

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

**Monday, August 16, 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. 2010-90  
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. 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.

- 10A. MINUTES OF THE REGULAR MEETING OF AUGUST 2, 2010,** **Tab 2**
- 10B. RESOLUTION NO. 2010-86 RATIFYING, APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LIBRI FOUNDATION FOR THE PURPOSE OF APPLYING FOR FUNDS THROUGH THE BOOKS FOR CHILDREN PROGRAM TO BE USED FOR PUBLIC LIBRARY BOOKS AND DECLARING AN EMERGENCY TO EXIST.** **Tab 3**
- 10C. RESOLUTION NO. 2010-87 APPROVING AND AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE CITY AND THE ARIZONA DEPARTMENT OF HEALTH SERVICES ("ADHS") RELATING TO THE LAB AT THE WASTEWATER TREATMENT PLANT ("WWTP"), AUTHORIZING AND DIRECTING CITY STAFF TO PAY THE SETTLEMENT AMOUNT AND DECLARING AN EMERGENCY TO EXIST.** **Tab 4**
- 10D. RESOLUTION NO. 2010-88 APPROVING AND AUTHORIZING THE RENEWAL AND EXTENSION OF THE USE, MAINTENANCE AND STIPEND AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE, A NON-PROFIT CORPORATION, ["CHAMBER"] AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** **Tab 5**
- 10E. RESOLUTION NO. 2010-89 RATIFYING, APPROVING AND AUTHORIZING THE SUBMITTAL OF THE APPLICATION TO THE UNION PACIFIC FOUNDATION FOR THE PURPOSE OF APPLYING FOR \$5,000.00 TO BE USED FOR THE RELOCATION OF THE HISTORIC MASCOT & WESTERN PASSENGER CAR TO RAILROAD PARK AND DECLARING AN EMERGENCY TO EXIST.** **Tab 6**

- 11. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS** **Tab 7**  
**PUBLIC HEARING:** The Mayor and Council will hold its second public hearing on Monday, August 16, 2010 regarding the Fiscal Year 2010-2011 Budget

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.

- 12. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-89 ADOPTING THE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2010-2011** **Tab 8**  
Consideration, discussion regarding Resolution NO. 2010-89, as stated, relating to the FY 2010-11 Budget.
- 13. DISCUSSION/DECISION REGARDING THE APPOINTMENT TO FILL THE ONE (1) VACANCY ON THE LIBRARY ADVISORY COMMITTEE** **Tab 9**  
Consideration, discussion and/or decision regarding the appointment to fill the 1-vacancy on the Library Advisory Committee, terms to expire June 2014.
- 14. REPORTS BY THE CITY MANAGER PAT McCOURT** **Tab 10**  
Consideration, discussion and/or decision regarding the following topics by the City Manager:
- **Report on 2009 Police Officer of the Year and Firefighter of the Year**-Pat McCourt, City Manager, explained that in 2009 during the All Employee Meeting held in 2010 Chief Weaver presented these awards to Officer David Reno and VFF Gary Adams.
  - **Report on Mayors & Manager Luncheon**-Pat McCourt, City Manager, will be hosted by City of Sierra Vista on Thursday, August 19, 2010. Please RSVP your meal selection if able to attend by Friday, August 13, 2010 to the City Clerk.
  - **Report on Special Meeting Wastewater Treatment Plant**-Pat McCourt, City Manager, a Special Meeting on Monday, August 30, 2010 at 6:00 p.m. to discuss the presentation by the Bond Attorney and decision on the WWTP WIFA Bridge Loan.
  - **Report on Historic Willcox Billboard**-Pat McCourt, City Manager, the first Historic Willcox billboard is up on I-10 and the west side of Benson.

- **Report on Mayor's/Manager's Luncheon**-Pat McCourt, City Manager, the City of Willcox will host on September 16, 2010 at 12 noon at the Brass Rail. Topic: Wine Growers.
- **Report on Schools are Open!**-Pat McCourt, City Manager, reports that the schools are open Drive Carefully!
- **Report on Exploring Possibility On Private Collection Company To Collect All City Sales Tax**-Pat McCourt, City Manager reports staff has been exploring the possibility on private collection company to collect all City Sales Tax instead of the State of Arizona.
- **Report on Hazel Johnson Park**-Pat McCourt, City Manager, reports on the Hazel Johnson Park irrigation system.
- **Report on Attendees to the 2010 League of Arizona Cities & Towns Annual Conference**-Pat McCourt, City Manager, reports that Mayor Lindsey, Public Works Director Bonner, City Manager are attending. Councilman Holloway is attending on Wednesday only.

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

**16. ADJOURN.**

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**Misc. Tab: \_\_\_\_.**

**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.