

**TOWN OF SUPERIOR**  
**Regular Council Meeting**  
**Thursday, April 21, 2011 – 7:00pm**  
**Superior Senior Center**  
**360 W. Main St.**  
**Superior, AZ 85173**

**M I N U T E S**

**A. CALL TO ORDER:**

Mayor Hing called the meeting to order at 7:05pm.

**B. SALUTE TO THE FLAG:**

Mayor Hing led the council, staff, and audience in the Pledge of Allegiance.

**C. OPENING PRAYER:**

Mayor Hing led the council, staff and audience in the Opening Prayer.

**D. ROLL CALL:**

**Council Present:** Councilmember Gutierrez, Councilmember Tomerlin, Councilmember Heglie, Councilmember Peralta (Arrived 7:48pm), Vice Mayor Lopez & Mayor Hing

**Absent:** Councilmember Aguilar

**E. CONSENT AGENDA:**

**1. Approval of Minutes Regular Meeting April 7, 2011**

**2. Disbursement for the month of March 2011**

Mayor Hing presented the items on the Consent agenda he asked for any questions or comments. Discussion followed on weather Councilmember Heglie was absent or present on the March 17<sup>th</sup> meeting. He stated that he was in fact absent.

Discussion followed on the disbursements for the month of March. Councilmember Gutierrez commented on the cash inflow and out flow for the month, he stated that more cash was on the out flow than on inflow and he cautioned staff to be aware of that. Discussion followed on the Resolution Mutual Benefits Agreement funds, council directed staff to prepare a separate report on the out flows from those funds so they can keep track of the expenses and make adjustments if needed. Mayor Hing complimented staff that the disbursements are now in alphabetical order which makes it much easier to follow.

**MOTION:** Vice Mayor Lopez made a motion to approve the consent agenda. Councilmember Tomerlin seconded the motion.

**VOTE:** *The motion was approve unanimously.*

**F. COMMUNICATION:**

**1. Managers Report**

**a. Apache Leap Update**

Ms. Oliver reported that the festival was a success. She complimented Mr. Tameron for handling the Vendors, which made it much easier for the town to collect the needed permits. She stated that staff was available throughout the weekend to assist as needed. Councilmember Gutierrez suggested that community does not appreciate the towns involvement in these events, he suggested that staff figure out the actual cost to provide the behind the scenes services for these events so they can be on the budget in a special line item.

**b. Finance Training Report**

Ms. Oliver gave a brief report on the finance staff trip to Washington DC to a government financial conference hosted by Arizona State University. She explained that this one day training shared a lot of ideas on privatization of services and parks, educated them on bonds and bond refinancing. She also said that one of the things they taught them was that when a generational mistake is found in the financial system it takes at least two years to fully remediate the problem. Discussion followed on the importance of staff attending trainings as long as they are able to report back and make use of what they learned.

**c. Policy and Procedure for Special Events**

Ms. Oliver explained that the town currently charges an event fee to use town facilities for events. She reviewed the fees that are currently charged:

\$25.00 Rental Fee

\$45.00 Refundable Cleaning Deposit

\$50.00 Alcohol Permit

Vice Mayor Lopez asked how these parks were developed if they were through the CDBG funds, BHP support, or town funds? Ms. Oliver explained that the parks were developed though a combination of those but that the horseshoe pits were developed with donated items from Resolution and public works staff to build.

Ms. Lopez complimented that the Caboose is open and that the restrooms are being kept open when it is open but she wanted to know when these fees were approved, she commented that the Town of Florence does not charge it's residents to use the parks and their facilities are much nicer. Discussion followed on when the fees were approved, the tax rate for the Town of Florence, and that maybe they needed to look at revamping the policy.

Vice Mayor Lopez expressed her concern that this was discussed when there were issues with the cemetery and there still has not been a meeting or discussion on the cemetery policies, she requested that a work session be scheduled to work on these things.

Mayor Hing directed staff to schedule work sessions to discuss these items. The following schedule was suggested:

May 5, 2011 – 5-6 Work session on the Cemetery  
6-7 Tour of Roosevelt Building & Magma Club  
7pm Regular Meeting

It was suggested to discuss the park/event fees at the budget retreat on April 30.

**d. Sewer & Refuse Penalty and past due date**

Ms. Oliver reported that at this time the Town Code calls for a 10% fee on a bill that is not paid. She stated that she would like to see that reduced to a fee more in line with other utilities. She stated that a fair fee is usually 3-6%. Discussion followed on the new software allowing staff to make the necessary adjustments when there are billing errors or to not charge interest to those who are on repayment programs. She also suggested that the late fee be assessed after 45 days to allow for those who mail in their payments ample time. Council directed staff to draft up the ordinance/policy to change the late fees in the Town Code.

**e. Roosevelt School Purchase Update**

Ms. Oliver reported that she and Mr. Guzman signed the sale documents on the Roosevelt at Gold Canyon Title. She stated that the Town will make monthly payments of \$120,000 over 30 years in the amount of \$333.00 per month with no interest.

She also reported that they have done an environmental assessment of the building and that there is mold in the band room, and the old section that has the wood floors. She stated that they will need to wall off the old section from the new section to prevent the mold from spreading. She said that staff will be moving to the Roosevelt by the first week in May and they will start moving programs like Zumba there as well.

Discussion followed on the remote desktop program that staff has been using due to their reaction to the mold and other health issues, purchasing furniture so the mold wont travel and other storage issues.

**2. Finance Report/Revenue and Accounts Payable**

Ms. Welty answered questions from the Council from her written report. Those questions focused on checks cut for different services and seminars such as: Fred Pryor Seminars, and Legends Technical. She explained that at this time they are anticipating at least a \$170,000 cut to the budget for the next fiscal year and that sales tax collection is at a medium range.

Vice Mayor Lopez asked if local restaurants were rotated when they were being used. Ms. Oliver reported that they use Edwardo's Pizza for the trail work days because its affordable and easy to manage for the many volunteers. She said they will look at rotating those. Vice

Mayor Lopez also commented that the Rotary membership has not been paid yet and she is attending on behalf of the Town.

**G. BUSINESS; POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:**

**1. Discuss/Approve/Reject Bids for Solar Panels at the Superior Fire Department under the EECDBG Funding**

Nick Bernowski from Wildan Engineering explained that he is the project manager for this project. He stated that this is part of an overall energy efficiency program and a grant through the Arizona Commerce Authority he explained that because the fire station is in use 24/7 they would be able to see an improvement to energy costs. He explained the budget for the project:

\$69,999.68 – Total project cost

\$11,340.00 – APS Rebate

\$58,659.00 – Cost that the town will have to submit for reimbursement from the Arizona Commerce Authority

**ACTION:** Councilmember Heglie made a motion to approve item #1. Councilmember Tomerlin seconded the motion.

**VOTE:** *The motion passed unanimously.*

**H. CALL TO THE PUBLIC:**

Mayor Hing reminded the members of the public that they may make their comments directly to the Mayor.

**1. Freddie Miramon**

Expressed his concerns about the town handling their customer service related issues. He stated that with current staffing shortages and several employees not being available for face to face visits this has put stress on the customer service staff is providing. He also questioned if the town has an OSHA required Work from Home/Remote plan. He read what OSHA requires and questioned if the staff who has been working from home were working under these requirements.

**I. EXECUTIVE SESSION:**

The Town Council may or may not vote to go into Executive Session pursuant to ARS38-431.03 (A-1) & (A-7).

A-1 –PERSONNEL: A-3 LEGAL ADVICE WITH ATTORNEY:

A-7 – LEGAL ADVICE ON SALE, LEASE OR PURCHASE OF REAL PROPERTY

There was no executive session

**J. COUNCIL COMMENTS:**

**1. Councilmember Aguilar**

Absent

**2. Councilmember Peralta**

Councilmember Peralta apologized for being late to the meeting. She stated that she would like a copy of the minutes from when Ms. Oliver was hired to see if she was hired as a salaried employee or hourly.

**3. Councilmember Gutierrez**

Councilmember Gutierrez reminded everyone to vote on May 17<sup>th</sup>, 2011. He stated that there is still one seat open on the council. He further commented on several other issues pertaining to Town Business including making sure a staff member attends CAAG meetings regularly, he stated that in 6-8 months he is going to request a comprehensive report from the staff on the visitor center operations to ensure all requirements are being met. He also thanked David Pfohl for his time when he wrote these energy efficiency grants. He commented that moving the town hall to the modular was done for health and safety issues and was not done quickly or uninformed. He thanked staff for their continued efforts and working remotely through this situation.

**4. Councilmember Tomerlin**

No Comments

**5. Councilmember Heglie**

Complimented the staff on moving rapidly on the Roosevelt School acquisition and move.

**6. Vice Mayor Lopez**

Vice Mayor Lopez reminded everyone that Little League season is once again underway, she stated that the boys teams are playing teams from Apache Junction (AJ) during the week both in AJ and here in Superior. She reminded everyone that Saturday is the Town Easter Egg hunt and she also complimented Councilmember Heglie for having the election date on his signs. She also asked Ms. Oliver to share with the council how she can be reached for a face to face appointment. She stated that she gets questioned all the time how people can get in direct contact with the Manager.

**7. Mayor Hing**

Mayor Hing read a letter from Resolution Copper outlining the next phases in the west plant clean up and remediation projects. He thanked the police department for their role in apprehending the thieves who tried to steal copper wire from the SRP substation. He also reported on his recent visit with Mr. Wallace who donated funds to the LOST trail. He reminded council about the budget work session on 4/30 from 8-12.

Following the Mayor 's comments Ms. Polly Drakovich addressed the council. Ms. Tahan explained that it was fine to allow Ms. Drakovich to address the council because she was unable to speak during the public comments due to her conversation with Ms. Drakovich.

Ms. Drakovich explained that for several years her neighbors across the street have done many illegal things including stealing her personal property. She addressed her concern that there are many illegal activities going on in that house and that they are using the house as a multi family unit. She stressed that she is afraid to live in her neighborhood and expressed concern that something needs to be done. Ms. Pamela Rabago also stated that something needs to be done with this situation.

Ms. Tahan explained that the town can do some zoning changes that would allow for additional enforcement to help remedy this situation. During these comments Councilmember Gutierrez stated that Ms. Tahan was out of order on the agenda and called for the meeting to be adjourned. Ms. Tahan stated that she was not out of line and was only providing options for the council to possibly consider at a future time. No further discussion follow and a motion was made immediately.

**ADJOURNMENT:**

**MOTION:** Councilmember Tomerlin made a motion to adjourn the meeting. Vice Mayor Lopez seconded the motion.

***VOTE: The motion was approved unanimously and the meeting adjourned at 8:48 pm***

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Town Council of the Town of Superior held on the 21st day of April 2011. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Melanie Oliver\_\_\_\_\_

Melanie Oliver  
Town Clerk/Manager

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These Minutes were compiled and transcribed by

Mila Lira

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\*Final editing of these minutes and their content is completed and verified by staff members of the Town of Superior.