

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

NOTE DATE: Tuesday, September 7, 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. 2010-95
Ordinance NS301**

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. RESOLUTION NO. 2010-93 APPROVING AND AUTHORIZING THE WILLCOX DEPARTMENT OF PUBLIC SAFETY TO PURCHASE OF RADIO EQUIPMENT TO BE FUNDED BY THE US DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF COLLABORATIVE LAW ENFORCEMENT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 2**

10B. RESOLUTION NO. 2010-94 APPROVING AND ADOPTING THE AWARD AGREEMENT [A.G. # 2011-056] WITH THE ATTORNEY GENERAL'S OFFICE OF VICTIMS' RIGHTS PROGRAM ["VRP"] ON BEHALF OF THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ["WDPS"], AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST. **Tab 3**

11. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS **Tab 4**

Proclamation: The Mayor will proclaim with the Benevolent and Protective Order of Elks September 6-12, 2010 as *****NATIONAL PATRIOTISM WEEK*****; and

The Mayor will proclaim Saturday, September 25, 2010 as *****CITY CLEAN UP DAY!*****

Communications: Second Reading of Ordinance NS299 Relating To Taxation: Levying Separate Amounts To Be Raised For Primary And Secondary Property Tax Levies Upon Each One Hundred Dollars (\$100.00) Of The Assessed Valuation Of Property Subject To Taxation Within The City Of Willcox For The Fiscal Year Ending June 30, 2011 And Declaring An Emergency To Exist; and **Tab 5**

First Reading of Ordinance NS300 Amending The Willcox City Code, Title 5, [Health And Sanitation], Chapter 2 [Nuisances], Section 5-2-4(A) [Unlawful Acts], By Reference, Repealing The Current Section 5-2-4(A) And Part Of Ordinance NS298 Relating To Repealed Section 5-2-4(A) As Enumerated Herein. **Tab 6**

Public Hearing: The Mayor and Council will hold a public hearing on (1) Tuesday, September 7, 2010, at 7:00 p.m., 300 W. Rex Allen Drive, Willcox, AZ regarding Ordinance NS299 Relating To Taxation: Levying Separate Amounts To Be Raised For Primary And Secondary Property Tax Levies Upon Each One Hundred Dollars (\$100.00) Of The Assessed Valuation Of Property Subject To Taxation Within The City Of Willcox For The Fiscal Year Ending June 30, 2011 And Declaring An Emergency To Exist; and **Tab 5**

(2) on Monday, September 20, 2010, at 7:00 p.m., 300 W. Rex Allen Drive, Willcox, AZ regarding Ordinance NS300 Amending The Willcox City Code, Title 5, [Health And Sanitation], Chapter 2 [Nuisances], Section 5-2-4(A) [Unlawful Acts], By Reference, Repealing The Current Section 5-2-4(A) And Part Of Ordinance NS298 Relating To Repealed Section 5-2-4(A) As Enumerated Herein; and **Tab 6**

(3) on Monday, September 20, 2010, at 7:00 p.m., 300 W. Rex Allen Drive, Willcox, AZ regarding Application for Liquor Store Series #9 Sampling Privileges (09020037S), Safeway Inc., #272, Janice Louise Martin, 650 N. Bisbee Avenue, Willcox, AZ **Tab 7**

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 ORDINANCE NS299 RELATING TO TAXATION: LEVYING SEPARATE AMOUNTS TO BE RAISED FOR PRIMARY AND SECONDARY PROPERTY TAX LEVIES UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF THE ASSESSED VALUATION OF PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF WILLCOX FOR THE FISCAL YEAR ENDING JUNE 30, 2011 AND DECLARING AN EMERGENCY TO EXIST. **Tab 8**

Consideration, discussion regarding Ordinance NS299, as stated, relating to Tax Levy.

13. DISCUSSION/DECISION REGARDING THE REQUEST FROM ARIZONA VINES & WINES, JOSH MOFFITT, Tab 9 TO HOLD A WINE FESTIVAL ON SEPTEMBER 18, 2010

Consideration, discussion and/or decision regarding the request from Arizona Vines & Wines, Josh Moffitt, to hold a Wine Festival on September 18, 2010.

14. DISCUSSION/DECISION REGARDING THE REQUEST FROM THE REX ALLEN ARIZONA COWBOY MUSEUM, INC., STANDARD FEES FOR THE COMMUNITY CENTER BE WAIVED FOR THE SECOND ANNUAL WESTERN LEGENDS AWARDS ON FRIDAY, OCTOBER 1, 2010 Tab 10

Consideration, discussion and/or decision regarding the request from The Rex Allen Arizona Cowboy Museum, Inc., standard fees for the Community Center be waived for the Second Annual Western Legends Awards on Friday, October 1, 2010.

15. DISCUSSION/DECISION REGARDING THE REQUEST FROM THE REX ALLEN ARIZONA COWBOY MUSEUM, INC., LIQUOR PERMIT AT RAILROAD PARK FOR OCTOBER 1,2,&3 FOR A WINE GARDEN DURING REX ALLEN DAYS Tab 11

Consideration, discussion and/or decision regarding the request from The Rex Allen Arizona Cowboy Museum, Inc., Liquor Permit at Railroad Park on October 1,2&3 for a Wine Garden during Rex Allen Days.

16. REPORTS BY THE CITY MANAGER PAT McCOURT Tab 12

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

- **Report on Refuse (Garbage) Ordinance and schedule work session**-City Manager Pat McCourt reporting on the Refuse (Garbage) Ordinance and schedule work session.
- **Report on Golf Course and schedule work session**-City Manager Pat McCourt reporting on the Golf Course and schedule a work session.
- **Report on Mayors & Manager Luncheon**-Pat McCourt, City Manager, The City of Willcox will host the Mayor's/Manager's Luncheon on Thursday, September 16, 2010 at 12 Noon, Brass Rail. Please RSVP by Friday, September 10, 2010 to the City Clerk.
- **Report on Adding Quail Park to the General Plan**-City Manager, Pat McCourt reporting on Planning & Zoning Commission request to add Quail Park to the General Plan.
- **Report on the Willcox Cowboys Football Season**-City Manager Pat McCourt reports on the Willcox Cowboys Football Season.

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

18. ADJOURN.

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 .

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.