

**Superior Town Council
Town Council Meeting**

**Thursday, July 23, 2008
Superior Senior Center
Superior, Arizona**

M I N U T E S

A. Call to Order

Mayor Hing called the meeting to order at 6:13 p.m.

B. Salute to the Flag

Mayor Hing led the council, staff and audience in the pledge.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, Councilmember Heglie

Members Absent: First Vice-Mayor Valenzuela, Councilmember Peralta

A quorum was present and the meeting continued.

E. Call to the Public

Mr. Angel Hernandez – Expressed his concern that the work crews who were assisting with tree removal and limb trimming did not have commercial drivers licenses. He also stated that his tree blew down in one of the recent storms and he was not given ample time to remove the tree before he received a citation. He stated in the past he spoke with the Mayor and the Mayor explained to him that “his back yard is his back yard.” Mr. Hernandez also expressed his concerns over the cost of the abatements and reminded the council that Dr. Wilt will not pay for the demolition. He also commented on the amounts of money that Resolution Copper pays for Lobbying services.

F. Business

Possible Discussion and/or action on the following

1. Discuss/Approve/Reject Uptown Theatre Abatement and deed transfer request

Ms. Oliver explained that it would cost \$108,000 to shore up the Uptown Theatre structure in order to save the façade. She explained that things would have to move quickly because of the Main St. project beginning. She stated that the other options would be to begin the partial demolition of the front of the building into the existing rubble behind the façade and complete the demolition after the Main St. project is complete. She also explained that they would still have to do asbestos testing and if the tests came back positive that would increase the cost of the tear down. Currently the estimates are coming in at less than \$50,000 if there is no asbestos in the structure. Discussion continued on weather or not the side walls of the structure were common walls or if each building had it's own side walls.

Discussion followed on how the town will recoup it costs of abating this structure. They referenced the plan with the owners of the Magma Hotel to put a lien on the building so the owners would have to pay the town if they sold the property. Other means of collecting could include pursuing legal and other collection avenues. Ms. Oliver stated that the property owner has offered to deed the property over to the town however should the council decide to do this it should not be done until after the demolition is complete so they can evaluate if the property is even worth the amount of the demolition costs. Council also discussed that other communities are looking at a class action law suit against this property

owner.

Mayor Hing explained that the Board of Appeals voted for demolition of the building and that the town would need to investigate if there were common walls in the structure of the other adjoining properties. Ms. Oliver recommended that the town hire a real estate attorney to handle these matters.

Councilmember Heglie made a motion to demolish the second story of the structure and then demolish the structure based on the recommendation of the Board of Appeals. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

1. Discuss/Approve/Reject the leasing of Town Hall office space

Ms. Oliver explained that local resident and counselor have made an offer to the town for rental of office space. She explained that Ms. Pfohl has offered to provide counseling services to town staff in lieu of rent. Ms. Oliver explained that offering these services to staff would be a positive benefit for the staff and is something many other communities use.

Ms. Oliver explained the Ms. Pfohl would only be in the office from 8am to 5 during normal town hall hours and her customers would be met at the side door by her personally. Mayor Hing asked that staff negotiate terms of the lease and confirm Ms. Pfohl's qualifications. Once the terms are met he asked that the lease be brought to council for approval.

Vice Mayor Lopez made a motion for staff to negotiate a lease agreement with Ms. Pfohl. Councilmember Heglie seconded the motion. the motion passed unanimously.

A. Council Comments

Councilmember Heglie

No Comments

Councilmember Cervantes

No Comments

Councilmember Peralta

Absent

Second Vice Mayor Lopez

No Comments

First Vice Mayor Valenzuela

Absent

Mayor Hing

No Comments

H. 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-7)

(A-1) – Personnel

(A-3) – Legal Advice with Attorney

(A-7) – Legal Advice on Sale, Lease, or Purchase of Real Property:

L. In Public Session

M. Adjournment

Vice Mayor Lopez made a motion to adjourn the meeting. Councilmember Cervantes seconded the motion. The motion passed unanimously. The meeting was adjourned at 6:44 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 23rd Day of July 2008. I further certify that the meeting was duly called and held and that a quorum was

present.

Melanie Oliver ^{/s/}

Melanie Oliver
Interim Town Manager

These minutes have been transcribed and compiled by
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