

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

AGENDA-Statement of Legal Actions

Monday, April 19, 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. 2010-42

Ordinance NS299

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey opened the regular meeting on Monday, April 19, 2010 at 7:05 p.m. welcomed back those from work session and welcomes the others. Appreciates attendance and looks forward to seeing more in the future.
2. **ROLL CALL**-City Clerk Cristina G. Whelan, CMC, called the roll.

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Larry N. Schultz
Councilman Elwood A. Johnson
Councilman Jimmy L. Norris
Councilwoman Monika Cronberg
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
Building Inspector Jeff Stoddard

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 Council members or staff.
6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented with removal of item #8 regarding the discussion to select option on the Wastewater Treatment Plant. **CARRIED.**
7. **PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**
Proclamation: Mayor Lindsey read and proclaimed: (1) the week of April 18-24, 2010 as **National Volunteer Week** Tab 1 and **Willcox Volunteer Week**; and
(2) proclaimed the week of April 11-17-2010 as **National Library Week**; The Mayor presented the proclamations to Library Director Tom Miner and Library Supervisor and Volunteer Coordinator Sylvia Stewart. Mayor Lindsey invited all to look at the improvements that have been made at the Library.
(3) Mayor Lindsey read and proclaimed Saturday, April 24, 2010 as **City Clean Up Day.**
8. ~~**DISCUSSION/DIRECTION/DECISION REGARDING TO SELECT OPTION ON THE WASTEWATER TREATMENT PLANT (WWTP)**~~ **Removed from agenda by motion!** Tab 2
9. **DISCUSSION/DECISION REGARDING LETTER OF SUPPORT FOR THE COCHISE COUNTY, ARIZONA CENTENNIAL COMMITTEE HISTORICAL FIGURES PROJECT**-It was moved and seconded to approve the letter of support for the Cochise County Arizona Centennial Committee Historical Figures Project. **CARRIED.** Tab 3

10. **DISCUSSION REGARDING COSTS ASSOCIATED WITH THE FT. GRANT ENHANCEMENT PROJECT** Tab 4
 City Manager Pat McCourt explained this agenda item does not require any action. There was question raised at the last Council meeting concerning the total cost of this project what we are receiving from grants, City costs and total.
11. **DISCUSSION/DECISION REGARDING AUTHORIZING TRANSFER OF MONIES FROM HURF FUND (15) TO CAPITAL IMPROVEMENTS FUND (21)**-It was moved and seconded to authorize the transfer of monies from HURF Fund (15) to Capital Improvements Fund (21). **CARRIED.** Tab 5
12. **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.** -It as moved and seconded to take it off the table. **CARRIED.** It was moved and seconded to accept it as drafted. **VOTE: Ayes**-Vice Mayor Schultz and Councilman Norris. **Nays**-Mayor Lindsey, Council members Johnson, Cronberg, Klump and Donahue. **FAILED: 2-5.** Tab 6

Staff was directed to go back and rewrite this policy.

13. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-38 APPROVING AND DESIGNATING AUTHORIZED SIGNATORIES FOR THE CITY OF WILLCOX INVESTMENTS IN THE CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICE ("CDARS") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION FOR THE PURPOSE DESIGNATING AUTHORIZED SIGNATORIES AND DECLARING AN EMERGENCY TO EXIST**-It was moved and seconded to approve Resolution NO. 2010-38, as stated, relating to Designating Authorized Signatories for the City's Investments in CDARS. **CARRIED.** Tab 7
14. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-39 APPROVING AND AUTHORIZING THE APPLICANT CERTIFICATIONS FOR FY10 THE SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION ["SEAGO"] FOR THE PURPOSE OF AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE CERTIFICATIONS AND DECLARING AN EMERGENCY TO EXIST** -It was moved and seconded to approve Resolution No. 2010-39, as stated, relating to Applicant Certifications for FY10 SEAGO for the purpose of authorizing the Mayor to execute this Resolution. **CARRIED.** Tab 8
15. **DISCUSSION/DECISION REGARDING RESOLUTION 2010-40 APPROVING AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR CWSRF LOAN FROM THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA) FOR THE WASTE WATER TREATMENT PLANT AND SYSTEM AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** -It was moved and seconded to approve Resolution No. 2010-40, as stated, relating to application for CWSRF loan from the WIFA for the WWTP, as presented. **CARRIED.** Tab 9
16. **DISCUSSION/DECISION REGARDING RESOLUTION 2010-41 FOR THE PURPOSE OF AWARDDING THE BID FOR CONTRACTED EMPLOYEE LEASING SERVICES TO SMARTWORKPLUS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.** -It was moved and seconded to approve Resolution No. 2010-41, as stated, relating to awarding a bid for contracted employee leasing services to Smartworksplus. **CARRIED.** Tab 10

17. **REPORTS BY THE CITY MANAGER PAT McCOURT** Tab 11
 Consideration, discussion and/or decision regarding the following topics by the City Manager:
- **Census, Census, Census!**- Pat McCourt, City Manager reported the City of Willcox Census is below the return rate in 2000 and we have lowest percentage in returning the Census forms in Cochise County. Urged everyone to complete and return the forms if they have not done so. The City is sending out a letter to ask the assistance of the churches in town and asking to put something about the Census in their bulletins to encourage response. Staff along with the Chamber of Commerce is working on an Information Fair which will include the Census and encourage people to participate in that. It is estimated \$2,000/year for each additional person we can get reported in the Census for the City of Willcox. The City's shares comes from combination of Highway Users Fund based on population, our population versus the State as a whole and our population versus other places in Cochise County. State Sales Tax is based on population and State Shared

Revenue too. All of those affect us directly in our ability to deliver services. Encouraged people to participate and complete and return the forms and it also affects our representation on Federal House of Representatives, State Senate and House seats and encouraged people to participate.

- **Report on Clean Up Day**-Pat McCourt, City Manager, proclamation early this evening and reported that the City has 2-Zones to clean up. Our employees are scheduled for Friday, April 23, 2010, and the City Wide Clean Up is Saturday, April 24, 2010. Everyone participating meets at Railroad Park.
- **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. There have been several packets picked up from City Hall although none returned as of yet.
- **Cancel Agenda Public Review** – Pat McCourt, City Manager will be out of town and requesting to cancel the 29th of April review of agenda. Staff will deliver packets.
- **Budget Work Session on Streets** - Pat McCourt, City Manager, budget work session will be held on Monday, April 26 at 6:00 p.m. and focusing on Streets.
- **Budget Work Session on Utilities** - Pat McCourt, City Manager, next budget work session will be held on Monday, May 3, 2010 regarding Utilities.
- **Proposition 100 Election May 18, 2010** - Pat McCourt, City Manager, the County-wide Proposition 100 Election will be held on May 18, 2010 here in the City Council Chambers, 300 W. Rex Allen Drive. Polls Open at 6:00 a.m. until 7:00 p.m. Encouraged all to get educated and aware and vote what you feel is appropriate.
- **NCCH Golf Tournament** - Pat McCourt, City Manager, the NCCH Golf Tournament will be held on Saturday, May 15, 2010, at Twin Lakes Golf Course registration begins at 8:00 A.M. and Tournament begins at 9:00 A.M. Council agreed to play on that team and need to know to inform NCCH.
- **VFF Golf Tourney** - Pat McCourt, City Manager, announced the VFF Golf Tourney will be held on June 26, 2010 and encouraged to put on calendar and think about participating.
- **Clear Channel**-Pat McCourt, City Manager, they seemed to be receptive when it favors them and not our requests. At this point negotiations are breaking down. Contract has been extended to the end of May.
- **Special session on WWTP**- thinks need more discussion concerning that and need to get some decision made. This decision is going to affect us for the next 20-30 years. In lieu of budget session about May 10th which is Monday at 6:00 p.m. here in the Chambers.

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

None!

19. ADJOURN-8:12 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.