

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF DECEMBER 2010**

**CALL TO ORDER** –Mayor Gerald W. Lindsey called the regular meeting to order on Monday, December 06, 2010 at 7:00 p.m. and welcomed all to tonight's Council meeting and good to have you here.

**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 M. Figueroa  
City Clerk Cristina G. Whelan, CMC  
Library Director Tom Miner  
Public Safety Director Jake Weaver  
Finance Director Ruth Graham  
Building Inspector Jeff Stoddard

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

**CALL TO THE PUBLIC**-Paul Sheats, addressed the Mayor and Council and on behalf of the Salvation Army all present to come and ring the bells for one hour. The number to call if interested is 253-0357 Nell Warden or 766-HELP which is his number. All monies raised stays here in Willcox and some funds for those that are passing through or are living here. Good way to meet people and see the people in the City and invited the Mayor and Council and all present to come and ring the bells for Salvation Army.

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

**ADOPTION OF THE AGENDA**

**MOTION:** Vice Mayor Cronberg moved to remove from the Consent Agenda #10C, relating to Privilege Transaction Tax-Revenue Discovery Systems, and consider later and adopt the remainder of the agenda as presented.

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

**DISCUSSION/DECISION ENTER EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES § 38-431.03A(3)  
DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC**

**BODY**-The City Attorney Hector Figueroa stated there is no reason go to into Executive Session.

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

**~~9. RECONVENE FROM EXECUTIVE SESSION~~**

**~~\*9A. DISCUSSION/DECISION REGARDING MATTER RELATING TO THE 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. THE REGULAR MEETING HELD ON OCTOBER 4, 2010**

**10B. AMENDED RESOLUTION NO. 2010-116 APPROVING THE DISTRIBUTION OF ARIZONA DEPARTMENT OF TRANSPORTATION LOCAL TRANSPORTATION ASSISTANCE FUNDS ["LTAF II"] TO SELECTED RECIPIENTS**

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**FOR THE PURPOSE OF FUNDING SPECIFIC PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THIS  
RESOLUTION AND DECLARING AN EMERGENCY TO EXIST**

Removed from Consent Agenda.

**10C. RESOLUTION NO. 2010-120 APPROVING AND ADOPTING THE TRANSACTION PRIVILEGE TAX (“TPT”) ADMINISTRATION AGREEMENT WITH THE PRA GOVERNMENT SERVICES D/B/A REVENUE DISCOVERY SYSTEMS (“RDS”) TO PERFORM COMPREHENSIVE REMITTANCE PROCESSING AND COMPLIANCE FOR TPT TAXES, USE TAXES, BED TAXES AND ANY OTHER TAXES AS DESIGNATED BY THE CITY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST**

**MOTION:** Councilman Johnson moved to adopt the consent agenda items as presented #10A and #10B.

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

**10C. Considered at this time:**

**RESOLUTION NO. 2010-120 APPROVING AND ADOPTING THE TRANSACTION PRIVILEGE TAX (“TPT”) ADMINISTRATION AGREEMENT WITH THE PRA GOVERNMENT SERVICES D/B/A REVENUE DISCOVERY SYSTEMS (“RDS”) TO PERFORM COMPREHENSIVE REMITTANCE PROCESSING AND COMPLIANCE FOR TPT TAXES, USE TAXES, BED TAXES AND ANY OTHER TAXES AS DESIGNATED BY THE CITY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST**

Vice Mayor Cronberg asked if motion was needed before discussion. Mayor Lindsey said they could ask the City Manager Pat McCourt and the City Manager stated the Finance Director Ruth Graham is here to discuss this topic. Ms. Graham asked the Mayor and Council if there was something specific they wanted to discuss. Vice Mayor Cronberg stated she was surprised to see this particular item on the Consent Agenda when she does not think the full Council has discussed this much beyond stating they are looking possibly going into a contract. The Vice Mayor’s understanding was looking for more background information and possibly some sort of understanding from other Municipalities that are already using the RDS services as to how they are doing, and is there anything comparable to the size of Willcox. Concerned not sure weighed out pros and cons completely. Ms. Graham replied she has talked with Bullhead City on a number of occasions and with RDS for a couple years and again talked to them today. They believe that reporting is better and people have impression they need to make sure in compliance. The Customer Service with RDS is more active can call 24/7 and leave message and they have longer customer service hours than the State. If customer leaves phone message at night or weekend they will return your call the next business day. The City of Sedona and Sommerton have gone onto RDS at this point and Willcox if chooses to do this is the 4<sup>th</sup> City in Arizona. The reporting is more extensive, and gives us more opportunity to carefully analyze and look at trends, look at what industries, and more information about what is happening in Willcox. We can get report on how things are going and now we will have more reports including a Summarized Report. Any analysis we will have information already summarized from RDS. They have been in business for 25 years and the League of Arizona Cities and Towns and Leagues from other States have done due diligence. They have a Call Center so if you have not paid by the first they will be on the phone, not as harassment issue, and will ask you if there is anything they can do to help. The State is so far down they are adding 45-55 Auditors and plan to become more active but they are so far behind. This is an opportunity for our taxpayers to have better service. It will level the playing field. If you are vendor directly collecting taxes same playing field as local vendors. Ms. Graham believes it is something that outsourcing this item would be a benefit. Any audit services are an additional service and they are not automatic. If we see a matter RDS has collection and audit services available for a fee and it would be additional service and it would be a request from the City not RDS.

Vice Mayor Cronberg concerned with part of the language in resolution and this may be where she needs clarification: “the City shall not adopt any modification or amendment to the Model City Tax Code unless the City holds a public hearing on the proposed action before modification or amendment” and asked if contracting with a third party be a modification and should we already be looking at a public hearing and possibly getting some input. Ms. Graham explained that the public hearing is the next step. Until we have a contract in place we do not have alternative. Talked with Tom Belshe, League of Arizona Cities and Towns, and the Model City Tax the City would be self collecting. Staff is talking about effective date for the month of March which is due in April. Vice Mayor Cronberg asked what sort of lead time for public hearing and how many do we need to have before implementation. Ms. Graham explained two (2) public hearings and then RDS would come in late January and in late February start outreach and talk with people and provide instruction. They have on-line service available which is very

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straightforward and simple. If there is a vendor that might be in multiple cities with RDS still does one report for each although has to do separate report to the State. Vice Mayor Cronberg stated that she really does understand the benefit for more immediate revenue flow and guesses that is the primary benefit and being better able to provide services to our taxpayers. The Vice Mayor asked if we are in that position for the 1%, if staff sees that as the fee to RDS and is that something we can easily absorb or difficult for us given our economic circumstance. Ms. Graham stated the fee will be an extra cost and concept is we would start to receive return faster and hoping with increased efforts we would pick up more of taxpayers that are not filing right now. It will be an expense and if hired employee to do the collection we would have additional costs for employee.

Councilman Johnson asked Ms. Graham if it is going to save us any time. It will cost us money to do this and can see the benefits as well. Our Audit and Budget numbers for our expenditures have increased higher than income has. This is \$25-\$26-\$27,000 money that we are paying to a tax collector. RDS is a business and they are in business to make money. Councilman Johnson also asked if RDS would be going after certain taxes or businesses to collect taxes because they get paid once it gets collected. And asked if this is such a great program how come more Cities are not getting involved? There are three (3) and Willcox would make four (4) and it has been around for 25 years. Ms. Graham explained there will be initial costs. Thinks when the State budget problems reduced their staff they made serious mistake and she thinks they should have put more emphasis on collecting rather than not. State has not pursued revenue collection in Willcox. The second question will it save time, Ms. Graham believes it will with more data, and more timely information. We will have better data to make better decisions and it will produce increased revenue. Councilman Johnson asked if business not collecting taxes or reporting taxes or not paying what is the procedure in place right now with the contact with the State and the Attorney General. Would they look into that and asked what would the fee be to the City. Ms. Graham replied the State would not charge us for Audit. In the 5-years she has been with the City she has seen one taxpayer paying in other communities. There was a large payment that came in reported as Audit but it was not because of an Audit it was voluntary reporting. She did have a vendor she received complaint about and called the State and said they filed a return and they were not going to do anything. She has never seen them do an Audit in Willcox. Councilman Johnson asked if called them and said "hey we think Business A is not reporting taxes right can you look into it." Ms. Graham said she has indeed called and they did nothing. Councilman Johnson asked what would be benefit with RDS. Ms. Graham explained if RDS would do an Audit they would charge us \$85/hour plus travel costs. Councilman Johnson asked if we have to go to Court would the Attorney General represents the City if we are contracted with the State and what attorney would represent the City with RDS. Ms. Graham replied the City would have its own attorney. She does not believe going out to Audit is our main goal. Councilman Johnson said right now 60-90 days before we see November or December amounts. Ms. Graham explained primarily see it later on the following month. If they file by the 25<sup>th</sup> of the month see it throughout the next month with the State. RDS deposits no less than twice per week.

Mayor Lindsey stated part of the problem is we do not know if we are seeing complete return to the City by the State. And that is part of what we are looking at by going to another collection service. Do we know if we are getting the taxes that we are due? Vice Mayor Cronberg stated based on that and with this being a 5-year contract she did a quick review of the agreement language and asked "what is the out" if it looks like it is not a good expenditure or not seeing expected revenues we think we should be seeing. Mayor Lindsey said it is item #8 and his question is the statements "either party has the right to terminate this agreement" and it goes on later in the contract that "any such termination may be made only by providing 90 days written notice to the other party specifically identifying the breach or breaches on which termination is based. Following receipt of such notice the party in breach shall have 30 days to cure such breach." If read that language and if we simply wanted to quit does not see where we are allowed that opportunity. Ms. Graham has requested wording to be changed and so did our City Attorney who brought up that issue. RDS the attitude married to and she does not know. City Attorney Figueroa stated that language is stronger in favor of them. The language they had could only be terminated for material breach or breaches and then allowed to cure the breach and he was not happy with that. They had them change the wording and RDS still left the part about being able to "cure." Department of Revenue (DOR) gives the City a 90 day notice. Then we have to amend by Ordinance the Model City Tax Code. Once that is done then we enter into new agreement with DOR not collector but still have to put City and RDS has to maintain the disclosure requirements, storage and retention of records. Concerned even with the current DOR contract we have if the City decided to do Audit by the City Auditor or an independent third party auditor they said "when any city or town exercises its right to conduct audit and use its own Auditor or independent auditor the City or

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Town assumes responsibility to the following: collection of taxes, payment of collected taxes for City and Town, responsibility for litigation, responsibility for administrative review and delegation of authority." Even with ADOR (Arizona Department of Revenue) if the City decides to audit someone to try to collect taxes the City has to assume the same. In this contract did bring that up to Ms. Graham and contacted RDS and they have sent the revised language that we have today. Although the City Attorney is still not happy with the contract now it is up to the Mayor and Council because "you will be married." Anytime given opportunity to "cure" we can not use that to terminate. Vice Mayor Cronberg thought there was a 90 day trial period and asked if this 90 notice to ADOR basically the 90 day probationary period talking about. It does not give us "yes its working for us or no it is really not" and then we are stuck. City Attorney Figueroa does not recall trial period but clause document entire contract and no other understanding supersedes this agreement and we are stuck with agreement. Vice Mayor Cronberg thinks we could enter something like this in good faith but in real world "it pops you in the face" and is uncomfortable with it at this point. The Vice Mayor stated she can see benefits but still unfinished business in terms of really getting a true understanding how it effects us and what we can do. Right now it does not sound like we have recourse. The Vice Mayor really thinks we need to discuss this further because have not had opportunity to talk about it.

Mayor Lindsey stated this is the first time to see contract and there are problems that bother him also. He can see benefits and maybe it needs to be refined further. Also has problem with the optional services charges. Concern hourly rate \$85 and automatic 3% increase each year and not sure that should be tied to CPI. Ms. Graham asked if Mayor and Council wanted additional information from RDS and could ask representatives from Bullhead City or its Mayor with a teleconference. Councilman Johnson asked if RDS would be willing to accept the 90 day unconditional "we want out, you want out." Mayor Lindsey said he asked that question and answered 'yes but have to look at rate going to charge us.' Councilman Johnson said then the City is looking at spending more money, less taxes coming in and thinks we are better where we are. Mayor Lindsey thinks we are going to have more taxes coming in and there are benefits to the program. Vice Mayor Cronberg stated she would like to hear representatives from Bullhead City and wants to talk with someone involved and get answers on how it is working. Thinks we could get more information and she would be more comfortable to then make a decision because there are several things she can not support the way it is written right now. City Attorney Figueroa does not think simple 90 days or further with 90 days with conditional provision is that if we owe RDS any money for that period of time and if they did Audit and not complete we need to pay them or if owed them any money on any option or process that would have to be included within that 90 days and then have to accommodate the contract and reimburse them to what they are entitled to. Councilman Holloway thinks there is advantage to increased tax collection, no question on that, but is not comfortable with 5-year and "no get out of jail" in that terminology. What RDS has offered in the contract they are not going to breach what they wrote, and we will not have that to get out of the agreement. Although Councilman Holloway does see RDS advantage with somebody who is working for us rather than State because not sure who they are working for. Mr. Sheats asked if City has asked them for three (3) references or so from Cities if they are going to renew or trying to get out and why. Ask the three (3) that did not renew and ask them what the reason was and why they did not want to renew after the 5-years.

Mayor Lindsey directed staff to consider the comments made here tonight and go back and work with RDS to see if we can clarify some of those issues that are troubling to Council and bring it back at a later meeting. Ms. Graham replied she will do that and thinks that privatization will be more efficient.

**PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**Communications:** Mayor Lindsey read the First reading of Ordinance NS303 Creating and Adopting Health and Sanitation, Title 5, Chapters 4 And 5 ("Reserved") And Chapter 6 ("Solid Waste"), By Reference, Affirming The Repeal Of Title 8, Chapter 8.12 ("Garbage") Included In NS292.

**Public Hearing:** The Mayor announced that the Mayor and Council will hold a public hearing on Monday, December 20, 2010 regarding Ordinance NS303 Creating and Adopting Health and Sanitation, Title 5, Chapters 4 And 5 ("Reserved") And Chapter 6 ("Solid Waste"), By Reference, Affirming The Repeal Of Title 8, Chapter 8.12 ("Garbage") Included In NS292.

All members of the public are invited to attend such public hearing. 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.

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**PRESENTATION BY ROB JONES AND ETHAN ORR ON THE LINKAGE PROGRAM TO HELP DISABLED PERSONS WITH EMPLOYMENT**

Mr. Rob Jones thanked Mayor and Council members. Come to them tonight with opportunity for Willcox and the Willcox area to help adults with disabilities and help them in the job search. Mr. Jones stated he was fortunate to meet Mr. Ethan Orr, Linkages out of Tucson. Mr. Orr briefly explained that Linkages fabricated on fact that everyone was created for a purpose. It was founded in 1996 by Jim Click and Tony Click was Director for a time and found there were about 40 agencies serving disabled in Tucson. There was very little coordination among the agencies and very poor communications to marketing and communication of businesses. They all got together and created Linkages which became the marketing arm for all the rehabilitation agencies. The funding in Tucson comes only from the private sector and very successful. President Clinton gave Mr. Click an Award for concept. Created exciting Web opportunities to help people calculate benefits, tax credits available for businesses and moved that all online and goal is serving non-profit agencies in getting people employed, free up their time and allow their expertise. Expanded throughout most of the State and serve 84 non-profit agencies and helped over 600 people find employment. In Yuma has about 20% unemployment rate and created a 50 member volunteer core that is working to help 20 developmental disabled students to the Food Bank every week and Humane Society. Wanted to ask their advice on volunteer special education programs at Willcox High School and would do something here. Fiscal situation is pretty bad. It is time for community to pick problem and solve it. Safeway is huge partner at State level they work with their Director in HR (Human Resources). They try to get workers here and the School has done a good job too. They have contract with Simpatico that provides serves in this area as well.

Mayor Lindsey said they were suggesting disabled kids might be able to do something for the City and asked if he is talking about employment. Mr. Orr said it is strictly volunteer basis in the community to prove what they can do. Whatever project is initiated such as cleaning up a Park or what ever the City is in need of help. Vice Mayor Cronberg asked about the corporate sponsorship what the local expectation is other than money. Mr. Orr replied his philosophy is that he puts all his cards on the table and have a deal that is great. They are not looking for funding only getting jobs. Looking at existing institution and help to make it work better. Hopefully volunteering and work with Chamber and get the jobs on the web site. There is no cost to the City. It is very important to Jim Click that people get jobs. Asking Mayor and Council to help open business doors and identify people with disabilities that are employable. Your expertise, volunteering is what asking for. Web site address is [linkages@arizona.org](mailto:linkages@arizona.org) and will send packet to City Manager to give information to Mayor and Council. Councilman Johnson asked if any parameters or could they start Humane Society and with volunteers and we do have Dog Catcher. Mr. Orr engage with students and defer to Legal Counsel for any liability issues. Mayor Lindsey stated usually challenged kids really do take to animals. Corporate partner working with is Pets Mart. Its idea everyone should have opportunity for employment that is volunteer, full time or part time or otherwise and be part of the community and they should not be isolated. Thanked Mayor and Council

**DISCUSSION/DECISION REGARDING APPROVAL OF FISCAL YEAR 2009-2010 ANNUAL AUDIT REPORT**

Finance Director Graham has provided the Mayor and Council copies in their packets of the FY2009-2010 Annual Report and Ms. Robin Sibley from Hinton Burdick our Audit firm is here tonight to do power point presentation. Ms. Sibley addressed the Mayor and Council and she is was on the Audit this year and is a CPA (Certified Public Accountant) with Hinton Burdick. They came out in the beginning of October and it went very well. The City staff was ready for them. Findings were a lot less than last year and it is a "very, very good report." Power point presentation was made. Independent report on Compliance; State compliance, clean and Findings is separate letter only found compliance issue which was improvement from last year and eliminated findings from last year. Budgetary compliance they have a new finding the adoption of the Tax Levy which was a couple of weeks late. Budgetary compliance no overruns in General Fund and 2-non-major fund. Financial Statement is the financial resources of the government. Capital Assets and long term debt recorded. Net assets increased over the last 2-years. \$400,000 transferred to cover expenditure. Long term debt decreased.

Mayor Lindsey stated the Audit looked good to him. Ms. Sibley thanked the Mayor and Council for their time, she enjoys coming out here, and the firm is based in St. George, Utah and will be opening an office in Flagstaff in January. Thanked the staff, Ms. Graham and Connie Bonner, who are great to work with, they have worked very hard to clear the findings and thanked them for their hard work. Mayor Lindsey thanked her for coming and presentation and thanked City staff on the great

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job making sure records were correct and working with staff. The Mayor stated he has worked with Auditors and most always "wanted to find something." Congratulations are in order!

**MOTION:** Councilman Holloway moved to approve the FY2009-2010 Annual Audit Report.

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

**DISCUSSION/DECISION REGARDING RESPONSE LETTER FOR THE FISCAL YEAR 2010 ANNUAL AUDIT**

**MOTION:** Vice Mayor Cronberg moved to accept the response letter for the FY2010 Annual Audit as written.

**SECONDED:** Councilman Johnson seconded the motion. **DISCUSSION:** Finance Director Graham explained the issues the Auditors raised this year were that the City was not in compliance with a couple and the variances were very small. Staff will continue to comply and stay abreast. The next concern was the Adoption of the Tax Code by the 3<sup>rd</sup> week in August and will not happen again. The next issue was the Fund Deficit and Enterfund Payables. The City has adopted new Refuse Ordinance to update the Code and address the new rate schedule. This has been problem and it is getting better over the years and plans to have it continue to get resolved. Refuse Fund has been reduced from \$139,711 in 2008 to \$120,622 in 2009 and \$107,396 in 2010. Ms. Graham believes we are complying and doing the best they can for the City. **CARRIED.**

**DISCUSSION/ DECISION REGARDING THE APPOINTMENT OF CITY REPRESENTATIVES TO THE ADVISORY BOARD SET UP BY CITY AND NORTHERN COCHISE COMMUNITY HOSPITAL (NCCH)**

Mayor Lindsey stated he makes recommendation to accept Vice Mayor Cronberg and Tom Miner as City representatives. City Manager McCourt asked if he wants to consider a time limit. Vice Mayor Cronberg said the actual agreement with NCCH and Senior Center is spelled out. Mr. McCourt replied it is spelled out for the at-large member and not for the City representative. The Vice Mayor agrees set time limit and not 5-years. Mayor Lindsey suggested going with the 2-members and suggesting putting it at 2-years to get the board moving and that is the important thing is to get it moving.

**MOTION:** Mayor Lindsey made recommendation to appoint Vice Mayor Cronberg and Tom Miner as the City representatives to the Advisory Board set up by the City and NCCH.

**SECONDED:** Councilman Johnson seconded the recommendation. **CARRIED.**

**DISCUSSION REGARDING CONSENT ORDER FROM ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY & CONTROL (AZDEQ) CONCERNING THE WASTEWATER TREATMENT PLANT (WWTP)**

City Manager McCourt reported this is an on-going matter for some time. Discussion held to put off the acceptance by the City until January. The State is receptive to that. That is to allow us to sufficient time to get engineering firm on board to make sure we can fulfill the requirements. Minor modifications do not have to bring the polishing ponds back on line. Mayor Lindsey question is concerning the permit to use the water on the Golf Course. In the Consent Order the City is relinquishing our permit to do that and asked where we stand. Mr. McCourt replied we will be able to continue but have to get into compliance with the requirements. They are asking us to amend our existing agreement.. Then withdraw amendment and start over. Councilman Johnson asked if staff is soliciting Engineering Firms. The City Manager reported we do have an RFP and is under his report section. Thought copy was included in the packets and will make copies and place in their Council boxes at City Hall.

**REPORTS BY THE CITY MANAGER PAT McCOURT**

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

- **Report on Willcox High Basketball Teams-**The Boys Basketball Team won last against Ft. Thomas, game tomorrow against Safford at home, Thursday at Tombstone and next Tuesday at Pima and here Thursday against Benson. Girls Basketball has not faired quite as well and sure they will improve as season continues. Game Thursday at Tombstone.
- **Report on Employee Luncheon-**staff asked to do Holiday Event for the employees and scheduled at the Community Center on Friday, December 10, 2010 from 11:30 to 1:30 and if Council members would like to bring something need chips.
- **Report on Apple Festival & Christmas Tree Lighting Parade-**Held on December 3 & 4, 2010 Parade Awards First Place: Encore Dance Academy, Second Place: Ms. King's Class Bus, and Third Place: Sun Cor Underground. The Chamber gave out approximately 350 cups of hot chocolate.

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- **Report on Rotary Raffle**-Tickets on Sale! Unique opportunity to participate in world safety Rotary Raffle for fireworks and tickets are available through the end of January. The Chamber is also having a 50/50 drawing for \$10 and if anyone would like to participate in that he also has tickets for sale.
- **Report on Chamber Annual Meeting**-the Chamber of Commerce & Agriculture o be held on Tuesday, December 14, 2010 at 6:00 p.m. KIVA Room RSVP needed for dinner \$20.00 to the Chamber.
- **Report on City Offices Closed Holidays**-Reminder we have 2-Holidays this month Christmas and New Year's Eve. All City Offices (except Public Safety) will close at noon on Thursday, December 23 through 26<sup>th</sup> and open regular hours on Monday, December 27<sup>th</sup>. Then closed at noon on Thursday, December 30 until January 2, 2011 for the City's Observed Holidays and open regular hours on Monday, January 3, 2011.
- **Report on Notices Posted on Web site prior to changes to rates**-New State Law requires we have to put notices on web site before consider rate changes or tax increases. It is to include all notices that rates will be considered for changes. Also have ongoing rate change that occurs in our Gas Company which is basically a fixed charge and then floating which allows the consumer the immediate impact on the price of gas for that month. The cost of living increases that have been built into the rate structure and has to be announced and should be very small for the last year. These notices on the web site bring us into compliance.
- **Report on Request For Qualifications (RFQ) on the WasteWater Treatment Plant (WWTP) Engineering Services**-the RFQ for the WWTP Engineering Services due January 7, 2011 at 3:00 p.m. USDA is not perceptive to the Design Built option.

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

Councilman Klump reported he took his kids to the Lighted Parade and thinks more people there than he can ever remember. Mayor Lindsey stated more entries this time too.

Councilman Johnson reported there was very good turnout and community participation.

Mayor Lindsey reported there has been several activities over last couple of weeks and well attended. He sat close to hot chocolate factory to keep warm and did enjoy those activities. Received a card from Representative Pat Fleming she was defeated at the last election and has worked hard to keep the City informed and thinks owe her vote of thanks for her service. The Mayor read the card.

Councilman Holloway when looked at 20-35-40 pages of the Audit he did go through that very detail. We usually thanked staff and supervisors and supervisors are the staff. Look at graphs and numbers and in these hard time unrestricted cash balances are hanging in there and quite noticeable and wanted to say that to probably to 2-people.

**ADJOURN**

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:15 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Willcox held on the 6<sup>th</sup> day of December 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 15<sup>th</sup> day of December 2010**

/s/ Cristina G. Whelan, CMC  
City Clerk Cristina G. Whelan, CMC

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> day of DECEMBER 2010.

/S/ GERALD W. LINDSEY  
MAYOR GERALD W. LINDSEY  
Signed: 12-21-2010 ,

ATTEST:

/s/ Cristina G. Whelan, CMC  
City Clerk Cristina G. Whelan, CMC