

Notice of Public Meetings
Town of Superior
Regular Council Meeting
Thursday-May 6, 2010-7:00 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173

MINUTES

A: CALL TO ORDER:

Mayor Hing called the meeting to order at 7:04 p.m.

B: SALUTE TO THE FLAG:

Mayor Hing led the council and audience in the pledge of allegiance.

C: OPENING PRAYER:

Mayor Hing led the council and audience in a prayer.

D: ROLL CALL:

Members Present: Mayor Hing, Councilmember Heglie, Councilmember Gutierrez, Councilmember Pfohl & Councilmember Peralta.

Members Absent: Vice Mayor Lopez and Councilmember Aguilar

Town Staff Present: Town Manager Oliver, Deputy Town Manager/Public Safety Director Digirolamo, Lieutenant Campbell, Town Attorney Beers, Fire Operations Chief Pryor & Building Safety/Senior Center Brothers.

E: CONSENT AGENDA:

1. Approval of Minutes for Regular Meeting: April 15, 2010
2. Blanket permit for Joe and Pati Castaneda/Society Car Club Fund Raising for St. Francis Church Car Show and Fiesta's Awards.
3. Blanket permit for ISSI-Downunder Sports-Dominique Castillo and Janae Perez to attend Downunder Competition.
4. Cancellation of the Regular Council Meeting May 20, 2010.
5. Intergovernmental Agreement for provisions of services by the Pinal County Recorder and Elections Department for the August 24, 2010 Special/Recall Election.

Motion by Councilmember Pfohl to approve the consent agenda, seconded by Councilmember Heglie, motion passed unanimously.

F: COMMUNICATION:

1. Manager's report –Town Manager Melanie Oliver
 - a. Sewer and Refuse Billing Update

Final notices were given the opportunity to pay half and set up a plan to make their account current. Three properties were given Final Intent notices. Total cash collected \$16,000.00. A portion of this money will be retained to provide for sewer plant maintenance.

b. Foreclosure Update

1 Mesquite

Tahan Law had previously sent a settlement offer to the property owners, suggesting that, in order to avoid litigation, Smith would have to pay the Town \$25,000 toward the damages caused by his breach and commit to a one-year deadline with a liquidated-damages clause of deeding the property back to the Town. The property owners are now communicating directly with Superior Town Council, and are no longer going through their respective counsel.

11 N. Pinal Ave

Foreclosure is complete. Sale held March 25, 2010. Denver Roof Purchased the Property for \$8,703.13.

69 N. Lobb Avenue

Defendant paid off her lien, and it was released and litigation was settled.

84 Smock

Judgment obtained and recorded w/ Pinal County Recorder's office.
Property owner has paid off judgment.

85 N. High School Ave

Foreclosure is complete. Sale held April 28, 2010. No one showed up to sale. Property went to the Town of Superior.

100 Lime Street

Property owner paid off bill.

187 Copper

Deed in Lieu complete and recorded.
The Town is in escrow to sell this property to Curt Pierce's group.

199 Porphyry

Waiting to receive evidence sufficient for public-nuisance abatement.

308 Mine Avenue

Foreclosure is complete. Sale held March 25, 2010. No one purchased this property. Property went to the Town of Superior

336 W. Marion Dr.

Property owner paid off balance owed to the Town of Superior in the amount of \$8,357.67.

388 Valentine

Mortgage company foreclosed on the property in August 2009, extinguishing the Town's utility lien.

405 Terrace

Foreclosure is complete.

550 Lime Street

Demand letter went out on 5/4/2010.
Lien recorded on 6/4/2010.

604 W. Porphyry

There is a mortgage on this property, and no equity. We recorded a lien. If it goes to foreclosure, the lender might or might not pay off our utility lien.

625 W. Crowe Street

This lien was paid off.

630 W. Sonora Street

We can't do anything with this property because the bank already took title to it before the Town sent it to collections. Vanderbilt Mortgage & Finance, Inc. purchased the property through a foreclosure sale on April 5, 2010. The actual foreclosure sale was held on April 1, 2010.

679 Main Street

The court signed the judgment on April 26, 2010. Now we will send to Sheriff to auction off.

750 S. Belmont Street

Homeowner paid in full.

DS recorded a satisfaction and release of lien.

834 W. Spray Street

There is a tax lien on property, Town is negotiation with this competing lien holder

957 South Stone Avenue

Demand letter to go out on 5/4.

Lien to be recorded on 6/4.

Magma

Court gave us a judgment on 4/29/10.

The Town can either have the Sheriff auction it, or see if Curt Pierce is willing to purchase it directly to avoid time and expense of a Sheriff's sale.

Wilt, Glenn

Property owner is meeting with Tahan Law on May 5, 2010 to attempt to negotiate a settlement

c. Uptown Theater Update-Deputy Town Manager Lou Digirolamo

Dr. Wilt met with the Town's real estate attorney Raya Tahan to negotiate a settlement for the theater property. They will have another meeting to continue discussion about this matter.

d. Budget Retreat May 22, 2010 8:00 am to 12:00 p.m. Fire Station

Town Manager Oliver advised that the budget work session would be on May 22, 2010 at 8:00 a.m.

e. HB 2394 Update-Deputy Town Manager Lou Digirolamo

Advised the that the bill was signed by the governor on April 28, 2010. The Town would be penalized \$100.00 instead of \$150,000.00 for failure to have the home rule election. Bill passed the House 51-4 and the Senate 23-4. Mayor Hing, Town Manager Oliver and Deputy Town Manager worked vigorously on this project.

f. Main Street Update-Building Safety Director Rebecca Brothers

Becky Brothers gave an update on the Main St. repaving project telling the council and audience that they would be sealing the street on Thursday, on Monday they would be doing utility adjustments, bringing the manholes to grade and striping would occur on 05/14.

2. Public Safety report-Public Safety Director

a. Tempe Fire Department letter of appreciation-Operations Chief Todd Pryor

Chief Pryor informed the Mayor and Council about a letter he received from the Tempe Fire Department thanking them for the care they provided to a Tempe Firefighter who was recently hurt near the Town of Superior.

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

1. Presentation: United Way Organization. Carol Giddens and Kim Hampton

Carol Giddens from the United Way organization made a presentation before the council. She explained a program that provides training to unregulated child care providers. In addition to the training they can provide toys and equipment to enhance child care and the environment. These providers then become licensed and certified child care providers.

2. Presentation of the Planning and Zoning Commission applicants Karen Afdol, Pamela Dalton Rabago, and Judah Nelson. Building Safety Director Rebecca Brothers

Karen Afdahl told the council that she has been a resident since 2004. She has a bachelor's degree in sociology and a master's degree in psychology. She is a member of the Chamber of Commerce.

Pam Rabago is a 37 year resident of Superior. She has been a Zoning Committee member for 3 years. She is a member of the Legends of Superior Trail and lets Talk Trash volunteer groups.

Judah Nelson moved here 31/2 years ago and has a degree in computers. She says she would like to be on Zoning Commission because she would like to see the Town retain its character without bland urban sprawl.

3. Discuss/Approve/Reject the selection of three (3) vacant Planning and Zoning Commission seats. Applicants Karen Afdol, Pamela Dalton Rabago, and Judah Nelson. Building Safety Director Rebecca Brothers

Motion by to accept all three candidates for the vacant Planning and Zoning Commission seats by Councilmember Gutierrez, seconded by Councilmember Pfohl, motion passed unanimously.

H: CALL TO THE PUBLIC:

Steve Lopez addressed the Mayor about a sewer bill that he felt Town Manager Oliver was not assisting him with.

I: EXECUTIVE SESSION:

The Town Council may or may not vote to go into Executive Session pursuant to ARS 38-431.03

K: COUNCIL COMMENTS:

Councilmember Peralta had no comment.

Councilmember Gutierrez talked about the Home Rule bill thanking staff and the Mayor for their work on it. He said getting that bill passed was a big deal and it could have been catastrophic if it had no passed. He said the Town is on the right track code enforcement and law enforcement wise.

Councilmember Pfohl stated his thanks to staff citing the sewer bill collection, the job Becky Brothers has done on the Main Street project saying this is where the rubber meets the road. Congratulated the new planning and Zoning members. Great things coming from Town.

Councilmember Heglie congratulated and welcomed the new Planning and Zoning members.

Mayor Hing said the bill seemed to be a no brainer to go through and is all important. Said that good things are happening like the work being done on the trail last weekend. Spoke of economic development being a copper corridor issue.

L: ADJOURNMENT:

Motion by Councilmember Heglie to adjourn the meeting at 8:22 p.m. seconded by Councilmember Pfohl, motion passed unanimously.

CERTIFICATE OF POSTING

PLACES POSTED: Superior Town Hall: 271 W. Main Street, Superior Senior Center: 360 W Main Street

Post Office: 25 N. High School Ave

MEETING DATE: May 6, 2010 POSTED: May 4, 2010

POSTED BY: _____

Melanie Oliver-Superior Town Clerk/Time

NOTICE TO PERSONS WITH DISABILITIES

Reasonable efforts will be made to assist and accommodate physically disabled persons desiring to attend the meeting.

Please call the Town Hall Office at 520-689-5752 in advance so that arrangements may be conveniently made.

EQUAL OPPORTUNITY NOTICE

Town of Superior is an Equal Opportunity Employer and will not discriminate against employees or applicants for employment or services in an unlawful manner.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE SUPERIOR TOWN COUNCIL AND TO THE GENERAL PUBLIC THAT A REGULAR MEETING, OPEN TO THE PUBLIC, WILL BE HELD ON:

THURSDAY

May 6, 2010

7:00 P.M.

AT

SUPERIOR SENIOR CENTER

360 W. MAIN STREET

SUPERIOR, ARIZONA 85173

On the Agenda will be consideration of Executive Session pursuant to A.R.S. §38-431.03(A.1,3 & 4).

Agendas for the Public and Executive Session will be posted and available to the public at least twenty-four (24) hours prior to the

meeting. Agendas are available at the Superior Town Hall, 271 Main Street in Superior during regular business hours.