

TOWN OF SUPERIOR
Regular Council Meeting
Thursday, June 17, 2010 – 7:00pm
Superior Senior Center
360 W. Main St.
Superior, AZ 85173

M I N U T E S

A. CALL TO ORDER:

Mayor Hing called the meeting to order at 7:10pm.

B. SALUTE TO THE FLAG:

Mayor Hing led the council, staff, and audience in the Pledge of Allegiance.

C. OPENING PRAYER:

Mayor Hing led the council, staff and audience in the Pledge of Allegiance.

D. ROLL CALL:

Council Present: Mayor Hing, Vice Mayor Lopez, Councilmember Gutierrez, Councilmember Pfohl, Councilmember Heglie, Councilmember Peralta (via telephone), & Councilmember Aguilar (until 7:41pm)

Absent:

E. CONSENT AGENDA:

- 1. Approval of Minutes for regular meeting: May 6, 2010 & June 3, 2010 and Work Session May 22, 2010**
- 2. Approval of Blanket for Superio Car Club to fundraise**
- 3. Approval of Blanket Permit for David Montano Memorial Scholarship – Fundraising**
- 4. Approval of Blanket Permit for Superior Optimist Club - Fundraising**

Councilmember Gutierrez asked why the Optimist Club did not have a date specific permit for when they are fundraising. Vice Mayor Lopez and Ms. Oliver both explained that the permits are valid from the date they are approved for a 12 month period.

MOTION: Councilmember Heglie made a motion to approve the consent agenda. Councilmember Pfohl seconded the motion.

VOTE: *The motion was approved unanimously.*

F. COMMUNICATION:

1. Managers Report

a. Future Campsite

Ms. Oliver reported on a letter from Resolution Copper that explained their commitment to providing \$1 million towards campground construction. She stated that the letter explained that 1million would be used for the construction and the Ms.

Oliver reported that Vice Mayor Lopez and the annexation committee have been working on the Campground location.

b. Cemetary Roads Update

Ms. Oliver explained that Mr. Lant was unable to attend the meeting but she would update the council on the cemetery. She reported that the asphalt has been sifted and pressed but not all roads have been completed. She said that additional equipment will be brought in to smooth it out a little more. She explained that with the road infrastructure it would allow for safer access when the weather is wet.

2. Police Report

Chief Digirolamo gave the police update on behalf of Lt. Campbell who had to go out on a call. He asked for questions from the council in regards to the written report. Councilmember Gutierrez asked why thefts were up based on last year. Chief Digirolamo explained that the increase is due to the fact that now when a trash can is reported stolen a case number has to be given before Allied Waste will issue a new trash can.

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

1. Oath of Office for three (3) Planning and Zoning Commission seats. Commissioners Karen Afdahl, Pamela Dalton-Rabago and Judah Nelson.

Judge Bravo administered the oath of office for the three planning and zoning commissioners: Karen Afdahl, Pamela Dalton-Rabago, and Judah Nelson. Mayor Hing and Councilmember congratulated the newly sworn in commissioners.

MOTION: No action was necessary.

VOTE: *Vote was not necessary.*

2. Discuss/Approve/Reject 2010/2011 Tentative Budget with proposed budget cuts.

Ms. Oliver explained that the budget cuts and adjustments will include:

Lay off of one (1) Firefighter	\$50,000 yearly
Restructuring of MPC Loan	\$72,000 yearly
Increase of Sewer Fees by \$1.00 per month	\$16,000 yearly
Sales tax increase from the state wide sale tax	\$16,000 yearly
1 day closure of Sr. Center in the summer	\$5,0000 yearly
Increase in Sales Tax due to new business	\$6,348.00

Questions and Discussion followed on how these cuts will affect staffing and services. Ms. Oliver assured the Council that staff has come up with ways to maintain programs like code enforcement and try to keep a high level of customer service. Mayor Hing commended the seniors for being willing to close the center one day a week to help save money.

MOTION: Vice Mayor Lopez made a motion to approve the tentative budget with proposed cuts. Councilmember Aguilar seconded the motion.

VOTE: *The motion passed unanimously.*

3. Discuss/Approve/Reject the partnership with Central Arizona College Foundation in applying for funding through the Tohono O’Odham Nation Endowment supporting the Promise for the Future Scholarship program.

CAC Promise for the Future Executive Director Gary Broussard gave a presentation on the Promise for the Future program explaining that the program gives every eighth grader each year in the county the opportunity to sign a contract to earn two full years of tuition at CAC if they maintain a certain grade point average. He explained CAC’s commitment to make college affordable to all Pinal County students and explained that the foundation is currently applying for funding through Proposition 202 funding with the Tohono O’Odham nation and needs the support of the communities in Pinal County. He explained that if the funding is awarded it would be awarded to the towns then the towns would release the funds back to the CAC foundation.

MOTION: Councilmember Helgie made a motion to approve the partnership with CAC Foundation and to release funds if the grant funding is awarded back to the CAC foundation. Vice Mayor Lopez seconded the motion.

VOTE: *The motion passed unanimously.*

****Councilmember Aguilar left the meeting at 7:41pm and was no longer part of the meeting or voting processes.**

4. Discuss/Approve/Reject Resolution Number 514 of the Mayor and Council of the Town of Superior, Pinal County, Arizona providing for the abandonment of a certain unused alleyway within the town and reserving therein all rights required to be reserved pursuant to Arizona law – Melanie Oliver

Ms. Oliver read the resolution and explained that staff recommended approval of the resolution and stated that the resolution does include that the petitioner will pay \$1200.00 for the abandoned alleyway.

Councilmember Gutierrez explained that he thought the property owner was going to provide a certified survey of the property and expressed his concerns on how these abandonments are handled. Ms. Oliver explained that all procedures were followed based on Arizona Revised Statutes.

MOTION: Councilmember Peralta (via speaker phone) made a motion to approve Resolution 514. Vice Mayor Lopez seconded the motion.

VOTE: *The motion passed with 5 in favor and 1 against. Mayor Hing administered a hand vote to confirm the vote. The votes were as follows:*

Ayes: Mayor Hing, Vice Mayor Lopez, Councilmember Peralta, Councilmember Heglie, Councilmember Pfohl.

Nays: Councilmember Gutierrez

5. Discuss/Approve/Reject the price increase for swimming season pass for individuals and families or no longer offer season passes - Melanie Oliver

Mayor Hing reviewed the prices that other communities use for their pool prices. Ms. Wetley stated that staff did not recommend continuing the family passes as it did cover the actual costs and not many were sold. Discussion followed from the council members that it was important to keep the pool affordable for families and that it was already very late in the season to be changing things. Councilmember Pfohl recommended that the pool pricing and programs be discussed in December to allow for time to plan accordingly.

MOTION: Vice Mayor Lopez made a motion to offer the family pass at \$30 for this season. Councilmember Heglie seconded the motion.

VOTE: *The motion passed unanimously.*

6. Discuss/Approve/Reject the delay of the Sheriff's Auction for the Magma Hotel – Chief Digirolamo

Chief Digirolamo explained that the current owners have requested an extension to provide information to the Judge that they were in fact a legal LLC which will mean they cannot be charged personally in this case. Chief Digirolamo explained that at this time there is a contract for the sale of the building and the purchaser is requesting that the town write a letter saying that they will not proceed with the sheriff's sale. Chief Digirolamo explained that real estate attorney did not recommend that the town write a letter stating they would hold off on the Sheriff's sale until the due diligence period is over. Chief Digirolamo explained that they can hold off going to the sheriff's sale for a month or more and see if the building closes escrow which is expected to be the end of August. He also explained that the current owners were requesting that the town stop charging interest on the delinquent payments. It was also discussed that if the property goes to the sheriff's sale it may not sell or may not even sell for the amount of the lien, he also stated that they don't expect to hear back from the judge for 30 to 60 days to see if the current property owners were actually a legal LLC.

MOTION: Councilmember Heglie made a motion to allow for an extension of time before the property is sent to the sheriff's sale with interest still accruing to the current property owners. Vice Mayor Lopez seconded the motion.

VOTE: *The motion passed unanimously.*

H. CALL TO THE PUBLIC:

1. Mila Lira

Ms. Lira gave a brief update on the recent membership meeting of the Superior Chamber of Commerce. She stated they hosted Kimber Lanning from the non profit organization Local First Arizona who's mission is to help create policy that supports shopping using locally owned and operated businesses in Arizona. Ms. Lira handed out pamphlets from Local First Arizona and encouraged everyone to shop at locally owned and operated merchants.

2. Curt Williams

Mr. Williams expressed his concerns that to his knowledge and research the town has not been paying their state and federal income taxes as needed. He said that he is having a problem filing for unemployment because of this problem. He also expressed his concern that the revenues were not being used properly for the Waste Water Treatment Plant.

3. Leslie Martin

Ms. Martin introduced herself and explained that she and her husband Sonny recently sold their business and home in South Carolina and moved to Superior. She stated that they were immediately attracted to the town and were excited to move here. She stated they are currently under contract to purchase a building on Main St. and have purchased a home as well. She explained that while researching the town they noticed that the town website was in need of updating, she volunteered to assist with this task.

4. Elizabeth Magallanez

Ms. Magallanez stated that she was speaking as a resident of Superior and expressed her concern that the agenda for the work session did not list the topic for the work session.

5. Richard Green

Mr. Green stated that he had promised not to speak in public comments in the past but since others brought up the same concerns he had he wanted to notify the council that they are in the process of preparing a letter to the Attorney General that agendas are not posted correctly and that minutes are not posted online in a timely fashion and that the audits have not been completed.

6. Doc Darr

Mr. Darr took a moment to thank the town staff and council for assisting with the abandonment of the alleyway. He explained he was pleased with the council ruling in his favor and thanked them once again.

7. Merlin Gindlesperger

Mr. Gindlesperger stated that he thought it was a good idea to allow councilmembers to call into the meetings. He suggested the town also include the possibility of using video conferencing as well.

8. Barbara Arriola

Ms. Arriola gave an update on the Parks and Recreation program. She explained that they were planning activities for the Fourth of July. She encouraged everyone to participate in the exercise programs and Tae Kwon Do classes.

I. EXECUTIVE SESSION:

The Town Council may or may not vote to go into Executive Session pursuant to ARS38-431.03 (A-1) & (A-7).

A-1 –PERSONNEL: A-3 LEGAL ADVICE WITH ATTORNEY:

A-7 – LEGAL ADVICE ON SALE, LEASE OR PURCHASE OF REAL PROPERTY

Mayor Hing announced that there were no agenda items for the executive session.

J. COUNCIL COMMENTS:

1. Councilmember Aguilar

Absent

2. Councilmember Peralta

No Comments

3. Councilmember Gutierrez

Councilmember Gutierrez thanked the new residents for volunteering to help in the town. He stated that it is the new residents who are getting involved and making Superior what it is going to be not what it was and that the legacy families do not attend the meetings.

4. Councilmember Pfohl

Councilmember Pfohl welcomed the new residents and stated that he would like to see the updates to the website include new pictures of the council members. He also thanked everyone for their input and support during the budget process.

5. Councilmember Heglie

No Comment

6. Vice Mayor Lopez

Vice Mayor Lopez thanked the staff for their hard work. She welcomed those who want to volunteer in the community.

7. Mayor Hing

Mayor Hing commended the staff for preparing the budget under very tight circumstances.

ADJOURNMENT:

MOTION: Vice Mayor Lopez made a motion to adjourn the meeting. Councilmember Heglie seconded the motion.

VOTE: *The motion was approved unanimously and the meeting adjourned at 9:15pm*

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Town Council of the Town of Superior held on the 17th day of June 2010. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Melanie Oliver _____

Melanie Oliver
Town Clerk/Manage

These Minutes were compiled and transcribed by

Mila Lira

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*Final editing of these minutes and their content is completed and verified by staff members of the Town of Superior.