

**Town of Superior
Regular Council Meeting
Thursday, June 21, 2012, 7:00 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173
MINUTES**

A. CALL TO ORDER

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

B. SALUTE TO THE FLAG

Vice Mayor Lopez led the Salute to the Flag.

C. OPENING PRAYER

Mr. Fred Miramon led the opening prayer.

D. ROLL CALL

Present: Council Members Hank Gutierrez, John Tameron, Soyla "Kiki" Peralta (via telephone until 8:32 p.m.), Gilbert Aguilar, and Vice Mayor Olga Lopez; **Absent:** Council Member Chris Tomerlin, Mayor Jayme Valenzuela

E. CONSENT AGENDA

1. Approval of Minutes for Regular Meeting of June 7, 2012

Town Attorney Chris Wencker recommended a correction on page 2. He said it stated he had indicated that if the minutes were to be approved there needed to be a quorum of the council and requiring four aye votes. He said he recalled he had said, not that it required four aye votes, but four members voting.

MOTION: Council Member Aguilar moved to accept the minutes as corrected. Council Member Tameron seconded. **VOTE:** The motion passed unanimously.

2. Approval of Blanket Permit for Delores Tayler (sic), Kearny, Arizona for Bible Study Activities

Ms. Lopez, Mr. Aguilar and Mr. Tameron had questions about the blanket permit application as to location and if there would be fund-raising. Ms. Wentzel explained what the applicant had told her.

MOTION: Mr. Tameron moved to table until the applicant could come in and explain to the council what it is she wants this blanket permit for and for how long. Council Member Aguilar seconded. **VOTE:** The motion passed unanimously.

3. Approval of Blanket Permit for Set Free Ministries, Superior, Arizona, for Church Outreach

Ms. Wentzel presented the item and said they wanted it for the 4th of July. There was a discussion that the application was not specific.

MOTION: Mr. Gutierrez moved to decline the application.

Mr. Aguilar asked if they could get a one-day permit. Ms. Wentzel said they could but would have to pay. Mr. Aguilar said he would approve a one-day permit. They discussed that they could table or reject and let them know they could come in for a one-day permit. Ms. Lopez asked for the motion again.

MOTION: Mr. Gutierrez moved to reject the permit based on the timeline and lack of detailed information on the permit request. Mr. Tameron seconded.

Ms. Peralta asked a question (semi-audible). Mr. Tameron responded to the question. There was a discussion of whether the cell phone on the council table through which Ms. Peralta's voice was coming could be made louder.

VOTE: The motion passed unanimously.

4. Approval of Alcohol Beverage Permit—Superior Optimist Club Fund-Raising Horseshoe Tournament for Fire Victims, July 4, 2012, 2 p.m. to 10 p.m. at the Skate Park

Ms. Mila Lira of the Optimists said they had thought they would just have the horseshoe tournament as part of the 4th events. But the community faced two very tragic house fires. The volunteer coordinators felt there would be merchants who would support a tournament with monies raised going to the fire affected families. They came to the Optimists, which offered their blanket permit for fund-raising, which they often do. They use a "bring your own beverage" permit. That permit is different from that of selling alcohol. They will not be selling any alcohol. People can bring their own. Because all the 4th of July events will be brought to the pool area, they feel this will create an opportunity for a safe atmosphere. An area will be roped off by the street line by Mary Drive on the west side of the Skate Park. Their DJ will be at the top of the skate park to be in everyone's line of sight. The roped off area will be the only place where alcoholic beverages can be consumed, whether playing horseshoes or not. Everyone entering that area and choosing to drink alcohol will be given a wrist band. If they have the band they will not be allowed into the pool. Because of these new logistics and to set precedence, the Optimist Club is going to pay for off-duty security. They are insured. Due to timing Ms. Lopez has to write a check for their permitting fee. Council Member Peralta has offered to reimburse the Optimist Club for those fees as her contribution. They are just trying to help those families who have lost so much. They feel they are in touch with the security needs. They have held tournaments before. They have never had any problems with their tournaments at the Senior Center over Apache Leap Days. Their crew that puts it all together is responsible. They feel this keeps the community together rather than separating moms and dads who might be going over to play horseshoes in another park. It will help their public safety people in keeping everyone together rather than in two groups in different places. They can trust the Optimists to be responsible. They are good at keeping an eye on everyone.

Mr. Gutierrez said he had made a practice over the past couple of months not to support these kinds of permits. He would do the same today. Primarily it is based on constituents who call him. Not on behalf of the Substance Abuse Coalition, but they had talked in other meetings about substance abuse among their kids and alcohol abuse. He knew it was cultural. Even when he grew up, alcohol/beer was consumed at every party. They are a small community. They have these, probably, acute problems with drugs and substance abuse. He is going to propose an ordinance change for no alcohol permits at town locations. He still felt the Optimists could be successful. Alcohol is not the foundation for fund-raising. If the community is going to send a message to their kids, the council has to set an example.

Mr. Tameron asked if they had ever issued permits for the skate park. Ms. Wentzel said in the past they had alcohol permits inside the pool area. She put a stop to that this year because she didn't think that is responsible and can't even talk about what their insurance company would think with respect to liability. The answer is yes but she can't tell him who or when. Mr. Gutierrez said the Chamber did one last year at the ramadas. He has changed his mind on that. He is denying anything on town property. He is not saying this is forever. Maybe in two or three years of that, they will send a message to their kids.

Mr. Tameron asked Police Chief Lou Digirolamo if they had ever had problems that he knew of with alcohol permits issued to these horseshoe tournaments and other fund-raisers. Chief Digirolamo said not that he knew of. They haven't had security in the past. He is glad they will provide security now. Ms. Lopez asked how long he had been there. The answer was six years. Mr. Tameron said he knew it had been brought up before that it is a culture, but they also have to teach the culture that adults can be responsible. He thought security was a big plus. Not allowing them into the pool area was a big plus.

Ms. Lira said it becomes a choice. With the 4th, they know it is going to be hot. They will be working with the fire department to provide some other cool down areas, so adults who have been drinking do not get into the pool. The other thing is, having background in working with the Substance Abuse Coalition and talking with Ms. Magallanez, yes, there is a cultural issue. But in providing constant positive activities for the children, alcohol is still legal and showing that the adults will imbibe responsibly is a reality. She is not saying she is necessarily a big advocate. She believed there are lots of things you don't need alcohol to be successful at but this is kind of what goes on at these tournaments.

Mr. Aguilar said they did need to revisit this. It was something they did need to look at and go over. Mr. Tameron asked how close the skate park is to the fenced area of the swimming pool. Ms. Lira said it is visible. Mr. Gutierrez said if it is on town property he didn't feel comfortable. Mr. Tameron asked Ms. Lira if she did say it was going to be fenced off and she said yes. Ms. Peralta said she would like to make a motion. Mr. Gutierrez asked if anyone on the council had a conflict of any type re this organization. Ms. Lopez asked what he meant. Mr. Gutierrez asked if Ms. Lopez was not an officer of the organization. Ms. Lopez said she was going to abstain from voting. The town attorney advised her she could vote if she did not stand to make any money, such as a salary, from the organization.

Ms. Peralta said they had visited this issue every time somebody comes requesting an alcohol permit. They have had no problems. As long as they had no problems, they should

continue to issue them. If they start to have problems, then they need to revisit it. But now, they have no problems with it, so why are they going to start now?

MOTION:Ms. Peralta moved to approve the alcohol permit for the Optimist Club. Council Member Tameron seconded. **VOTE:** The motion passed 4-1 with Mr. Gutierrez opposed.

5. Approval of Minutes for Executive Meeting of June 7, 2012

In introducing the Consent Agenda, Ms. Wentzel stated that due to the absence of council members they were not going to approve the executive minutes that evening.

MOTION: Ms. Lopez moved to table the minutes for the executive meeting of June 7, 2012. Mr. Aguilar seconded. **VOTE:** The motion passed unanimously.

Ms. Wentzel asked that the G1, Communications Item: Staff Member Tragedy and Condolences be moved to before the staff reports. She said the town of Superior and the town government was rocked on Monday with the death of staff member Charles Lucas. He and his partner were on their way up to Canada for vacation and were hit by an 18-wheeler and both killed. The staff had been discombobulated over this. Charles was their comrade. He did a lot of things for the town. He had two wonderful children who were not hurt in this accident. The funeral service was to be on Saturday, June 23 at 11 a.m. at 955 E. Main. She asked that as each staff member provided their staff report, they tell a story about Charles and she would start. She said Charles was her friend for more than 10 years. He worked for the town for 10 years. She recounted how he had come to be hired by the town after she had encouraged him to apply. She said he had been a very loyal and wonderful employee. She would always remember how he had hesitated to apply because he had felt he would not fit. He fit quite well. He did some wonderful work at the cemetery and knew a lot of people in the town. He helped everybody he could. She said if council wanted to provide any stories about Charles that would be great, too. She asked Ms. Lopez if she would like to go back to reports and Ms. Lopez said yes.

F. REPORTS

1. **Fire Department:** Fire Operations Chief Todd Pryor referred to his written report and said there had been two fires since. He reported on the extreme fire hazard in the area. The fuel load is heavy and extremely dry. He gave details of recent fire activity in the area to which the SFD was a first responder, including the White Hills Fire, and discussed fire danger and equipment problems, especially hoses. He responded to council questions. Public Safety Director Lou Digirolamo commended Chief Pryor. He commented on the reserve program. In the White Hills fire if they did not have reserves, they would have lost a lot of structures. He again commended Chief Pryor for his work with budgets and said he was doing an awesome job and putting in a bunch of hours. There was applause.
2. **Police Department:** Police Chief Lou Digirolamo said he had been asked to report on the past couple years of police stats. He referred to their packet where there was a copy of the Uniform Crime Reporting they completed for the last three years. Calls for service have decreased, which is good, showing that less people need police or reporting a crime or other law enforcement purposes. The Circle K and bank robberies have cleared. He made further comments and responded to council questions. Regarding Charles Lucas, the Chief told how

when he was deputy town manager, he had gone to Charles for a lot of things at the cemetery. Charles knew the cemetery like the back of his hand. Charles also would keep going to Canada and would bring the Chief a little knickknack or something with a Canadian symbol on it. One year, he asked the Chief what he should bring him back from Canada and the Chief had said, "Bring me back a blonde." Sure enough, Charles had brought him back a 4-inch figurine of a blonde woman. He delivered.

3. **Public Works Department:** Public Works Director Jed Lant reported on goals for the month, safety, schedule and activities of the public works department. He also updated the council on the planning and zoning department and wastewater treatment plant. Regarding Charles Lucas, he said Charles was a great guy and recounted an anecdote about him involving a chair at lunch time. He said Charles will be missed. He was extremely dedicated to the cemetery and was the best backhoe operator he had seen. He thought it would be nice in memory of Charles to name the road in the front of the cemetery for him.
4. **Library:** Library Director Josie Campos reviewed her written report, including circulation, revenue and average daily use. The summer reading program was to end Tuesday. She discussed the summer reading attendance and other items relating to children's library use. She hopes parents will bring their children into the library and check out books. She also extended her condolences to Charles Lucas' family. She remembered when he first got hired by the town, how proud he was. She never heard him complain when he carried books downstairs for her. When he first moved here, his mom came to the library and they became friends. His mom liked sewing as much as Ms. Campos did. When his mom passed away, Charles gave Ms. Campos fabric and sewing books that his mom had collected. He will be missed by everybody in the community. He was a very nice person.
5. **Senior Center:** Ms. Wentzel said Senior Center Director Debbie Casillas was there but not fully confident giving the report yet. Ms. Wentzel then reviewed the senior center's written report with the council. Mr. Tameron asked Ms. Casillas how she liked her job. Ms. Casillas said, "So far, so good." Mr. Tameron asked her if the center put out a menu on what they are serving on what day and she said yes and that a copy was in the center.
6. **Finance:** Ms. Wentzel reviewed the finance report. In accounts receivable they have an outstanding balance for the month of \$252,256.85. That is another increase over the April \$243,558 outstanding balance and an increase of \$8,698.77. They had a lot of non-payers. Last month and this month they did not assess late charges due to system problems. Accounts payable showed an increase over the last month. It was a huge increase but it is just a customary increase for this month. The total outstanding is \$129,849.29. That is an increase over April, which was \$70,567.76, of \$59,281.44. Of that their GADA loan payment of \$54,882.75 accounts for almost the entire increase. They have made the GADA payment. That is good news. She also reviewed cash collections by fund and responded to questions regarding collection of past due bills.
7. **Legal:** As requested, a written summary of the status of pending cases being managed by the town's attorneys was presented and verbally reviewed by Mr. Wencker. The document (on file with TOS) was dated June 21, 2012, from himself and Co-Town Attorney Chad Niven, who was not present at the meeting. Mr. Wencker made other comments about projects of the attorneys and responded to questions from council. He said in response to one question

that he had limited topics to what was appropriate in open session. He could offer more detail in executive. Topics included were: 1) Auditor General Review of Transportation Funds, 2) Chief of Police Luigi Digirolamo & Lt. Michael Campbell—ASRS Claim, 3) Council Member Hank Gutierrez—Conflict of Interest Investigation, 4) Jackson v. Town of Superior—Cemetery Plot Dispute, 5) Rhein v. Town of Superior—Slip and Fall, 6) Roy Chavez—Inadvertent Release of Identity Information, 7) Superior Solid Waste Transfer Station—ADEQ Notice of Violation, 8) Superior Solid Waste Transfer Station—Contract with Orion Recycling, 9) Town of Superior v. Pfohl—Debt Collection, 10) Town of Superior v. Wilt—Appeal, 11) Town of Superior v. Wilt—Code Enforcement, 12) Town Property at 85 North High School, and 13) Town Property at 681 West Main Street.

G. COMMUNICATION

1. Manager's Report—Interim Town Clerk Rita M. Wentzel

Staff Member Tragedy and Condolences: Ms. Wentzel asked that this item be moved to before Item F, Reports and this was done.

Staff Member Retiring June 30, 2012:Ms. Wentzel announced that Library Director Josie Campos would be retiring effective June 30, 2012. And, while the Town of Superior did not want her to retire, she was getting ready to retire and because of the budget concerns feels this will be an appropriate time. Once she retires, she'll come back on board for a couple of days a week under the hourly threshold so she doesn't affect her Arizona State Retirement. After 24 years of service, she will be missed but it will be a benefit for the library and the budget and they can still keep the library open during some very difficult economic times. She asked Ms. Campos to come forward and say a few words. There was applause.

Ms. Campos said it didn't seem like she had been working for 24 years. They have all been good years. The library is her second home. She has enjoyed working with people in the community. She has seen managers come and go. She has seen council members come and go and staff people. She has never had any problems. She has always had good support from the council. Everybody has been really good. She knows they are going to be asked if she was fired or laid off. They will probably get letters to the editor in the Superior Sun asking why they let her go and wanted the public to know it was her choice entirely. She has enjoyed the 24 years she has been working and she is going to miss it and the people. She will still be there. She will be there two days out of the week and hopefully finances in the town will get better and she still has a dream that someday they can build a new library. Being that the school no longer has a library for the kids, she would like the town and staff to maybe approach the school again in combining libraries. The kids are losing their library skills. They are losing their interest in using the library. These kids are our future.

Ms. Lopez said on behalf of the town, they appreciate Ms. Campos' endeavor especially seeing that the town is struggling. She had stepped up to the plate to make it a little bit easier for them. Retirement can be exciting but the good thing is that she is still going to help the town. They are still going to be able to use her. She is somebody they are familiar with and that is going to help also so they appreciate that. She thanked Ms. Campos for all her years of service and they congratulated her. There was applause.

Update on the Magma Hotel: Ms. Wentzel reported details on communication she had with a contractor who had told her people probably would not see activity until after Labor Day. Mr. Gutierrez made a recommendation to her on making a contact of the contractor, WILLDAN and Pinal County so if there were any issues the town would be aware of it. Ms. Wentzel agreed with that.

Update on Senior Center Van #1 Lien Release: Ms. Wentzel said Pinal-Gila Council for Senior Citizens held a board meeting on June 15. She reported that the Center had three (3) vans and they could not effectively utilize them all. Since the oldest van was paid, she had requested a lien release. They should be able to transfer the van from the senior center and into the public works fleet for them to use to transport inmates to Superior to help with streets and public works.

Additional Comments: Ms. Wentzel updated the council on the police chief's pending vacation.

H. CALL TO THE PUBLIC

Interim Town Clerk Rita Wentzel: Said the first name on the agenda, Roy Chavez, had left. He had left flyers and requested she read the flyer on his behalf. The flier detailed a Concerned Citizens and Retired Miners Coalition event at Besich Park on June 23, 2012.

Fred Miramon: Acknowledged Mila Lira's hard work for Superior. Secondly, he referenced information in the paper about the 4th of July event. It said that on behalf of the Superior Substance Abuse Coalition, all activities would be drug and alcohol free. He discussed parking, the fire department, etc. He said allowing alcohol next to the public pool is a bad idea. The public pool is a place for children to enjoy recreational water activities that bring health benefits, as well as adults for exercise, relaxation and to cool down. Allowing alcohol next to the pool could create greater risk factors for the children as well as for the lifeguards, interfering with their primary responsibility safeguarding the children and the public at the pool. They are going to have to monitor who has a wrist band. They are going to have to monitor who might be coming in who might have had alcohol consumption. This is going to create a safety hazard for the children. Alcohol consumption can increase inappropriate behavior, reduce ability to cope and impair judgment. That is just going to create more burden for their high school children who are there as lifeguards and they don't need that. An example for pool users is to never swim under the influence of alcohol. The town needed to step up the level of regulatory oversight of health and safety, prevent a dangerous situation. In the past they have had lawsuits against the town because of decisions and events. They don't need additional lawsuits. Their town is not in a position to have to pay whatever restitution they would have to pay for that. Lifeguards have enough to worry about policing the pool. They shouldn't have to have that extra burden of monitoring who has that alcohol ID. To provide satisfactory compliance under safety rules under the Department of Public Health, no use of the pool under the influence of alcohol or drugs is allowed. It must be in the best interest of the town to protect the public's health and safety around and in the pool. They have a dining/picnic area next to the pool. There doesn't have to be this kind of fence there. They have picnic tables for people to also have their snack, whatever. They can't continue to build a pyramid of any further potential lawsuits to come to their town. No alcohol permits should be allowed, even though the council made that decision, even though the paper states that it is going to be alcohol free. They can't be doing this. The

previous day he had come to the meeting about budgets. The mayor was talking about looking forward, looking ahead. In planning any future events they needed to come together in making the right decision and moving forward. Looking at the decision it looks to him as though they are in the past, not moving forward. He is a community member. He is upset. One council member suggested that maybe an ordinance should take place. Maybe it should. They can't let this go by. They can't wait for something to happen. He is hoping they allow the skate park to be an alcohol and drug free zone. They have to start somewhere.

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

1. Discuss/Approve/Reject: Requests for Qualifications for a Town Engineer

Ms. Wentzel said that in front of them they would see two packets of the submittals that came in. On May 16, 2012, the Town of Superior published a Request for Qualifications (RFQ) for a Town Engineer. That proposal was attached. This action was taken upon the request of Central Arizona Association of Governments (CAAG) so that the town could proceed with CDBG engineering to upgrade the wastewater treatment plant. CAAG staff indicated that while the town had an existing engineer qualified to do work on the grant, the age of their contract was prohibitive (1997). The RFQ closed on June 1, 2012 and they received submittals from three firms: PACE Advanced Water Engineering, Wilson & Company and WILLDAN, the town's current engineers. A review board was assembled to evaluate the firms based on the town's proposal. PACE is a firm that specializes in On-Call Wastewater Engineering Services only. Wilson & Company is a firm that specializes in transportation programs focused in New Mexico and Arizona. They currently reflect limited municipal engineering and planning services. WILLDAN is the town's current engineering firm. They provide a broad spectrum of municipal engineering and planning services and have been with the town for 20 years. Mr. Jed Lant had then called for references and staff made a final evaluation. She had offered all three engineering firms the opportunity to come to the meeting and they have one in the audience, Mr. David Gue from WILLDAN. He can answer questions. But, staff would like to contract with WILLDAN for municipal engineering (including wastewater) and planning services and negotiate the best pricing structure for the town's current financial situation. Requests for Qualifications never include pricing. They are qualifications to determine the most qualified firm for the opportunity the town posted.

Mr. Gutierrez asked whether the contract was outdated. Ms. Wentzel said she believed Housing had not wanted to accept the contract due to the age. And, because the town has had controversy in the past about engineering, they chose to do the RFQ. Unfortunately, although they posted the RFQ in the paper and sent it by email to a long list of firms they had received from Housing and CAAG, the only people who submitted their RFQs are those three. There are a lot of firms who would have been interested and specialized, but as they could see from the WILLDAN RFQ, they are the only company that handles municipal organizations in great quantity. The engineering services offered by Wilson are limited and mostly private company based. They don't seem to handle a lot of engineering, although they seem highly qualified in transportation. Perhaps they could revisit that with whatever happens with U.S. 60. WILLDAN has done a good job for the town. That doesn't mean they are perfect or they were always happy with the services or were always unhappy with the services. She thinks they give a well-rounded opportunity to utilize their services. If they choose to contract with them they need to make sure they get the best bang for the buck.

Mr. Gutierrez asked if WILLDAN could answer questions. Mr. David Gue of WILLDAN came to the podium and introduced himself as one of the project managers. Mr. Gutierrez commented on the Magma Hotel coming up that would be a cornerstone. He had always heard challenges regarding engineering. He asked Mr. Hughes if WILLDAN would make every effort to keep contact with all the contractors. Contractors don't want to do things on their own. The responsibility to the community is to make sure they follow the engineering specs. The Dollar Store comes to his mind. He has heard all kinds of things, whether true or not, he doesn't know. He hopes because of their relationship with the community over 20 years that WILLDAN has institutional knowledge. He hopes as they move forward that WILLDAN maintains communications with contractors and communicate issues to staff.

Mr. Hughes said WILLDAN has worked with Superior 20 years. He has been involved with a lot of projects in the last three or four years. They have had different engineers working up there. They do municipal planning, engineering, building safety, and engineering of projects. They are familiar with a wide range of municipalities and municipal projects. They try and make sure they coordinate and not to miss anything. Small communities typically do not have a planner on staff so they try to look at everything, reviewing plans, making sure everything is done properly. They will continue to do that for Superior.

Mr. Gutierrez said he wished he had more substantive information to share with him. It is probably more community relations. They are getting a bad rap for some reason every once in a while. He thinks a lot of that is just relationships and communications. Mr. Aguilar said he thought he knew where Mr. Gutierrez was going because it had cost them \$6,000 to \$8,000 more for the Magma Club refrigeration. They had gone back to WILLDAN to let them know the best bid and it came out that the town ended up paying \$5,000-\$6,000 more than originally. Mr. Gue said it was a project he was not familiar with. Mr. Tameron said he had a positive for WILLDAN. He was on the council when they first hired WILLDAN to design the public works building and it is still standing and it is serving its purpose. Mr. Gutierrez said he thought what it was that they weren't sure of the tonnage required for the Magma Club and they had an engineer who was going to look at all the aspects. The load for the tonnage was higher than expected. It is what it is but it is an engineering issue. WILLDAN gave them the hard facts of what is required to cool it properly. Mr. Gue said some of the projects he is familiar with and some not. But he does know in a lot of cases when they work on some of the structural projects in towns, they do get a bad rap because they are making contractors do things according to plans and do things better than what they had initially planned. Mr. Gutierrez said that boiled down to community relations. Mr. Gue said they will do their best. Ms. Lopez said that is important. Mr. Tameron said another thing is when the treatment plant was being planned and the sewer system was being installed, he was there also. They did have problems with the engineering firm at that time. They went to a lawsuit. It just ended up being a big mess. Dealing with WILLDAN 20-some years, they never had to go there. That is a relief and a good sign to him.

Ms. Wentzel said she was working with WILLDAN when she was there before and feels they have a very positive working relationship. They do have good client communication. Since she has been back there have been a lot of questions she has posed and a lot of activities they have been involved in that they have had discussions about. She thinks they have established a good working relationship. But one of the reasons they really feel more

comfortable with WILLDAN now is the Magma Hotel, because they did change their structure to have the county handle the town's building permits, but with respect to the Magma Hotel they kept that with WILLDAN so they didn't have to have a transition or break in understanding or service. She thinks that will be a positive point for WILLDAN in the future as well because the Magma Hotel will be one of their cornerstones. It is very important and significant for the town and they want to make sure they get it done well and don't have any future problems and that they have consistency in planning and zoning.

Ms. Lopez stated for the record that they had lost phone connection with Ms. Peralta at approximately 8:32 p.m. and she hadn't called back.

MOTION: Mr. Aguilar moved to direct staff to contract with WILLDAN for municipal engineering (including wastewater) and planning services and negotiate the best pricing structure for the town's current financial situation. Mr. Tameron seconded. **VOTE:** The motion passed unanimously.

2. Discuss/Approve/Reject: Approval of a Letter of Support for Salt River Project's (SRP) Application for a Certificate of Environmental Compatibility

Ms. Wentzel said that on April 5, 2012, SRP made a presentation to the Superior Town Council regarding a request from Resolution Copper to relocate a portion of the existing 115kV transmission line between the Superior and Silver King Substations to accommodate test materials. They moved forward with two public meetings—one at the Senior Center and one at the Junior/Senior High School. They are preparing their application(s) for the Arizona Corporation Commission and have requested a letter of support for this purpose. In the audience they had Janeen Rokovit and Tom Novy who had been there before to answer any questions. This is just a letter of support indicating the town supports the project and has no concerns about the manner in which they have communicated with the public.

MOTION: Mr. Tameron moved to approve the letter of support for Salt River Project. Mr. Aguilar seconded. **VOTE:** The motion passed unanimously.

3. Discuss/Approve/Reject: Cancellation of the Annual 4th of July Fireworks Exhibit

Ms. Wentzel said the town contracts with Fireworks Productions for the annual July 4th program. Earlier in the year the town provided all necessary paperwork to them as well as to the town's insurer, Southwest Risk, for fireworks on July 4. The event location changed this year from the tailings on mine property to the Superior elementary school field. Based on the size of the shells for the shoot, the new location and current conditions, both the contractor and the town fire department felt the fireworks display should be cancelled. The recommendation was to provide direction regarding cancellation of the Town of Superior's Fireworks Production display for the 4th of July. The town had a \$3,207.97 refundable credit from the cancellation in 2011 and a \$2,292.03 refundable payment of balance for 2012, so they had a potential refund of \$5,500 or a credit, whichever they choose: either to have the money refunded or hold a credit for next year. The staff requested direction.

Mr. Gutierrez asked the attorney if in the motion it was possible to direct staff to use the refund for hoses needed for fire trucks and make those restricted funds. Ms. Wentzel said

that was a good question but if he recalled this year they received funds restricted to their summer recreation program only. She believed they could receive the refund but the only portion that could be applied to another activity was the credit from 2011 of \$3,207.97. There was a discussion. Mr. Wencker said the credit portion of \$3,207.97 that was not restricted could be reallocated to other purposes.

MOTION:Mr. Tameron moved to cancel the fireworks for the 4th of July and obtain the refund and use the \$3,207.97 to purchase equipment, whatever is the most necessary, for the fire department out of that money. Mr. Aguilar seconded.

Ms. Lopez said, “And the balance is applied for the summer program, right?” Mr. Tameron indicated in the affirmative. Ms. Lopez said, “Right, okay.” She said there was a motion on the floor.

Mr. Aguilar asked if they could put it aside for fireworks next year in case they are able to do them. That way they didn’t have to be dishing out this money at that time. Ms. Wentzel said they could do that but it is already the end of their fiscal year. What they would have to do is carry forward. Mr. Aguilar said okay, he seconded.

VOTE: The motion passed unanimously.

J. 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)

1. A-1—PERSONNEL
2. A-3—LEGAL ADVICE WITH ATTORNEY
3. A-7—LEGAL ADVICE WITH ATTORNEY REGARDING SALE, LEASE OR PURCHASE OF REAL PROPERTY

There was no executive session.

K. COUNCIL COMMENTS

Council Member Gutierrez: Would like to direct staff with the council to develop a resolution to change the code to eliminate the issuance of permits for alcohol on all town properties. Mr. Wencker asked for clarification and Mr. Gutierrez further discussed with the attorney what he was asking for. Mr. Gutierrez also recognized the great job done by the fire and police departments. They needed to come up with a volunteer program. He wanted to thank Josie Campos for 24 years. He knows she is the kind of individual who is not going to just sit home. She is going to put in a couple of days and be an active member of the community. He wanted to thank her for her 24 years. He knew the kids are going to miss her. Regarding Charles Lucas he didn’t know him well. He discussed how Charles lived for his kids. When he thought about Charles he thought about what an example he was of a man always involved with his kids. He was touched by that. Mr. Gutierrez also wished everyone a great, safe 4th of July.

Council Member Tameron: Asked if he could make comments on Mr. Miramon's comments and received an affirmative response. He said it was too bad Mr. Miramon had left. A lot of his disappointment with the council was about the swimming pool, the extra work to the lifeguards, etc. Mr. Tameron said some of his questions to Ms. Lira were whether they were going to patrol and control the area and everything was a plus. It is not for the Optimist Club. This is a fundraiser for the families who lost their homes in the fires. Superior has always pulled together one way or another and has helped each other with its tragedies. Mr. Miramon did talk to him yesterday. Mr. Tameron said he was not given a clear picture on the permit application so was glad Ms. Lira was there so he could ask the questions and she satisfied a lot of the questions he had. But he was also under the impression that it was the Optimist having this for its own use. Too bad Mr. Miramon left because he would have liked to explain why he did what he did. Mr. Tameron also said that, going back to Mr. Lucas, he talked to him a few times because every time his dog got out of his yard, either Charles Sr. or Charles Jr. caught his dog and brought him back to him without taking him away to the kennel. He appreciated that very much. He said Mr. Lucas was a good neighbor who lived up the street from him. He will be missed. Charles Jr. kept track of everybody's dog in the neighborhood and he thought Charles Sr. gave him that chore. As Mr. Gutierrez said, Mr. Lucas was there for his family every single day. "I'm going to miss him," Mr. Tameron said.

Council Member Aguilar: Congratulated Ms. Campos on retirement. This is his last year before retirement. He was going to enjoy it. He thanked the fire department for all their hard work on all the fires. He knew it was a strain, without the proper equipment to do the things they needed to do. "We've got to find ways," he said, "and that's the hard part." He said he knew Ms. Wentzel is working extremely hard on the budget, audits, and everything that has to do with money. He can see a little light in the tunnel. They are trying to get there. He thought with the staff on board, they can all do it together. If they talk about it and not talk against each other he thought it was going to work. But they needed to be a team. He thanked the people for staying there as late as they did. He said to have a safe trip home and a good 4th of July weekend.

Vice Mayor Lopez: Congratulated Ms. Campos on her retirement and said to enjoy it but keep busy. That will keep her involved and knowing what goes on in the council and she knew Ms. Campos would do that. To the fire department, she said: "Great job. Be sure you tell your staff that." She knew the PD was out there helping just as much. The summers are hot. She can't even imagine or understand but she is glad they have people like them who are willing to do that job because they are needed out there to do that job and it shows in their professionalism and concern. It is appreciated. "We are glad to have you guys on board," she said. Regarding the horseshoe event, she had a few comments. She understood Mr. Miramon and appreciated his comments, even though she might not agree. It is people like him that need to tell them how they are feeling and what their concerns are so the council can do its job better. She encouraged that. But she thought Ms. Lira did a great job on trying to pull things together and the cause again is to help the people lost their homes in Superior and that is their main focus. It is not the club doing it. The club just basically stepped in to give them that ability they needed. She hoped it is a successful event. She knew they will have an officer there and the fire department is going to be there. With them all working together she knew it would be a very safe and successful event. She is looking forward to that. She hopes everybody has a good 4th of July and a safe one, especially on the roads. It would be nice to get some rain this weekend. She thanked Ms. Wentzel for the good job she is doing in everything they are throwing at her and she knows it is

tough. Some days are harder than others to come in and do the job. Just like the PD and the fire department, she is out there doing her job and unfortunately the council can't give her more and they know she needs it and they are trying to work in that direction. If they all work together—they have made some milestones in the last six months—they will keep going in that direction. That is the direction of the whole council, to try to work together. They don't always agree. They are not all the same personality. They don't all have the same understanding. But they come together and then move forward in a positive direction. Regarding Charles Lucas, she did not know him very well. But the times she was at the cemetery, he had a very deep compassion and devotion to his job and you could tell in speaking to him. His concern was to get it done in the best way they could for that family member. He was always very positive about that. And again, he was great with his children. He always had an involvement that was there, volunteering at the LOST trail, whatever. He was very involved with his kids and she knew they meant the world to him and she hoped they knew that he loved them very much, because he did. It showed in his presence, in his communication with them. He was a good man. He will be missed a lot. Their prayers went out to his family. She thanked everyone for coming and wished them a safe journey.

L. FUTURE AGENDA ITEMS

1. HB 2826 Modifying the Consolidated Election Dates for Political Subdivisions
2. David Smith Presentation Regarding Lot #3, Superior Industrial Park
3. Update regarding the IGA with Pinal County for Animal Control Services
4. Provide Dedicated Communications Line to Monitor Calls from Alert Pendants

There was no discussion of Item L.

M. ADJOURNMENT

MOTION:Mr. Gutierrez moved to adjourn.Mr. Aguilar seconded.**VOTE:**The motion passed unanimously. Vice Mayor Lopez adjourned the meeting at 10:05 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the Town Council of the Town of Superior held on the 21st day of June, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Rita M. Wentzel, Interim Town Clerk

These minutes were compiled and transcribed by Cindy Tracy, an independent contractor. Final editing of these minutes and their content is completed and verified by Town of Superior staff members.