

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

Monday, December 20, 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. 2010-127
Ordinance NS304**

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 REGARDING MATTER RELATING TO THE EXECUTIVE SESSION

Consideration, discussion and/or decision regarding 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. THE REGULAR MEETING MINUTES HELD ON DECEMBER 6, 2010 **Tab 2**

11B. RESOLUTION NO. 2010- 124 APPROVING THAT PORTION OF THE PURCHASES THROUGH MEMBERS OF ITS GOVERNING BODY **Tab 3**

11C. APPOINTMENTS TO THE PARKS & RECREATION ADVISORY COMMITTEE TO FILL THE THREE (3) VACANCIES, TERMS TO EXPIRE DECEMBER 2014 **Tab 4**

11D. APPOINTMENTS TO THE WILLCOX HISTORIC PRESERVATION COMMITTEE TO FILL TWO (2) OF THE FOUR (4) VACANCIES, TERMS TO EXPIRE DECEMBER 2014 **Tab 5**

12. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS **Tab 6**

Communications: Second 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 and Council will hold a public hearings 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; and

(2) public hearing on Monday, January 3, 2011 Regarding Application For Liquor License Series #13 Domestic Farm Winery Gallifant Cellars, LLC, Irlyn Kathleen Gallifant 112 N. Railroad Avenue, Willcox, AZ. **Tab 7**

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.

13. DISCUSSION/DECISION 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. **Tab 6**

Consideration, discussion and/or decision regarding Ordinance NS303, as stated, 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.

14. DISCUSSION/ DECISION REGARDING RESOLUTION NO. 2010-123 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED TITLE 5, CHAPTERS 4 AND 5 ("RESERVED") AND CHAPTER 6 ("SOLID WASTE"). **Tab 8**

Consideration, Discussion And/Or Decision Regarding Resolution No. 2010-123, As Stated, Relating To Declaring As A Public Record That Certain Document Filed With The City Clerk And Entitled Title 5, Chapters 4 And 5 ("Reserved") And Chapter 6 ("Solid Waste").

15. POWERPOINT PRESENTATION ON THE ANNUAL GAS LIAISON MEETING WITH THE CITY OF WILLCOX OFFICIALS **Tab 9**

Consideration and/or discussion on the power point presentation on the Annual Gas Liaison meeting with the City of Willcox officials.

16. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-120 APPROVING AND ADOPTING THE TRANSACTION PRIVILEGE TAX ("TPT") ADMINISTRATION AGREEMENT WITH THE PRA GOVERNMENT **Tab 10**

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.

Consideration, discussion and/or decision regarding Resolution No. 2010-120, as stated, relating to the TPT Administration Agreement with RDS.

17. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-125 APPROVING AND ADOPTING THE PLASTIC SEAL AWARD TO CACTUS ASPHALT [“CONTRACTOR”] IN THE AMOUNT OF \$46,179.21 FOR THE PURPOSE OF APPLYING PLASTIC SEAL AT THE WILLCOX JUDICIAL FACILITIES, WILLCOX FIRE DEPARTMENT #2, THE CHAMBER OF COMMERCE, AND THE COMMUNITY CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. Tab 11

Consideration, discussion and/or decision regarding Resolution NO. 2010-125, as stated, relating to the Award of the Plastic Seal to Cactus Asphalt.

18. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-126 APPROVING AND ADOPTING THE FUND AWARD FROM THE ARIZONA STATE LIBRARY [“ASL”] FOR THE LIBRARY AND DECLARING AN EMERGENCY TO EXIST. Tab 12

Consideration, discussion and/or decision regarding Resolution NO. 2010-126, as stated, relating to the Fund Award from the ASL for the Library.

19. REPORTS BY THE CITY MANAGER PAT McCOURT Tab 13

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

- **Report on Willcox High Basketball Teams**
- **Report on change to meet with the public, Mayor and Council due to Holidays**-the meeting date has been changed from Thursday, December 30th to Wednesday, December 29th due to Holidays!
- **Report on Rotary Raffle**-Tickets on Sale!
- **Report on City Offices Closed Holidays**-All City Offices (except Public Safety) will close at noon on Thursday, December 23 through 26th and open regular hours on Monday, December 27th. Closed at noon on Thursday, December 30 until January 2, 2011 for Observed Holidays and open regular hours on Monday, January 3, 2011.
- **Report on Notices Posted on Web site prior to changes to rates**-New web site to include all notices that rates will be considered for changes.

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

21. 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.