded to approve the request from AJRA for fees to be waived for the Quail Park Arenas and Concession Stand beginning on April 16-18, 2010. **CARRIED.** **Tab 8**
15. **DISCUSSION/DECISION REGARDING THE REQUEST FROM MELINDA ROETHLE FOR THE FEES TO BE WAIVED FOR THE COMMUNITY CENTER-** It was moved and seconded to table this item until the March 1st meeting and request staff obtain more information from Ms. Roethle **CARRIED.** **Tab 9**

16. DISCUSSION/DECISION REGARDING PLATTING OF THE INDUSTRIAL PARK/ LANDLOCKED PROPERTY Tab 10
- **COOK**-It was moved and seconded to direct staff to proceed with the dedication and platting of the Industrial Park/Landlocked property – Cook. **VOTE: Ayes-** Vice Mayor Schultz, Council members Johnson, Norris, Klump and Donahue. **NAYS – None. ABSENT:** Councilwoman Cronberg. **CONFLICT ABSTAINED:** Mayor Lindsey. **CARRIED 5-1-1.**

17. DISCUSSION/DIRECTION TO STAFF ON THE CITY’S PARTICIPATION IN THE CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICE (CDARS) PROGRAM Tab 11
-After discussion with City staff and members of the Council staff was directed to look at all alternatives and as soon as we can retain security and bring this back when staff has all the information.

18. DISCUSSION/DISCUSSION REGARDING VISIT BY THE GOVERNOR TO WILLCOX AND APPROVAL TO HOST LUNCHEON Tab 12
-City Manager reported that since staff wrote report for agenda Willcox Regional Economic Development Alliance (WREDA) has agreed to be the sponsor for this luncheon and, therefore, we do not need action on this item tonight. Thank You.

19. REPORTS BY THE CITY MANAGER PAT McCOURT Tab 13

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

- **ADOT/MVD-** the City Manager received two (2) calls late Friday going to keep office open and take awhile to get equipment back in. Second call stated they didn’t remove office equipment and will open Tuesday and Wednesday this week and willing to do that as long as discussions are meaningful with the City. Demonstrates good faith with ADOT to work with us. Will continue to work with Third Party Provider.
- Fringe Benefits- City Manager prepared memorandum which is on the diesis.
- **Report on Library Renovation-** Tom Miner, Library Director –enclosed photos of the progress on the renovation. A lot is being done very rapidly and moving ahead of schedule. Three (3) members of the Council have taken up his offer to view the progress and extend invitation to the remainder of the Council.
- **Investment Report-**Ruth Graham, Finance Director, presents Investment Report as of January 31, 2010.
- **Budget Work Session-** Pat McCourt, City Manager, Budget Income on Bonds in various funds, debt, lease payments and Magistrate obligations. Work Session has been scheduled for Monday, March 1, 2010 at 6:00 p.m.
- **Report on Change Orders-**Dave Bonner, Public Services & Works Director report on three (3) Change Orders.
- **Report on Survey Results on the Cochise County Airport Acquisition by City-**Pat McCourt, City Manager report on survey results on the Cochise County Airport Acquisition by City on its web site. Candidate Bob Irvin asked for updated figures since last reported and City Manger gave him his report.
- **Report on Railroad Park-**Pat McCourt, City Manager; report on Railroad Park Playground location. It was scheduled to be set up at the further most northern edge of Park next to drainage and it does not fit. Mr. Bonner explained area for the safety zone for 8’ height swing is 20’ long but safety is 32’x44’. The best area is along the back of the Park in the northern half or north of the Ramada. This area has several benefits for parents to watch children from Ramada and potential from vendor area at the north end of park during Rex Allen Days and other events at the park. City Manager thinks this location will work very successfully with other events going on in the Park.
- **Willcox High School Playoffs-**City Manager reported they start in Benson tomorrow at 4:00 p.m.

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

Councilman Donahue wanted to extend welcome to newest business in town. Mr. Hammelman said, Thank You!
Mayor Lindsey liked to extend welcome to newest business plus ribbon cutting on the Carlson Winery was held last Saturday and thinks it was a success quite a few people were there.
Vice Mayor also said Welcome to City. ADOT first comment when he talked to a few people was when going to close and trying to keep it open was good luck. Shows if do get together as a community there was a business stepped up, Council stepped up and remarkable showing. The Vice Mayor stated that Councilman Norris is the one that started the petition. Councilman Norris also welcomes new winery and stated it is a great asset to our City.

21. ADJOURN-7:52 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 during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.