

**Town of Superior**  
**Regular Council Meeting**  
**Thursday, January 17, 2013, 7:00 P.M.**  
**Superior Senior Center**  
**360 W. Main St., Superior, AZ 85173**  
**MINUTES**

**A. CALL TO ORDER:**

Mayor Jayme Valenzuela called the meeting to order at 7:14 p.m.

**B. SALUTE TO THE FLAG:**

Mayor Valenzuela led the Salute to the Flag.

**C. OPENING PRAYER:**

Council Member Chris Tomerlin led the opening prayer.

**D. ROLL CALL:**

**Present:** Council Members Irene Hansen, Chris Tomerlin, John Tameron, Soyla "Kiki" Peralta, Gilbert Aguilar, Vice Mayor Olga Lopez and Mayor Jayme Valenzuela **Absent:** N/A

**E. CONSENT AGENDA:**

1. Approval of the: Work Session and Regular Meeting Minutes of November 15, 2012; Public Hearing and Regular Meeting Minutes of January 3, 2013; and Public Hearing and Special Meeting Minutes of January 10, 2013.
2. Approval of the Executive Session Minutes of November 15, 2012 and January 10, 2013.

Ms. Wentzel indicated that the minutes from the November 15, 2012 Executive Session were not included as they were incomplete. Council reviewed the items in the consent agenda.

**MOTION:** Vice Mayor Olga Lopez moved for approval of the consent agenda except for the Executive Session Minutes of November 15, 2012. Council Member John Tameron seconded the motion. **VOTE:** Motion passed unanimously.

**F. REPORTS**

1. Public Library: Ms. Campos was absent due to a death in the family and asked Council Members to contact her directly if they had any questions regarding her November and December reports and responded to questions.
2. Police: Public Safety Director/Police Chief Lou Digirolamo reported on the statistics for November and December 2012.
3. Fire: Fire Operations Chief Todd Pryor provided his report on Fire Department activities for November and December 2012.
4. LOST: Ms. Mila Lira, Miracle Executive Services, provided a report on LOST activities and presented a poster for the upcoming Town event.
5. Finance: Interim Town Manager/Clerk Rita M. Wentzel provided the Finance Report for December 2012 and responded to questions. Ms. Wentzel also provided a finance report

covering the \$10,000.00 the Town received in RICO funds for the previous Summer Recreation Program. Ms. Wentzel responded to questions.

Mayor Valenzuela asked Ms. Kathryn Arnold to step forward and provide a brief overall summary on what she has been doing on the garbage service. Ms. Arnold indicated that she had closed 27 accounts from 2010 and stopped \$697.14 charges each month. In the three-year period that these accounts remained open, it cost the Town \$17,596.00 in charges. She indicated that the good news was that she had recovered in revenue credits \$4,086.00. There are still two accounts that she has challenged and they have given us credits that are more than fair. It is still a work in progress on other accounts from 2010 to 2012.

#### **G. COMMUNICATION:**

1. Manager's Report- Interim Town Manager Rita Wentzel:  
Proposal from Pinal County Sheriff's Department to contract services for Police Department; Cleaning /Set-up for the Magma Club.

Ms. Wentzel reported that the Proposal from Pinal County Sheriff's Department was informational and that Sheriff Babeu would be here when it was scheduled as a Business Item. Ms. Wentzel indicated that Council Member Peralta requested a copy of the Police Department's current budget. Ms. Wentzel indicated that the Police Department Budget for 2012-2013 was \$659,889.00 (a decrease of \$149,553 from the 2011-2012 budget). Currently, they have spent \$327,258. That is right on target at 50 percent budget for one-half the fiscal year. Ms. Wentzel commended them for keeping on target—even though it was difficult.

Council Member Tomerlin indicated that after seeing the Police Department budget he would not support moving to Pinal County.

Ms. Wentzel reviewed the Cleaning/Set-up process for the Magma Club Rental. Vice Mayor Lopez asked if the lights on the South patio had been fixed. Ms. Wentzel indicated that they had been repaired and thanked Mr. Ken Swift for volunteering his services to connect the wiring—which had been dropped during the remodel.

#### **H. CALL TO THE PUBLIC**

N/A

#### **I. BUSINESS, POSSIBLE DISCUSSION AND/OR ACTION OF THE FOLLOWING:**

**MOTION:** Vice Mayor Lopez moved to go into Executive Session and identified those attending as the Mayor, Vice Mayor, Council Members, Attorney Wencker, Interim Town Manager/Clerk Wentzel and K. Kane Graves. Council member Aguilar seconded the motion. **VOTE:** The motion passed unanimously. The Council moved into Executive Session at 8:11 pm.

**MOTION:** Vice Mayor Lopez moved to move back into regular session. Council Member Tomerlin seconded the motion. **VOTE:** The motion passed unanimously.

The Council returned to Regular Session at 9:50 pm.

1. Discuss/Approve/Reject: Western Environmental Technologies, Inc., Opening a State Licensed Laboratory at the Town's Wastewater Treatment Plant

The Town Council reviewed the white paper presented by Mr. Bob Hanus, Western Environmental Technologies, Inc. (WET), the Town's ADEQ certified Grade 3 Wastewater Treatment Operator. Mr. Hanus discussed the benefits of this change and presented a photograph of what the lab might look like. Mayor Valenzuela stated that he would like to table this item to obtain more information.

**MOTION:** Council Member Tomerlin moved to table this item. Council Member Tameron seconded the motion. **VOTE:** The motion passed unanimously.

2. Discuss/Approve/Reject: Appointment of Annexation Committee

**MOTION:** Vice Mayor Lopez moved to table this item until we get more information. Council Member Peralta seconded the motion. **VOTE:** The motion passed unanimously.

#### J. EXECUTIVE SESSION

The Town Council may or may not vote to go into Executive Session pursuant to ARS 38-431.03 (A-1), (A-3),(A-4)&(A-7)

- A. Confidentiality Statement
- B. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee pursuant to A.R.S. 38-431.03(A)1
  1. Town Manager / Town Attorney Candidate – K. Kane Graves
  2. Streets Supervisor Contract – Robert Cervantes

#### K. POST EXECUTIVE SESSION:

1. Discussion / Consideration of Possible Agreement with Town Manager and/or Town Attorney

**MOTION:** Council Member Peralta moved to hire K. Kane Graves as per contract #3 for Town Manager/Attorney. Council Member Tomerlin seconded the motion. **VOTE:** Motion passed with six (6) Yes and one (1) No (Vice Mayor Lopez).

2. Discussion / Consideration of Amending, Terminating or Renegotiating Contract with Streets Supervisor

**MOTION:** Council Member Peralta moved to table this item. Council Member Tameron seconded the motion. **VOTE:** The motion passes unanimously.

#### L. FUTURE AGENDA ITEMS

1. David Smith Presentation regarding Lot #3, Superior Industrial Park

Item L was not addressed at the meeting.

**COUNCIL COMMENTS**

Council Member Peralta welcomed Mr. Graves and wished him good luck.

Council Member Aguilar indicated that this was a difficult decision that we had to make and we checked all the legalities. So any decision we have made tonight, we checked the legal aspects of it and it was good to go. Welcome Mr. Graves.

Council Member Hansen also wanted to welcome Mr. Graves. Thank you for being here and for everyone that came out tonight to help make these decisions and choices.

Council Member Tomerlin welcomed Mr. Graves as well and wished him good luck. He indicated he hopes you lay down to sleep the night of February 1 as you are going to need it. He wanted to point out that until he comes on, Ms. Wentzel is still in charge and hiring, firings, day-to-day operations—Rita is still in charge. So, until Mr. Graves comes on she still rules.

Mr. Tameron had no comment.

Vice Mayor Lopez made a statement regarding Ms. Wentzel and her position. I know last week we made a decision to change her title. When Rita was hired back in December, she was hired as our Finance Director for the purpose of coming in to get us in shape for our finances because we didn't know what we knew because we were not given good information. When she came on board we started getting reports every month and it gave us a good clear view of where we were financially—which wasn't good, but at least we knew where we stood. She worked on audits, finance, town clerk, she worked with town staff. We lost major staff from key positions and when they were out, Rita would take over. So we overfilled her plate more than any person should have had. I think we did an injustice (and I'm just talking for myself, so I don't want to say we—I mean I) overloading her and unfortunately, she agreed to do it. So that's why we had to take that action last week to change that so we can get her to focus back on finances, because that's what we need to bring up and keep on status so we always know where we are at. We are bringing in a new attorney and he's going to be doing Town Manager—and responsible for personnel, once he gets here—and it's not going to be an easy job. We've kind of tried to share with him where we are at, what the pictures are. It's not good but times have been tough and it doesn't mean it's going to get easier. We've got another audit to finalize and the picture isn't going to be any better than it is now. We just ask everybody's patience and everybody's cooperation. Rita's on until February 1, and then Mr. Graves comes on and then some things are going to be shifting and changing. But again, you are going to have to tighten your belts and cooperate and do the best you can with what we give you. Unfortunately it's not a whole lot, but we are hoping to get that turned around. That's always been our hope. We are struggling, so bear with us and we appreciate your help.

Mayor Valenzuela indicated that he thought Mr. Tameron was reluctant to say anything since he didn't see "Council Comments" on the Agenda tonight. Mayor Valenzuela indicated that he was going to say something anyway.

Mayor Valenzuela thought they made a positive decision this evening—one that he thinks we will look back in a year and say we made the right decision. And, as Rita said, we give kudos to our employees for hanging in there and for doing the job that you have done—from our contracted employees to our full-time employees. Again, I want to thank Mr. Wencker for the service that you have provided to this community and also Mr. Chad Niven. Hopefully, February 1 we will have a Town Manager in place and hopefully things will move forward. Like we said at the last meeting, we have a lot of issues that are coming up at the beginning of this year that we need a professional to handle. We're up here, but we need good, sound advice. I think Mr. Graves will provide that for us.

Mayor Valenzuela said thank you for coming out tonight. Don't forget the Trail on this Saturday, the 16<sup>th</sup>, which is a work day clean-up starting at 8:00am at the beginning of the Canyon Segment. Remember the Home Tour the weekend after this. Hopefully, everybody comes out and supports the Home Tour. The other issue at hand, tonight we discussed and saw some numbers from the Pinal County Sheriff's Department. That's going to be an issued to discuss in the future. I'm sure Mr. Graves will have his input on it also, so we'll have another set of fresh eyes looking at what we can do to fix this problem. But, hopefully things will move forward now in a positive way. We'll get some structure, some priorities and kudos again to all our staff. And, kudos to the citizens too for putting up with everything they have to put up with. I know it has been a tough time.

One other thing I want to talk about, we are working on the landfill diligently to get it back open. That is in the process. I know Mr. Graves had a confused look on his face, but we have been working with ADEQ and an outside contractor, so they working on and looking at it. Hopefully, in the near future we're going to have a remedy to that problem. So, thank you again and have a good evening.

#### **M. ADJOURNMENT**

**MOTION:** Council Member Tomerlin moved to adjourn. Vice Mayor Lopez seconded. **VOTE:** Motion passed unanimously. Mayor Valenzuela adjourned the meeting at 10:13 P.M.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the Town Council of the Town of Superior held on the 17<sup>th</sup> day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

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Rita M. Wentzel, Interim Town Manager/Clerk

