

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

AGENDA

Monday, April 5, 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. 2010-36
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

Proclamation: The Mayor will proclaim April as ***Fair Housing Month***

Tab 1

Public Hearing: The Mayor and Council will hold a public hearing on Monday, April 5, 2010 at 7:00 p.m., **Tab 2**
City Council Chambers, 300 W. Rex Allen Drive, regarding New Liquor License, RRS, LLC, Ricardo Romero-El Ranchero 2 at 308 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.

**8. DISCUSSION/DECISION REGARDING THE MINUTES OF THE WORK SESSION MEETING HELD ON
MARCH 15, 2010 AND THE REGULAR MEETINGS HELD ON MARCH 1, AND 15, 2010**

Tab 3

Consideration, discussion and/or decision regarding the minutes of the work session meeting held on March 15, 2010 and the regular meetings held on March 1, and 15, 2010.

9. **DISCUSSION/DECISION REGARDING REQUEST FOR A NEW LIQUOR LICENSE BY RRS, LLC. Tab 2**
RICARDO ROMERO-EL RANCHERO 2, AT 308 S. HASKELL AVENUE
 Consideration, discussion and/or decision regarding the request for a new liquor license by RRS, LLC, Ricardo Romero-El Rancho 2, at 308 S. Haskell Avenue.
10. **DISCUSSION/DECISION TO RATIFY THE APPROVAL FOR CARNIVAL AT KEILLER PARK HELD ON Tab 4**
MARCH 29 THROUGH APRIL 5, 2010
 Consideration, discussion/decision to ratify the approval for Carnival at Keiller Park held on March 29-April 5, 2010.
11. **DISCUSSION/DECISION REGARDING WAIVER OF FEES FOR THE ELEMENTARY SCHOOL SCIENCE FAIR Tab 5**
 Consideration, discussion and/or decision regarding waiver of fees for the Elementary School Science Fair
12. **DISCUSSION/DECISION REGARDING THE WILLCOX WINE COUNTRY COMMITTEE/ROD KEELING Tab 6**
REQUEST TO WAIVE REQUIREMENT FOR ALL VENDORS TO HAVE INDIVIDUAL PERMITS
 Consideration, discussion and/or decision regarding the request from the Willcox Wine Country Committee/Rod Keeling to waive requirement for all vendors to have individual permits.
13. **DISCUSSION/DECISION REGARDING REQUEST FOR SPECIAL EVENTS WINE FESTIVAL-ROD KEELING Tab 7**
AND WAIVER FOR GLASS AND BOTTLES IN RAILROAD PARK
 Consideration, discussion and/or decision regarding request for special events Wine Festival as requested by Mr. Keeling and waiver for glass and bottles in Railroad Park.
14. **DISCUSSION/DECISION REGARDING CAPITAL PURCHASE OF FIRE HOSE TO REPLACE OLDER Tab 8**
OUTDATED HOSE, AND MEET NFPA STANDARDS
 Consideration, discussion and/or decision regarding Capital Purchase of Fire Hose to replace older outdated Hose, and meet NFPA Standards.
15. **DISCUSSION/DECISION REGARDING PARTICIPATION IN THE NEWLY ELECTED OFFICIALS TRAINING Tab 9**
ON JUNE 4-5, 2010
 Consideration, discussion and/or decision regarding participation in the Newly Elected Officials Training on June 4-5, 2010.
16. **DISCUSSION/DECISION REGARDING THE DRINKING FOUNTAIN FOR RAILROAD PARK IMPROVEMENTS Tab 10**
 Consideration, discussion and/or decision regarding the drinking fountain for Railroad Park Improvements.
17. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-27 FOR THE PURPOSE OF APPROVING Tab 11**
THE APPOINTMENT OF TREVOR J. WARD TO THE JUDICIAL POSITION OF CITY MAGISTRATE AND JUVENILE
HEARING OFFICER, APPROVING THE JUDICIAL SERVICES AGREEMENT AND AUTHORIZING THE MAYOR TO
EXECUTE THIS RESOLUTION, THE JUDICIAL SERVICES AGREEMENT AND DECLARING AN EMERGENCY TO EXIST
 Consideration, discussion and/or decision regarding Resolution NO. 2010-27, as stated relating to the appointment of Trevor J. Ward Judicial position of City Magistrate and Juvenile Hearing Officer.
18. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-28 APPROVING AND ADOPTING THE Tab 12**
MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE WILLCOX DEPARTMENT OF PUBLIC SAFETY
(“WDPS”) AND THE ARIZONA DEPARTMENT OF PUBLIC SAFETY (“ADPS”) FOR THE ARIZONA INTERAGENCY
RADIO SYSTEM STATE PLAN, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN
EMERGENCY TO EXIST.
 Consideration, discussion and/or decision regarding Resolution No. 2010-28, as stated relating to the MOU between the WDPS and ADPS for the Arizona Interagency Radio System State Plan.
19. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-29 APPROVING AND AWARDDING THE Tab 13**
BID CONTRACT TO EMPLOYEE SOLUTIONS GROUP (“ESG”) PURSUANT TO THE RFP BID FOR SPECIFIC
EMPLOYEE INSURANCE BENEFITS PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND
DECLARING AN EMERGENCY TO EXIST.

Consideration, discussion and/or decision regarding Resolution NO. 2010-29, as stated relating to awarding the bid contract to ESG.

- 20. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-30 FOR THE PURPOSE OF APPROVING AND ADOPTING THE REVISION TO SECTION 516 [CELLULAR (CELL) PHONE USAGE] OF THE WILLCOX EMPLOYEE HANDBOOK, ESTABLISHING THE EFFECTIVE DATE AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 14
Consideration, discussion and/or decision regarding Resolution No. 2010-30, as stated relating to Approving and Adopting the Revision to Section 516 [Cellular (Cell) Phone Usage].
- 21. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-31 APPROVING AND ADOPTING THE ELSIE S. HOGAN COMMUNITY LIBRARY [“LIBRARY”] REVISED INTERNET/ WIRELESS/ COMPUTER USE POLICY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 15
Consideration, discussion and/or decision regarding Resolution NO. 2010-31, as stated relating to Approving and Adopting the Library Revised Internet/Wireless/Computer Use Policy.
- 22. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-32 APPROVING AND ADOPTING THE ELSIE S. HOGAN COMMUNITY LIBRARY [“LIBRARY”] MEETING ROOM POLICY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 16
Consideration, discussion and/or decision regarding Resolution No. 2010-32, as stated relating to the Library Meeting Room Policy.
- 23. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-33 AUTHORIZING AND APPROVING THE AWARD OF CONTRACT TO HINTON BURDICK HALL & SPILKER, PPLC [“HINTON BURDICK”] FOR AUDIT SERVICES FOR FY2009-2010 ANNUAL AUDITED FINANCIAL STATEMENTS AND SINGLE AUDIT [IF REQUIRED] AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 17
Consideration, discussion and/or decision regarding Resolution No. 2010-33, as stated relating to award contract to Hinton Burdick for Audit Services for FY2009-2010.
- 24. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-34 APPROVING AND ADOPTING THE AMENDED COURT CONSOLIDATION AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND COCHISE COUNTY [“COUNTY”] FOR FY 2010- 2011, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.** Tab 18
Consideration, discussion and/or decision regarding Resolution No. 2010-34, as stated relating to the Amended Court Consolidated Agreement.
- 25. DISCUSSION/DIRECTION ON APPLICATION TO WIFA FOR FUNDING FINAL ENGINEERING AND DESIGN FOR WWTP** Tab 19
Consideration, discussion and/or direction on Application to WIFA for funding final engineering and design for WWTP.
- 26. REPORTS BY THE CITY MANAGER PAT McCOURT** Tab 20
Consideration, discussion and/or decision regarding the following topics by the City Manager:
- **Request approval travel to Chattanooga, TN**-Pat McCourt, City Manager, request approval to travel to Chattanooga, TN and will be gone from the City beginning April 28-May 2, 2010
 - **Report on Generator**-Pat McCourt, City Manager, after further review this generator purchase has been cancelled.
 - **Set date and time for Joint Work Session**-Pat McCourt, City Manager, set date and time for a Joint Work Session with Planning & Zoning Commission regarding revisions to Title 17 and Infill Incentive Program.
 - **Report LTAF**-Pat McCourt, report on LTAF Funds for Streets (unless discussed in Budget Work Session earlier)
 - **Sale of City Property**-Pat McCourt, City Manager, advertised in the local newspaper, City bulletin boards, web site, several public places, and City newsletter of the Sale of City Property. Bid packets can be obtained from the City Clerk’s office, Development Services office and on the web. All bids are due Friday, May 28, 2010 at 3:00 p.m. in the Office of the City Clerk.
 - **Report on City Hall sign improvements**-Pat McCourt, City Manager report on City Hall sign improvements.

- **Report on the Public Safety Complex Sign bids**-Pat McCourt, City Manager report the results of the PS Complex Sign bids.
- **Report on Fremont Street Improvements**-Pat McCourt, City Manager report on the Fremont Street Improvements.

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

28. DISCUSSION/DECISION TO ENTER INTO AN EXECUTIVE SESSION A.R.S. §38-431.03A(1) Tab 21
DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF ANY PUBLIC BODY, EXCEPT THAT, WITH THE EXCEPTION OF SALARY DISCUSSIONS, AN OFFICER, APPOINTEE OR EMPLOYEE MAY DEMAND THAT SUCH DISCUSSION OR CONSIDERATION OCCUR AT A PUBLIC MEETING. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH SUCH NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY-FOUR HOURS FOR THE OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER SUCH DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING.

Consideration, discussion and/or decision regarding ARS 38-431.03A(1), as stated, relating to City Attorney Contract.

29. RECESS TO EXECUTIVE SESSION IF APPROVED

30. RECONVENE FROM EXECUTIVE SESSION

31. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-35 FOR THE PURPOSE OF APPROVING AND ADOPTING THE LEGAL SERVICES CONTRACT WITH HECTOR M. FIGUEROA, DBA HECTOR M. FIGUEROA & ASSOCIATES ("CONTRACTOR") TO PROVIDE CITY ATTORNEY LEGAL SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

Consideration, discussion, and/or decision regarding Resolution No. 2010-35, as stated relating to the City Attorney Contract.

32. 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.