

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

**NOTE DATE: Tuesday, July 6, 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. 2010-79  
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. DISCUSSION/DECISION ENTER EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES      Tab 1  
§ 38-431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF  
THE PUBLIC BODY**

Consideration, discussion and/or decision to enter into an Executive Session pursuant to ARS § 38-431.03A(3), as stated, relating to consultation for legal advice with the attorney(s) of the public body.

**8. RECESS TO EXECUTIVE SESSION, IF APPROVED**

**9. RECONVENE FROM EXECUTIVE SESSION**

**10. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**Tab 2**

**Proclamation:** The Mayor will declare the 59<sup>th</sup> Annual Rex Allen Days - "**Cowboys Honor Those Who Support Our Freedom & Liberty**" beginning Thursday, September 30<sup>th</sup> through Sunday, October 3, 2010.

**Public Hearing:** The Mayor and Council will hold a public hearing on Tuesday, July 6, 2010 at 7:00 p.m., **Tab 3**  
300 W. Rex Allen Drive regarding the Interim Permit, Probate/Will Assignment/Divorce Decree, Series 07 Liquor License at  
Big Tex Bar-B-Que, Jeffery Lee Willey, 130 E. Maley Street, Willcox, AZ

All members of the public are invited to attend. For those persons wishing to comment and are unable to attend a written statement will be accepted in the Office of the City Clerk, 101 S. Railroad Avenue, Willcox, AZ, until 4:00 p.m. the day of the public hearing.

**11. CONSENT AGENDA**

Items that are considered to be routine by the City Council will be enacted by one motion without discussion. The consent agenda is a timesaving device and Council members have received documentation on these items for their review prior to the open meeting. Any Councilmember may remove any item from the consent agenda for discussion and a separate vote as deemed necessary. The public may view the documentation relating to the consent agenda 24 hours prior to the meeting at the City Clerk's Office, 101 S. Railroad Avenue, Suite B, Willcox, AZ from 8:30 a.m. to 4:30 p.m. or at the Elsie S. Hogan Library, 100 N. Curtis Avenue during normal working hours Monday-Saturday.

**11A. MINUTES OF THE WORK SESSION MEETING OF MARCH 15, 2010, THE REGULAR MEETING HELD ON APRIL 5, 2010** **Tab 4**

**11B. RESOLUTION NO. 2010-65 DESIGNATING AUTHORIZED SIGNATORIES FOR THE CITY OF WILLCOX FINANCIAL ACCOUNTS, PROPERTIES, AFFAIRS, BOOKS AND CORPORATE RECORDS OF THE CITY AND DECLARING AN EMERGENCY TO EXIST** **Tab 5**

**11C. RESOLUTION NO. 2010-72 APPROVING AND ADOPTING THE SPECIAL PROJECT GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2009 (PL 111-8) AND THE LOCAL MATCH FOR THE NCCH SENIOR CITIZEN CENTER PROJECT AND DECLARING AN EMERGENCY TO EXIST.** **Tab 6**

**11D. RESOLUTION NO. 2010-73 RATIFYING, APPROVING AND ACCEPTING THE LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT FROM THE ARIZONA STATE LIBRARY, ARCHIVES, AND PUBLIC RECORDS AGENCY TO BE USED FOR PUBLIC LIBRARY MATERIALS AND PROGRAMS, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.** **Tab 7**

**12. DISCUSSION/DECISION REGARDING THE INTERIM PERMIT, PROBATE/WILL ASSIGNMENT/DIVORCE DECREE, SERIES #07 LIQUOR LICENSE AT BIG TEX BAR-B-QUE, JEFFERY LEE WILLEY, 130 E. MALEY STREET, WILLCOX, AZ** **Tab 3**

Consideration, discussion and/or decision regarding the Interim Permit, Probate/Will Assignment/Divorce Decree, Series #07 Liquor License at Big Tex Bar-B-Que, Jeffery Lee Willey, 130 E. Maley Street, Willcox, AZ

**13. DISCUSSION/DIRECTION TO STAFF REGARDING THE YELLOW RAIL CAR ON PARCEL 203-28-180C ACROSS FROM THE CITY HALL TRAIN DEPOT** **Tab 8**

Consideration, discussion and/or direction to staff regarding the Yellow Rail Car on Parcel 203-28-180C across from the City Hall Train Depot.

**14. DISCUSSION/DECISION REGARDING REQUEST TO SUSPEND GUNFIGHT PERMIT FOR ONE WEEKEND** **Tab 9**

Consideration, discussion and/or decision regarding the request to suspend Gunfight Permit for one (1) weekend.

**15. DISCUSSION/DECISION AND/OR DIRECTION TO STAFF ON THE SELECTION OF DESIGN FOR CITY BILLBOARD** **Tab 10**

Consideration, discussion, decision and/or direction to staff on the selection of the design for City Billboard.

**16. DISCUSSION/DECISION REGARDING THE WASTEWATER TREATMENT PLANT OPTIONS** **Tab 11**

Consideration, discussion and/or decision regarding the WWTP options.

17. **DISCUSSION/DECISION REGARDING THE APPOINTMENT TO FILL THE TWO (2) VACANCIES ON THE PLANNING & ZONING COMMISSION** Tab 12  
 Consideration, discussion and/or decision regarding the appointment to fill the two (2) vacancies on the P&Z Commission.
18. **DISCUSSION/DECISION REGARDING THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUEST USE FEES BE WAIVED FOR THE JOB FAIR AT THE COMMUNITY CENTER ON AUGUST 19, 2010 FROM 9:00 A.M. THROUGH 6:00 P.M.** Tab 13  
 Consideration, discussion and/or decision regarding the Willcox Chamber request use fees are waived for the Job Fair at the Community Center on August 19, 2010 from 9:00 a.m. through 6:00 p.m.
19. **DISCUSSION/DECISION REGARDING THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUEST USE FEES BE WAIVED FOR THE USE OF THE ENTIRE COMMUNITY CENTER FOR THE COWBOY HALL OF FAME EVENT BEGINNING AT 8:00 A.M., WEDNESDAY, SEPTEMBER 29<sup>TH</sup> THROUGH FRIDAY, OCTOBER 1, 2010** Tab 14  
 Consideration, discussion and/or decision regarding the Willcox Chamber of Commerce & Agriculture request use fees are waived for the use of the entire Community Center for the Cowboy Hall of Fame event beginning at 8:00 a.m., Wednesday, September 3<sup>rd</sup> through Friday, October 1, 2010.
20. **DISCUSSION/DECISION REGARDING THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUEST USE FEES BE WAIVED FOR THE CHRISTMAS APPLE FESTIVAL IN THE COMMUNITY CENTER BEGINNING AT NOON DECEMBER 1<sup>ST</sup> THROUGH NOON DECEMBER 5<sup>TH</sup>, 2010.** Tab 15  
 Consideration, discussion and/or decision regarding the Willcox Chamber of Commerce & Agriculture request use fees are waived for the Christmas Apple Festival in the Community Center beginning at noon December 1<sup>st</sup> through noon December 5<sup>th</sup>, 2010.
21. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-74 TO FORMALLY APPROVE AND AUTHORIZE THE WRITE-OFF OF CERTAIN TERMINATED UTILITY ACCOUNTS WITH UNCOLLECTIBLE AND UNPAID BALANCES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 16  
 Consideration, discussion and/or decision regarding Resolution NO. 2010-74, as stated, to formally approve and authorize the Write-off of certain terminated utility accounts.
22. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-75 APPROVING AND AUTHORIZING THE FRAUD RISK MANAGEMENT POLICY TO FACILITATE THE DEVELOPMENT OF CONTROLS FOR THE DETECTION AND PREVENTION OF FRAUD AGAINST THE CITY, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 17  
 Consideration, discussion and/or decision regarding Resolution NO. 2010-75, as stated relating to Fraud Risk Management Policy.
23. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-76 APPROVING AND AUTHORIZING THE CONTRACT FOR THE PUBLIC SAFETY COMPLEX FACADE WITH MASCOT HOMES AND CONSTRUCTION, LLC (“CONTRACTOR”) AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 18  
 Consideration, discussion and/or decision regarding Resolution NO. 2010-76, as stated relating to the contract for the Public Safety Complex Façade.
24. **DISCUSSION/DIRECTION TO STAFF REGARDING TITLE 5, SECTION 2-4, UNLAWFUL ACTS** Tab 19  
 Consideration, discussion and/or direction to regarding Title 5, Section 2-4, Unlawful Acts.
25. **DISCUSSION/DECISION REGARDING RESOLUTION 2010-77 APPROVING AND ADOPTING THE SERVICES CONTRACT BETWEEN THE CITY OF WILLCOX [“CITY”] AND LIN-CUM, INC [“LIN-CUM”] FOR ARCHIVAL STORAGE, RETRIEVAL AND SECURITY SERVICES, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 20  
 Consideration, discussion and/or decision regarding Resolution NO. 2010-77, as stated relating to the Services Contract between the City and Lin-Cum for archival storage, retrieval and security services.

**26. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-78 TO FORMALLY APPROVE AND AUTHORIZED THE FRANCHISE TAX REFUND TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC. (“SSVEC”) AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** **Tab 21**

Consideration, discussion and/or decision regarding Resolution No. 2010-78, as stated relating to formally approve and authorize the Franchise Tax Refund to SSVEC.

**27. REPORTS BY THE CITY MANAGER PAT McCOURT** **Tab 22**

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

- **Report on Capital Asset Threshold**-Ruth Graham, Finance Director, reports on the Capital Asset Threshold
- **Report on Attendees to the League of Arizona Cities & Towns**-Pat McCourt, City Manager, and the City Clerk needs to finalize the reservations for the conference and the hotel for those persons definitely attending. Also need to delegate the coordinator and co-coordinator for the Festival and the Flag Bearer for the Parade of Flags.
- **Report on City Manager Vacation days**-Pat McCourt, City Manager, will be on vacation from the afternoon of July 7<sup>th</sup> through July 9<sup>th</sup>, 2010.
- **Report on Departmental Energy Conservation on-going efforts**-Pat McCourt, City Manager, departmental listing of on-going energy conservation efforts.
- **Report on Chip Seal**-Dave Bonner, Public Services & Works Director, reporting on Chip Seal Projects.
- **Report on the Brown & Caldwell Underground Storage Tanks**-Dave Bonner PS&W Director, reports “No problem.”
- **Report on Ramada Roof Repair**-Dave Bonner, PS&W Director reports on the roof repair work done in-house at the Keiller Park Ramada.
- **Report on 4<sup>th</sup> of July Celebration**-Jake Weaver, Public Safety Director Reports on the 4<sup>th</sup> of July.
- **Report on Joint Work Session with Planning & Zoning Commission**-Pat McCourt, City Manager, the joint work session has been scheduled for Monday, July 19, 2010 at 6:00 p.m., City Council Chambers.
- **Report City Manager attending training**-Pat McCourt, City Manager, will be attending the City Manager’s Annual Conference in Tucson beginning on July 27, 2010 and returning late the afternoon of July 30, 2010.
- **Report on Update on Senior Center Agreement with NCCH**-Pat McCourt, City Manager, reports on the Update on the Senior Center Agreement with NCCH.

**28. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.**

**29. ADJOURN.**

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**NOTE:** Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ or the Elsie S. Hogan Community Library during regular business hours Monday-Saturday and beginning July 2010 on the City’s website [www.cityofwillcox.org](http://www.cityofwillcox.org) .

**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.