

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

Monday, November 15, 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. 2010-120
Ordinance NS303**

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. DISCUSSION/DECISION AND/OR DIRECTION TO STAFF ON MATTERS RELATING TO THE EXECUTIVE SESSION

Consideration, discussion, decision and/or direction to staff on matters relating to the Executive Session.

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. RESOLUTION NO. 2010-113 APPROVING AND ADOPTING THE CDBG CONTRACT #112-11 Tab 2
BETWEEN THE CITY OF WILLCOX [“CITY”] AND THE SOUTHEASTERN ARIZONA GOVERNMENTS
ORGANIZATION [“SEAGO”] FOR THE PURPOSE OF ADMINISTERING THE DEPARTMENT OF HOUSING
(ADOH) FY2010 REGIONAL ACCOUNT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION
AND DECLARING AN EMERGENCY TO EXIST**

12. PUBLIC HEARINGS, PETITIONS AND/OR COMMUNICATIONS

Communications: Second Reading of Ordinance NS301 Creating, Approving And Adopting City Code Title 6, Tab 3 Chapters 1 Through 6 [Police And Public Safety], By Reference, Repealing Title(S), Chapter(S), Section(S) , And All Ordinances Passed And Adopted Relating To All Repealed Title(S), Chapter(S), Section(S) , And All Ordinances Enumerated In Section 2 Below; and

Second Reading of Ordinance NS302 Amending The Willcox City Code, Title 4, Chapter 1, Article A [Business Tab 4 Permit Regulations], Section 4-1A-11 [Sunset Clause], By Reference, Repealing The Current Section 4-1A-11 And Part Of Ordinance NS298 Relating To Repealed Section 4-1A-11 With All Remaining Provisions Remaining Unchanged As Enumerated Herein; and

Public Hearing: The Mayor and Council will hold two (2) public hearings on Monday, November 15, 2010 at 7:00 p.m., 300 W. Rex Allen Drive, regarding Ordinance NS301 Creating, Approving And Adopting City Code Title 6, Chapters 1 Through 6 [Police And Public Safety], By Reference, Repealing Title(S), Chapter(S), Section(S) , And All Ordinances Passed And Adopted Relating To All Repealed Title(S), Chapter(S), Section(S) , And All Ordinances Enumerated In Section 2 Below; and

Ordinance NS302 Amending The Willcox City Code, Title 4, Chapter 1, Article A [Business Permit Regulations], Section 4-1A-11 [Sunset Clause], By Reference, Repealing The Current Section 4-1A-11 And Part Of Ordinance NS298 Relating To Repealed Section 4-1A-11 With All Remaining Provisions Remaining Unchanged As Enumerated Herein; and

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

- 13. DISCUSSION/DECISION AND/OR DIRECTION TO STAFF REGARDING TO PURSUE A CONTRACT WITH REVENUE DISCOVERY SYSTEMS (See Work Session History/Fact)**

Consideration, discussion/decision and/or direction to staff regarding to pursue a contract with Revenue Discovery System.

- 14. DISCUSSION/DECISION REGARDING ORDINANCE NS301 CREATING, APPROVING AND ADOPTING Tab 3
CITY CODE TITLE 6, CHAPTERS 1 THROUGH 6 [POLICE AND PUBLIC SAFETY], BY REFERENCE, REPEALING
TITLE(S), CHAPTER(S), SECTION(S) , AND ALL ORDINANCES PASSED AND ADOPTED RELATING TO ALL
REPEALED TITLE(S), CHAPTER(S), SECTION(S) , AND ALL ORDINANCES ENUMERATED IN SECTION 2 BELOW**
Consideration, discussion and/or decision regarding Ordinance NS301, as stated, relating to City Code Title 6, Chapters 1-6 [Police and Public Safety].

- 15. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-114 DECLARING AS A PUBLIC Tab 5
RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED “TITLE 6, CHAPTERS 1, 2,
3, 4, 5, 6 OF THE WILLCOX CITY CODE, BE AND IS HEREBY ADOPTED, BY REFERENCE, AS “TITLE 6, POLICE
AND PUBLIC SAFETY”.**

Consideration, discussion and/or decision regarding Resolution NO. 2010-114, as stated, relating to Declaring as a Public Record and filed with the City Clerk on "Title 6. . ." relating to Police and Public Safety.

- 16. DISCUSSION/DECISION REGARDING ORDINANCE NS302 AMENDING THE WILLCOX CITY CODE, TITLE 4, CHAPTER 1, ARTICLE A [BUSINESS PERMIT REGULATIONS], SECTION 4-1A-11 [SUNSET CLAUSE], BY REFERENCE, REPEALING THE CURRENT SECTION 4-1A-11 AND PART OF ORDINANCE NS298 RELATING TO REPEALED SECTION 4-1A-11 WITH ALL REMAINING PROVISIONS REMAINING UNCHANGED AS ENUMERATED HEREIN. Tab 4**

Consideration, discussion and/or decision regarding Ordinance NS302 as stated relating to City Code Title 4, Chapter 1, Article A [Business Permit Regulations], Section 4-1A-11 [Sunset Clause].

- 17. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-115 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "TITLE 4, CHAPTER 1, ARTICLE A, SECTION 4-1A-11 [SUNSET CLAUSE]" OF THE WILLCOX CITY CODE, BE AND IS HEREBY ADOPTED, BY REFERENCE, AS THE BUSINESS PERMIT REGULATIONS. Tab 6**

Consideration, discussion and/or decision regarding Resolution No. 2010-115, as stated, relating to Declaring as a Public Records and filed with the City Clerk and entitled "Title 4,..." relating to Sunset Clause as the Business Permit regulations.

- 18. DISCUSSION/DECISION REGARDING ART LEAGUE OF WILLCOX REQUEST FEES BE WAIVED FOR USE OF THE COMMUNITY CENTER, SETTING UP ON SUNDAY, APRIL 3, 2011 THROUGH SUNDAY, APRIL 10, 2011 Tab 7**

Consideration, discussion and/or decision regarding the Art League of Willcox request fees be waived for use of the Community Center, setting up on Sunday, April 3, 2011 through Sunday, April 10, 2011.

- 19. DISCUSSION/DECISION REGARDING REQUEST FROM SULPHUR SPRINGS VALLEY HISTORICAL SOCIETY FEES WAIVED FOR USE OF THE COMMUNITY CENTER ON SATURDAY, MARCH 19, 2011 Tab 8**

Consideration, discussion and/or decision regarding the request from SSVHS fees waived for use of the Community Center on Saturday, March 19, 2011.

- 20. DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING THE CONSENT ORDER FROM ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY & CONTROL (AZDEQ) CONCERNING THE WASTEWATER TREATMENT PLANT (WWTP) Tab 9**

Consideration, discussion, decision and/or direction to staff regarding the Consent Order from AZDEQ concerning the WWTP.

- 21. DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING AMENDING THE SOLID WASTE ORDINANCE OPTIONS ON REQUIRING SERVICE Tab 10**

Consideration, discussion/decision and/or direction to staff regarding Amending the Solid Waste Ordinance Options on Requiring Service.

- 22. DISCUSSION/DECISION/DIRECTION TO STAFF RESOLUTION NO. 2010-116 APPROVING THE DISTRIBUTION OF ARIZONA DEPARTMENT OF TRANSPORTATION LOCAL TRANSPORTATION ASSISTANCE FUNDS ["LTAF II"] TO SELECTED RECIPIENTS FOR THE PURPOSE OF FUNDING SPECIFIC PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST Tab 11**

Consideration, discussion, decision and/or direction to staff regarding Resolution No. 2010-116, as stated relating to the Distribution of Arizona Department of Transportation LTAFII to selected recipients.

- 23. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-117 RATIFYING, APPROVING AND AUTHORIZING THE SUBMISSION OF THE APPLICATION TO THE BORDER ENVIRONMENT COOPERATION COMMISSION ["BECC"] UNDER THE ENVIRONMENTAL PROTECTION AGENCY FOR FUNDS FOR THE REHABILITATION/RECONSTRUCTION OF THE WASTE WATER TREATMENT PLANT AND DECLARING AN EMERGENCY TO EXIST. Tab 12**

Consideration, discussion and/or decision regarding Resolution No. 2010-117, Ratifying, the submission of the application to the BECC under the Environmental Protection Agency for funds for the Rehabilitation/Reconstruction of the WWTP.

24. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-118 APPROVING THE PURCHASE OF A HALE 2.1 FOAM SYSTEM FOR FIRE ENGINE 1 AND DECLARING AN EMERGENCY TO EXIST. Tab 13

Consideration, discussion and/or decision regarding Resolution No, 2010-118, as stated relating to purchase of a Hale 2.1 Foam System for Fire Engine 1.

25. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-119 RATIFYING AND APPROVING THE TRANSFER OF RESPONSIBILITY FOR FORFEITURE PROCEEDINGS FROM THE COCHISE COUNTY ATTORNEY’S OFFICE [CCAO] TO THE CITY ATTORNEY’S OFFICE AND DECLARING AN EMERGENCY TO EXIST. Tab 14

Consideration, discussion and/or decision regarding Resolution No. 2010-119, as stated, relating to ratifying and approving the Transfer of Responsibility for Forfeiture Proceedings from CCAO to the City Attorney’s office.

26. REPORTS BY THE CITY MANAGER PAT McCOURT Tab 15

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

- **Report on the Willcox High School Football Team**-the Cowboys beat the Benson Bobcats! Ended the season 10-0 and lost to Thatcher 28-41.
- **Report on All Employee Meeting/Letter of Appreciation**-on Friday, November 19, 2010 at 2:30 p.m., City Council Chambers.
- **Report on new Chairs at Community Center**-Thank You to the Willcox Chamber of Commerce & Agriculture for purchasing chairs for the Community Center.
- **Report on Library Grant**-The Arizona State Library, Archives & Public Records has approved the \$5,000 Grant application for full funding! Funds are matching funds and will allow the Library Renovation Project to be fully completed mostly dealing with ADA access into the Library.

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

28. 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.