

**THE STATEMENT OF LEGAL ACTIONS OF THE MAYOR AND CITY
COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 19TH DAY OF JULY 2010**

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

Monday, July 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. 2010-83
Ordinance NS299**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, July 19, 2010 at 7:00 p.m. Welcomed all to this meeting and welcomed the rain and electricity shortage on his end of town.

2. **ROLL CALL** –City Clerk Cristina G. Whelan, CMC, called the roll:

PRESENT

Mayor Gerald W. Lindsey
Vice Mayor Monika Cronberg
Councilman Elwood A. Johnson
Councilman Stephen Klump
Councilman Christopher Donahue
Councilman William “Bill” Holloway
Councilman Robert “Bob” Irvin

STAFF

City Manager Pat McCourt
City Attorney Hector Figueroa
City Clerk Cristina G. Whelan, CMC
Library Director Tom Miner
Public Safety Director Jake Weaver
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.

4. **CALL TO THE PUBLIC**-Mayor Lindsey asked Paul Sheats if he wished to speak at this time and Mr. Sheats requested to wait for agenda item #13 regarding the Skate Park. The Mayor asked if anyone else wished to comment and hearing no further response Call to the Public was closed.

5. **DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Mayor and Council members or staff.

6. **ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda. **CARRIED.**

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

Mayor Lindsey asked if any item for Executive Session and City Attorney Hector Figueroa stated “not at this time.”
(Agenda items numbered 8 & 9 relating to recess and reconvene from Executive Session removed.)

10. **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

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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.

10A. WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUESTS FEES BE WAIVED FOR THE COMMUNITY CENTER ON JANUARY 12-16, 2011 FOR THE WINGS OVER WILLCOX BIRDING & NATURE FESTIVAL Tab 2

10B. RESOLUTION NO. 2010- 79 APPROVING AND AUTHORIZING THE EXECUTION OF THE PLEDGEE AGREEMENT FORM TO BE FILED WITH THE FEDERAL RESERVE BOARD, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST Tab 3

10C. RESOLUTION NO. 2010-80 APPROVING AND ADOPTING AMENDMENT NUMBER ONE TO THE INMATE WORK CONTRACT BETWEEN THE CITY AND THE STATE OF ARIZONA, DEPARTMENT OF CORRECTIONS, ["ASPC-SAFFORD"] FOR THE PURPOSE OF DELETING SECTION 1.15 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, AMENDMENT NUMBER ONE AND DECLARING AN EMERGENCY TO EXIST. Tab 4

MOTION: Councilman Johnson moved to adopt the consent agenda items as presented.

SECONDED: Councilman Holloway seconded the motion. **CARRIED.**

11. PUBLIC HEARINGS PETITIONS AND COMMUNICATIONS

PUBLIC HEARING: The Mayor read and announced that the Mayor and Council will hold a public hearing on (1) Monday, July 19, 2010 at 7:00 p.m. 300 W. Rex Allen Drive, Willcox, AZ, regarding the City of Willcox and the Elsie S. Hogan Community Library has applied to the USDA Rural Development for Funding Assistance to Complete the Library Renovation Project. Residents may provide comments on such items as economic and environmental issue that may impact the area or discuss any alternatives to the proposed project; Tab 5

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643.

Mayor Lindsey opened the public hearing regarding the City of Willcox and the Elsie S. Hogan Community Library relating to funding assistance to complete the Library Renovation Project at 7:05 p.m. The Mayor asked if there were any comments. Hearing none he asked again are there any comments. Hearing no comments from the Council members, staff and public present Mayor Lindsey closed the public hearing at 7:06 p.m.

12. DISCUSSION/DECISION RELATING TO THE APPOINTMENTS TO THE PLANNING & ZONING COMMISSION Tab 6

The City Attorney Hector Figueroa explained to the members of the Council the procedure needed to be made regarding action taken on July 6th meeting and the procedure for nominations.

It was moved and seconded to rescind action taken on July 6th according to item on agenda concerning the appointments to the Planning & Zoning Commission. **CARRIED.**

Mayor Lindsey asked for nominations to the Planning & Zoning Commission.

Councilman Johnson nominates Nancy Guerrero.
The Mayor asked is there any further nominations.
Councilman Johnson nominates Doyle Miller.
Councilman Klump nominates Sharon Nigh.

It was moved and seconded to close nominations. **CARRIED.**

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It was moved and seconded to appoint Doyle Miller to the P&Z Commission. **VOTE RAISE HANDS –Mayor Lindsey stated Unanimous.**

It was moved and seconded to appoint Nancy Guerrero to P&Z Commission. **VOTE RAISE HANDS: Mayor Lindsey stated 4-3.**

It was moved and seconded to appoint Sharon Nigh to P&Z Commission. **VOTE RAISE HANDS: Mayor Lindsey stated 3-4.**

13. DISCUSSION/DECISION REGARDING THE SKATE PARK FUNDING **Tab 7**
After discussion by the Mayor and Council members, staff and members of the Skate Park Committee Mayor Lindsey directed staff to work with their group to see if there is something we can do as far as the Grant and also if some way to work with a phase to work towards completion knowing that technically all we have is \$16,000. The Mayor directed staff to proceed in that direction and if Skate Committee could work back with staff to see how to make this work.

14. DISCUSSION/DECISION REGARDING PARTNERING WITH WILLCOX WINE COUNTRY (WWC) AND CHAMBER TO PROMOTE ECONOMIC DEVELOPMENT IN THE WILLCOX AREA-It was moved and seconded to approve the partnering with WWC and Chamber to promote Economic Development in the Willcox area. **CARRIED.** **Tab 8**

15. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-82 APPROVING AND ACCEPTING THE PATTE ROAD DEEDS OF DEDICATION FROM PROPERTY OWNERS FOR PORTIONS OF LAND AS DESIGNATED IN EACH DEED TO THE CITY OF WILLCOX AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION FOR THE PURPOSE OF ACCEPTING THE DEEDS OF DEDICATION AND DECLARING AN EMERGENCY TO EXIST-It was moved and seconded to approve Resolution NO. 2010-82, as presented, relating to accepting the Patte Road Deeds of Dedication. **CARRIED.** **Tab 10**

16. REPORTS BY THE CITY MANAGER PAT McCOURT **Tab 11**
Consideration, discussion and/or decision regarding the following topics by the City Manager:

- **Report on Attendees to the League of Arizona Cities & Towns**-Pat McCourt, City Manager, and the City Clerk needs to know who the coordinator and co-coordinator are for the Festival and the Flag Bearer for the Parade of Flags. Someone from Council to work with staff.
- **Report on Mayor/Manager Luncheon**-City of Tombstone will host on Tuesday, July 27, 2010 at 12:00 noon RSVP are due to City Clerk Wednesday, July 21, 2010. Also need meal selection.
- **Report City Manager attending training**-Pat McCourt, City Manager, will be attending the City Manager's Annual Conference in Tucson beginning on Wednesday, July 27, 2010 and returning late Friday the afternoon of July 30, 2010. Overlaps Council session and asked permission to cancel or have staff sit in. Mayor will be out of town on that Thursday too. Suggested to cancel that this week.
- **Cover on dug out**-Pat McCourt reported the temporary dug out roof they have bent metal and working on that at this time.

17. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.
Councilman Johnson stated we need the rain! Thanks rain! Hopes the Skate Park Committee can be resolved soon and thanked the members for coming this evening.
Mayor Lindsey expressed his congratulations to those newly appointed to the Planning & Zoning Commission and hopes to get something going as far as the Skate Park is concerned. They understand it has been a long and difficult road and something happens. Thank you for coming.

18. ADJOURN.8:04 p.m.

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,

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Willcox, AZ or the Elsie S. Hogan Community Library during regular business hours Monday-Saturday and on the City's website 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.