

Superior Town Council  
Town Council Meeting

Thursday, October 4, 2007  
Superior Senior Center  
Superior, Arizona

M I N U T E S

A. Call to Order

First Vice Mayor Valenzuela called the meeting to order at 7:09 p.m.

B. Salute to the Flag

First Vice Mayor Valenzuela led the Town Council, staff and the audience in the Pledge to the Flag.

C. Opening Prayer

Ms. Lira led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Councilmember Heglie, Second Vice Mayor Lopez, Mayor Hing (8:45 p.m.), Councilmember Peralta, First Vice Mayor Valenzuela

Members Absent: Councilmember Marquez

A quorum was established and the meeting continued.

E. Proclamation

Drug and Alcohol Free Day, October 17, 2007 – Superior Substance Abuse Coalition  
Town Attorney Mr. Beers read the proclamation from the Superior Substance Abuse Coalition. Vice Mayor Valenzuela asked Mr. Licano to give a presentation on the proclamation and upcoming events sponsored by the Superior Substance Abuse Coalition.

Mr. Licano explained that this group has been meeting for close to a year and they have members from the community, local businesses, as well as local/regional substance abuse and behavioral health agencies.

He stated that this proclamation makes Superior a substance abuse free day on October

17, 2007. Mr. Licano explained that this day will be launching day to get more community members involved with the coalition. He gave a brief description of their events.

#### F. Consent Agenda

First Vice Mayor Valenzuela introduced the items on the consent agenda. The items on the consent agenda for approval were:

##### Approval of Minutes for Regular Meeting September 20, 2007

Vice Mayor 2 Lopez made a motion to approve the minutes. Councilmember Peralta seconded the motion. The motion was approved unanimously.

##### Blanket Permit Request Superior Arts League Fundraising

Vice Mayor 2 Lopez made a motion to approve the blanket permit request for the Superior Arts League. Councilmember Peralta seconded the motion. The motion was approved unanimously.

#### G. Communications

##### Managers Report – Rosie Cordova

Ms. Cordova explained that she has prepared a Managers Report and that Mayor Hing requested that this report be reviewed in the Executive Session.

Resignation of Public Works Director: Ms. Cordova informed Council that Mr. Starkey, the new public works director, has resigned.

First Vice Mayor Valenzuela asked Mr. Starkey to give a little feedback on his experiences while working in Superior. Mr. Starkey said that Superior is a very unique community and that many of the current zoning codes do not allow for development and do not allow for realistic rehabilitation. He explained that making the changes to the General Plan and Zoning Ordinances would make a difference. He also explained that they have a good crew in Public Works, but they need to have the tools and equipment. Mr. Starkey added that he thought the new committee on Crime had a good meeting and encouraged the council to support the recommendations of Town Staff.

Councilmember Heglie asked where Mr. Starkey was going after Superior. Mr. Starkey replied that he was going to return to San Luis to be their new Public Works director.

First Vice Mayor Valenzuela wished him good luck on behalf of the council.

Employee Appraisals. Ms. Cordova handed the council the employee appraisal reports that she is planning to implement beginning November 1, 2007. She gave a brief overview and explained that she would be working with the Department

Heads to review the standards and work together to finalize the appraisal reports. Ms. Cordova stated that this new form would be a way of appraising employees and to allow for qualification measures for merit raise increases.

#### Call to the Public

First Vice Mayor Valenzuela announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

David Pfohl – Gave an update on the Crime Free Superior meeting. He explained that they had a very good turnout. He said he would have more information at a later meeting. He thanked the Mayor and Council for their support.

#### Business

Possible Discussion and/or action on the following

#### Presentation from Cobre Valley Hospital

Mr. David Pfohl community relations director from the Cobre Valley Hospital gave a presentation on their plans to build a new medical clinic in Superior as well as a new hospital and other medical facilities.

Mr. Pfohl gave an overview of the mission and services of the Cobre Valley Hospital and explained that they are a rural health care provider and their service area includes southern Gila County as well as northeastern Pinal County. He gave timeline for the development of the clinic and hospital. He explained that they could have the new clinic up within a year to 18 months if they acquire the land. He stated the hospital would be a larger project and once all feasibility studies are complete a hospital could be in place within 12 to 15 years.

Mr. Pfohl explained that they have been working with Town Staff, Mayor Hing and Resolution Copper on land acquisition. He stated the proposed land is on Mary Drive, and they would like to see assistance from the town on setting up the utility services to the property as well as road improvements to Mary Drive especially over the creek.

Councilmember Lopez asked Mr. Pfohl about the current nursing shortages and the possible impact. Mr. Pfohl explained that currently they work with Gila Pueblo Community College to train nurses and other healthcare workers. He explained that most of the people who graduate from the program do get jobs in the local area either at the hospital, clinics, or private practice doctors.

#### Discuss/Approve/Reject Ratification of Support for VFW project

Mr. Starkey explained that the town provided both indirect and direct services to the Vietnam Memorial project and ceremony. He explained that they spent

approximately \$940.00 for sand and other materials which are the direct costs and that when the value of the indirect services was \$4000.00 which were the man hours and equipment spent on projects at the cemetery. He explained that the labor projects included digging the trench for the electrical conduit, cleaning the area of weed and debris, and other special needs for the ceremony.

First Vice Mayor Valenzuela asked if the direct cost of \$940.00 came out of the cemetery budget. Mr. Starkey explained that at this time the monies were spent out of the public works budget. Vice Mayor 1 Valenzuela requested that Mr. Starkey and Ms. Cordova work together to have those funds come out of the cemetery budget.

Councilmember Cervantes explained that the event was not sponsored by the VFW but was put together by private citizens to construct this memorial and have the ceremony. He gave a brief report on the event and thanked everyone who was in attendance.

Councilmember Cervantes made a motion to ratify support of the Vietnam Memorial Project. Councilmember Heglie seconded the motion. The motion passed unanimously.

#### Discuss/Approve/Reject Award of Contract to Benham for Airport Feasibility Study

Ms. Cordova explained that town staff and Wildan are requesting that the Council award the contract for the Airport Feasibility Study. She explained that the town had received a grant to do a study on the existing airport location to see if the area is still a viable place for an airport. She explained that if the current location was not viable then the study would identify another location. She also explained that the grant was for \$71,000 and the towns match was \$3,750. Ms. Cordova reported that Wildan has negotiated the project with Benham and they expect the first phase of the project to be completed within 3 months.

Councilmember Heglie made a motion to award the contract to Benham for the Airport Feasibility Study. Second Vice Mayor Lopez seconded the motion. First Vice Mayor Valenzuela explained to Ms. Cordova her responsibility to make sure this project is kept on its timelines. He wants to see this done in 3 month. The motion was approved unanimously.

#### Discuss/Approve/Reject Award of Contract to HDR Engineering Inc. for Small Area Transportation Study

Ms. Cordova explained that HDR has been selected to complete the small area transportation study. She explained that the town already approved an IGA with ADOT for the study. She reported that the total cost for the project is \$125,000 and the actual share for the town is \$25,000 and that the study will be completed in June of 2008.

Councilmember Peralta made a motion to award the contract to HDR Engineering

for the Small Area Transportation Study. Second Vice Mayor Lopez seconded the motion. The motion was approved unanimously.

Discuss/Approve/Reject Resignation of Planning and Zoning Commission member

Ms. Cordova explained that Planning and Zoning Commissioner David Lira spoke with Ms. Cordova and verbally gave his resignation due to his health.

Second Vice Mayor Lopez thanked Mr. Lira for his involvement with the community and serving on the planning and zoning commission for so long.

Ms. Cordova explained that she will be advertising that a position is available.

Second Vice Mayor made a motion to accept the resignation of Mr. David Lira from the planning and zoning commission. Councilmember Peralta seconded the motion. The motion passed unanimously.

First Vice Mayor Valenzuela instructed Ms. Cordova to write a thank you letter to Mr. Lira.

Discuss/Approve/Reject new salary schedule for Town Employees.

Ms. Cordova reviewed the salary schedule documents she created. She explained that this lists all pay grades from 1-99. She stated that in a previous work session the council asked her to compare salaries with the City of Globe.

Councilmember Peralta questioned why the salaries were compared with Globe because Globe has a much larger population. She asked why they did not compare other cities like Hayden, Winkelman, Kearny and some of the other smaller towns.

Ms. Cordova explained that at a prior council meeting, council members had requested to compare to Globe. The salary schedule is based on the Arizona League of Cities and Towns Salary Survey for 2006 for communities with a population under 5,000.

First Vice Mayor Valenzuela asked why they were reviewing this again he thought this was in the budget or this should have been part of the budget process. Second Vice Mayor Lopez asked if the actual dollar amounts included positions that were not yet filled. Ms. Cordova explained that the current figures for the amounts are for the current staff and not for new positions.

First Vice Mayor Valenzuela explained that they have given raises two years in a row. He stated that the town could not compare the salaries of Globe or Apache Junction's Police Department. He also stated that he would have liked to review this information before the meeting.

Mayor Hing asked Ms. Cordova to prepare the figures again but to compare to other comparable cities in the region including Hayden, Winkelman, Miami,

Florence, Kearny.

The council continued to review the information presented to them and discussed additional financial issues regarding the amounts in the towns banking accounts. Ms. Cordova explained that the town is awaiting several reimbursements from CDBG projects, Resolution Coppers service agreements.

Councilmember Peralta explained that the numbers look nice but there are still positions that need to be filled like the mechanics helper and recreation coordinator. She asked if Ms. Cordova would be waiting to fill those positions. Ms. Cordova explained that she would place those positions on hold.

Councilmember Peralta made a motion to table this item and requested that a work session be held to discuss this item further. Council directed staff to call a work session. Councilmember Heglie seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Ordinance 95. An ordinance of the Town of Superior, Arizona authorizing the Town Mayor or the Town Manager to execute an assignment and assumption of declarants rights agreement with BHP Copper, Inc., a Delaware Corporation, pertaining to the Superior Industrial Park; and assuming and accepting all of the rights, duties and obligations of the declarants under that certain first amended and restated declaration of covenants, conditions, and restrictions for Superior Industrial Property dates as of October 6,1999 and declaring and emergency.

Ms. Cordova explained that the Town has requested to have control of the CC&R's of the industrial park. Ms. Cordova explained that this would allow the town to have more control of what business's can go into the industrial park. She explained that BHP had provided the ordinance and they were in favor of handing over the CC&R's.

Mr. Beers explained that declaring and emergency on passing the ordinance was not necessary. He recommended that the council pass the ordinance as the first reading and strike the emergency clause. He gave a brief overview of the emergency clause and stated that towns use this when they need an ordinance to be a passed and take effect immediately. He stated that generally an ordinance requires two readings and then the ordinance takes affect 30 days after the second reading.

Ms. Cordova gave the first reading of the ordinance. She explained that the second reading would be on the agenda for the next meeting and it would take affect 30 days after the second reading if approved.

Second Vice Mayor Lopez made a motion to approve Ordinance No. 95 and to delete the emergency clause in the ordinance. Councilmember Heglie seconded the motion. First Vice Mayor voted nay. The motion passed with 5 ayes in favor and 1 against.

Presentation from Town Manager regarding work in other organizations and old news paper articles being circulated by community members

Ms. Cordova explained that recently there have been newspaper articles that have been distributed about her previous employment and various issues surrounding that employment. She explained that she had every right to file an EEOC complaint and that the EEOC complaint was filed as sexual discrimination and was not due to her performance on the job.

She also referred to other articles in regards to a law suit she is currently involved with regarding her severance package from her previous employer. She explained that it is common for managers who work at the will of the council to have a severance package. She stated that she received \$60,000 from her previous employer and that severance packages are recommended by the International City Managers Association. She explained that the current council in San Luis filed the lawsuit against her and against the seven councilmembers who approve the severance. However, this former employer recently paid out a severance package to another manager who was recently terminated.

Councilmember Heglie asked if she had received a cash settlement from the EEOC complaint. Ms. Cordova explained that she did not receive cash but she requested mediation and that the town provide training on sexual harassment as a settlement.

Mayor Hing thanked Ms. Cordova for her presentation and for clarifying these issues with the council and the public.

#### I. Council Comments

Councilmember Peralta

No Comment

Councilmember Heglie

No Comment

Councilmember Cervantes

No Comment

Second Vice Mayor Lopez

Thanked Ms. Cordova for clarifying items from San Luis and applauded Councilmember Cervantes and Mr. Sanchez for their work on the Veterans Vietnam Memorial and the ceremony. She stated that she hoped they continue this event annually; she also thanked the town employees for their assistance with the event.

First Vice Mayor Valenzuela

No Comment

Mayor Hing  
No Comment

J. Executive Session

Mayor Hing announced that there would be an executive session. Councilmember Heglie made a motion to move into executive session. Councilmember Peralta seconded the motion. The motion passed unanimously.

K. In Public Session

Council reconvened in open session. Executive Session Discussion.  
Mayor Hing announced that the council had discussed the current performance of the Town Manager.

Adjournment

Councilmember Peralta made a motion to adjourn the meeting. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:00 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 4th Day of October 2007. I further certify that the meeting was duly called and held and that a quorum was present.

/s/Rosie Cordova\_\_\_\_\_

Rosie Cordova  
Town Manager/Clerk

These minutes have been transcribed and compiled by Mila Lira  
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