

**Superior Town Council
Town Council Meeting**

**Thursday, November 6, 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 6:31 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 Aguilar, Councilmember Heglie, Councilmember Peralta, First Vice-Mayor Valenzuela

Members Absent:

A quorum was present and the meeting continued.

E. 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:

1. Sewer Discontinuance of Service by authority of the Superior Town Code Chapter 9 Health and Sanitation Section 9-6-7 Sewer Service May be Discontinued Under Certain Conditions B. Failure of the consumer to comply with any rule of the department including failure to pay billings on a timely basis. Thirteen properties need to be scheduled for disconnection.

Councilmember Heglie made a motion to enter into Executive Session. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

F. In Public Session

Discussion and action on matters discussed in Executive Session:

Council returned from Executive Session at 7:30 p.m.

1. Sewer Discontinuance of Service by authority of the Superior Town Code Chapter 9 Health and Sanitation Section 9-6-7 Sewer Service May be Discontinued Under Certain Conditions B. Failure of the consumer to comply with any rule of the department including failure to pay billings on a timely basis. Thirteen properties need to be scheduled for disconnection.

The Mayor and Council held an open discussion on the discontinuance of sewer service on delinquent sewer accounts. Ms. Oliver explained that it was important the town set precedence on the bills. The council discussed the options and process to collect on the bills. It was discussed to put wage garnishments however most of the delinquent customers do not have jobs. After lengthy discussion the several council members suggested that the Manager try to use which ever option would best suit the particular situation such as discontinuance of sewer service, small claims court and a wage garnishment, and/or place a lien on the property and

foreclose.

Mayor Hing made a motion to have the Manager proceed with the three programs suggested to collect on the delinquent sewer bills. Councilmember Peralta seconded the motion. Mayor Hing explained that he would have to excuse himself from voting on two accounts in the name of Denise Huerta do to a conflict of interest. The vote was called
* 5 votes in favor, 1 against and 1 abstained. The motion passed
(* *The 5 votes includes the Mayor's overall votes in the votes for Denise Huerta accounts 4 votes in favor, 1 against, 1 abstained.*)

G. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:
Approval of Minutes for Regular Meeting October 16, 2008
Approval of Minutes for Special Meeting October 23, 2008

Councilmember Aguilar made a motion to approve the consent agenda. Councilmember Lopez seconded the motion.

H. Communication

1. Managers Report

Ms. Oliver gave Ms. Anderson from the Lets Talk Trash Committee the opportunity to address the council. Ms. Anderson explained that the recycling program is going well and they are working on an agreement with the Hing Family to make the recycling drop off area on their property a little more accessible and permanent. She also updated the council on the Community Wide Free Dump Day.

Ms. Oliver also updated the council on the WiFi project she explained that WiVod has still not completed the project and she is concerned that if this system were to fail that many businesses that use the system would fail or have to leave the area. She also stated that the USDA grants ending date is December 31, 2008 and WiVod has not provided a completion date. She suggested looking for alternatives. She did explain that WiVod has told her that the credit crunch has impacted his business and the completion of the program. The council directed Ms. Oliver to start looking alternatives.

Discussion also was held in regards to the Magma Hotel Lien, Magma Club restorations and inmate workers. Councilmember Aguilar explained that many people have commented on how nice the cemetery is looking. Ms. Oliver thanked Councilmember Cervantes for helping to get the inmates back to Superior.

2. Public Safety Report

Chief Digirolamo gave a brief update in addition to his written report. He explained that the two suspects were arrested in the armed robbery. He also explained that they had a warrant sweep and many people turned themselves in. Mayor Hing explained that he would like to see the dedication of the fire station happen soon. Discussion followed on the fire station and the need for an auction for older equipment that the fire department owns and also if Chief Digirolamo has established a relationship with the newly elected Pinal County Sherriff.

3. Public Works Foreman Report

Mr. Lant explained that they are working on the weed control and now that the cemetery is under control they will begin focusing on other areas of town. Mayor Hing stressed the importance of keeping Main St. and Highway 60 clean. Discussion followed on how to keep the ally ways clean and billing residents if trash is picked up from their property even if they did not request it. Ms. Oliver explained that giving Mr. Lant more responsibility has freed up Ms. Brothers and now she can focus on the building permits.

I. Public Hearing

Councilmember Heglie made a motion to move into public hearing. Councilmember Peralta seconded the motion. The motion passed unanimously.

Regarding CDBG 2009 scope of work and type of project.

Ms. Oliver explained that in 2008 all the money went to Superior and that 2009 money would have went to Miami however Superior is not eligible for this process it was a mistake on CAAGS part so there was no need for a public hearing. Councilmember Heglie made a motion to move out of public hearing. Councilmember Peralta seconded the motion. The motion passed

J. Business

Possible Discussion and/or action on the following

Discuss/Approve/Reject rental of Public Works Supervisors office space located at 230 Main St. by Dr. Chad Whiting and Associate.

Ms. Oliver explained that she met with two dentists recently and they would like to begin offering services in Superior. She explained that they would pay \$50 per day they are in Superior offering services and they would be housed in the current chamber/public works building. She stated that the chamber is excited about the idea. She explained that they would open before the end of the year. Councilmember Peralta made a motion to approve the rental of the space. Councilmember Heglie seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject a contract between Redflex Traffic Photo Enforcement and the Town of Superior for the services of photo enforcement

Mr. Beers explained that he reviewed the contract and did not see any problems with the contract or program. Redflex representative explained that two cameras would be installed on US 60. They reviewed the process of how a citation is issued and the fee structure. They also explained that the town can expect 50 to 80 citations in a 24 hour period. Discussion followed on if this system could tie into existing security camera systems and how much time officers will need to allocate to the ticket process. Ms. Oliver explained that the town has made several attempts to request stop lights and crosswalks on US 60 but ADOT will not allow them. She explained that the cameras will encourage people to slow down and drive slower thus improving the safety for all on US 60. They explained that the system will be installed within 60 days and that includes a warning program.

Vice Mayor Lopez made a motion to approve the contract. First Vice Mayor Valenzuela seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject IGA for the provision of services by the Pinal County Recorder and Elections department for Voter Registration and Election Service

Ms. Oliver explained this agenda item is for the IGA with Pinal County for election services for the upcoming council elections. Mayor Hing and Vice Mayor Valenzuela asked Ms. Oliver to make sure all dates are correct. Councilmember Peralta made a motion to approve the IGA. Councilmember Heglie seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Resolution 487 Designating election dates, voter registration deadlines and place and last date for candidates to file nomination papers for the upcoming Spring Elections 2009.

Mayor Hing requested approval of the resolution only amending the dates to take out and return the petitions due to the Veterans Day holiday. The start day changed to November 12, 2008 and ending December 12, 2008.

Councilmember Heglie made a motion to approve the resolution. Councilmember Peralta seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Services Agreement between Fire Recovery USA, LLC and the Superior Fire Department for the purpose of assisting with the collection and billing of services

Mr. Pryor explained that this agreement with Fire Recovery USA would allow Fire Recovery USA to collect on fees owed to the Superior Fire Station incurred by non residents. He explained that it could generate \$20,000 to \$40,000 per year and the service would only charge when they actually collect. Mr. Beers explained that there was some important verbiage missing from the agreement. He explained that there needs to be a length to the agreement and also a paragraph on termination of the agreement and he also requested clarification if any disputes would be handled under California law. He recommended approval with the contract with the amendments mentioned before. Councilmember Heglie made a motion to approve the agreement with the amendments. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject the name change of the Queen Creek Trail to Legends of Superior Trail (LOST) as approved by the Queen Creek Committee and the Economic Development Committee.

Ms. Oliver explained that both the Queen Creek Committee and the Economic Development Committee approved changing the name of the Queen Creek Trail to Legends of Superior Trail. She explained that this was to create an identity and also so Queen Creek can be distinguished separately. Discussion followed on the length of the trail and the specific points of the trail. Ms. Oliver explained that no monies have been invested in marketing or anything at this point but many hours have been used by the committee to come up with a name. She explained that they would not emphasize the acronym and she also explained some of the other names mentioned included some potential derogatory words.

Councilmember Heglie made a motion to approve the name of Legends of Superior Trail. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject purchasing Motorola Radios through a Homeland Security Grant

Chief Digirolamo explained that the town has \$55,000 in Homeland Security grants to spend. He explained that \$400,000 was given to the communities of Kearny, Mammoth, and Hayden to share. He explained that the other departments needed much more equipment so Superior would get \$55,000. He requested to purchase 9 hand radios, 8 mobile car radios, 1 console for dispatching. Chief Digirolamo explained that the grant is reimbursable so they would have to make the purchase first and then request funds for reimbursement. He also explained that there was no match for the grant.

Councilmember Aguilar made a motion to approve the expenditures. Councilmember Heglie seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Councilmember Robert Cervantes as a General Fund Check Signer

Mayor Hing explained that he wanted to make sure all checks and balances were in place. He asked that the request be amended to include all councilmember's. Vice Mayor Lopez made a motion to approve all councilmember's being check signers. Councilmember Cervantes seconded the motion. The motion was approved unanimously.

Call to the Public

Mayor Hing reminded everyone that calls to the public should only be made to the Mayor and Mayor only.

There were no calls to the public made.

Council Comments

Councilmember Heglie

None

Councilmember Cervantes

None

Councilmember Peralta

None

Councilmember Aguilar

None

Second Vice Mayor Lopez

None

First Vice Mayor Valenzuela

Explained that he was concerned they will never find a location that will truly replace Oak Flats he suggested that the town approach Resolution to help the town build something that will bring more immediate impact to the town and that the area should be in city limits.

Mayor Hing

Mayor Hing asked for an update on the Predators game. Ms. DeZeeuw reported that she received a text that they had won the game. He also requested that the town begin working with the new congresswoman for Superior to ask her to help strike the clause off of the airport deed and have her help us produce our own bill concerning the airport. He requested that t resolution be included on the next agenda so Ms. Oliver and the Mayor could work with the new congresswoman.

M. Adjournment

Councilmember Heglie made a motion to adjourn the meeting. Vice Mayor Lopez seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:38 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 6th day of November 2008. I further certify that the meeting was duly called and held and that a quorum was present.

/s/
Melanie Oliver _____
Melanie Oliver
Interim Town Manager

These minutes have been transcribed and compiled by
Mila Lira
Miracle Executive Services
www.miracleexecutiveservices.com