

**Town of Superior  
Regular Council Meeting  
Thursday, September 20, 2012, 7:00 P.M.  
Superior Senior Center  
360 W. Main Street, Superior, AZ 85173  
MINUTES**

**A. CALL TO ORDER**

Mayor Jayme Valenzuela called the meeting to order at 7:16 p.m.

**B. SALUTE TO THE FLAG**

Mayor Valenzuela led the Salute to the Flag.

**C. OPENING PRAYER**

Council Member Chris Tomerlin led the opening prayer.

**D. ROLL CALL**

**Present:** Council Members Hank Gutierrez, Chris Tomerlin, John Tameron, Gilbert Aguilar, Soyla “Kiki” Peralta and Mayor Jayme Valenzuela; **Absent:** Vice Mayor Olga Lopez

**E. CONSENT AGENDA**

1. Approval of Minutes for Regular Meeting September 9, 2012;
2. Approval of Blanket Permit Renewal for Superior Apostolic Church for ongoing Fundraising;
3. Approval of Installation of a Prohibited Parking Sign and enforcement of one-way street in the Lobb Alley, between Lime and Main Streets;
4. Approval of Minutes for Executive Session Meetings of September 9, 2012.

Council reviewed the items in the consent agenda.

**MOTION:** Council Member Soyla “Kiki” Peralta moved for approval of the consent agenda. Council Member Tameron seconded. **VOTE:** The motion carried unanimously.

**F. REPORTS**

1. **Police Department:** Public Safety Director/Police Chief Lou Digirolamo reported on the statistics for August.
2. **Fire Department:** Fire Operations Chief Todd Pryor provided his report on Fire Department activities.
3. **LOST Committee:** Interim Town Manager/Clerk Rita M. Wentzel provided the LOST Report in the absence of Ms. Mila Lira who had a scheduling conflict.
4. **Finance Department:** Interim Town Manager/Clerk Rita M. Wentzel provided the Finance Report and responded to questions.

5. **Library:** Librarian Josie Campos handed out a written report and provided a verbal update.

## G. COMMUNICATION

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

Interim Town Manager/Clerk Rita Wentzel reported and responded to questions on items of communication, including: Introduction of new employees Daniel Uriarte, Public Works and Elizabeth Magallanez, Finance; September 11, 2012 Letter from the Property Tax Oversight Commission regarding the Town's Property Tax Levy; September 12, 2012 e-mail from Sue Anderson regarding the Semi-annual Town Clean-up; Water Infrastructure Finance Authority of Arizona (WIFA) Planning & Design Assistant Grant Application; Update regarding Resolution Copper Company Sponsored Financial Consultant; BHP Billiton Project Update #8 – Soil Excavation Work Nearly Complete; Reminder regarding the Cobre Valley Superior Clinic Open House on Wednesday, September 26, 2012 at 5:00pm; 2013 CDBG funding will not be available to Superior since with partnered with Globe and Miami in previous years.

## H. CALL TO THE PUBLIC

Mr. Sonnie Sansom commented on: the great job the Chamber of Commerce had done on the Open House; Requested Sherriff Babeu help with drug houses; Indicated Pete Rios will be providing roll-offs on a rotating basis for six (6) months; and said there is a new dump at the old pool and the Council should justify this new dump.

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

1. Presentation – Home Alone Safe Alone Program by Mary Lou Rosales and Lucy Rangel, Community Action Human Resources Agency (CAHRA)

Ms. Lucy Rangel, CAHRA, provided a presentation on the Home Alone Safe Alone Program and emergency alert pendants and provided a complete, sample unit for the Town. She indicated that there was funding available to sponsor approximately 35 pendants in the Town of Superior. Ms. Mary Lou Rosales, Executive Director, CAHRA was also present but was unable to speak due to laryngitis.

2. Discuss/Approve/Reject: Implementation of the Home Alone Safe Alone Program in Superior

**MOTION:** Council Member Aguilar moved to approve the implementation of the Home Alone Safe Alone system in Superior to provide assistance to people who may suffer with medical issues and/or for elderly persons who may be a higher risk for falls or medical emergencies. Council member Tameron seconded. **VOTE:** The motion passed unanimously.

3. Presentation – Update on the Pending ASARCO-BLM Ray Land Exchange

Mr. Jeremy Browning, Director of Government Relations and Mr. Thomas Aldrich, Vice President, Environmental Affairs, ASARCO Grupo Mexico attended the meeting. Mr. Aldrich provided a power point handout and discussed the ASARCO-BLM Ray Land Exchange in detail. He indicated that they will come back to the Superior Town Council at a later date to request a letter of support for the project.

Council Member Peralta asked Mr. Aldrich how much is received in property taxes from ASARCO. Mr. Aldrich did not have the numbers at hand but indicated he would get back with the answer.

4. Discuss/Approve/Reject: Executing a Participating Agreement with USDA, Forest Service, Tonto National Forest for Cooperative Funds - Noxious Weed Abatement

Ms. Patti Fenner from the Globe Ranger District spoke regarding the previous grant that the Town had received in partnership with the Forest Service to purchase a 500-gallon water trailer for the exclusive purpose of Noxious Weed control in and around Superior. She also described the most invasive and noxious weeds that are outlawed in Arizona but are allowed in Texas and Mexico. She detailed the activities that would be authorized under the new Participating Agreement for Cooperative Funds and indicated that this would assist the Town with actual evaluation and purchase of chemicals to begin abatement. The agreement would require a 20 percent match, but that could be met with in-kind services.

**MOTION:** Council Member Peralta moved to authorize the Mayor to execute the Participating Agreement with USDA, Forest Service, Tonto National Forest for Cooperative Funds – Noxious Weed Abatement. Council Member Tomerlin seconded. **VOTE:** The motion passed unanimously.

*Mayor Valenzuela indicated that Vice Mayor Lopez’s husband had just passed and requested a moment of silence on her behalf.*

5. Discuss/Approve/Reject: Approval of the Settlement and Mutual Release Agreement with Chief Luigi Digirolamo and Lt. Michael Campbell

Attorney Chris Wencker gave an overview of the events that led up to this final Settlement Agreement and responded to questions from the Council.

**MOTION:** Council Member Peralta moved to approve the proposed Settlement and Mutual Release Agreement between the Town of Superior and Chief Luigi Digirolamo/Lt. Michael Campbell and authorize the Mayor to execute the Agreement. Council Member Aguilar seconded. **VOTE:** The motion passed unanimously.

6. Discuss/Approve/Reject: Chamber of Commerce Proposal for Clean-up/Maintenance and Beautification of Main Street and US Highway 60

This item was discussed in the Work Session. Ms. Anderson provided an additional copy of the Chamber of Commerce plan for Beautification and restated the plan from the Work Session.

**MOTION:** Council Member Aguilar moved that we approve the Beautification Plan provided by the Chamber. Council Member Tomerlin seconded. **VOTE:** Motion passed unanimously.

7. Discuss/Approve/Reject: Chamber of Commerce Proposed Layout for the 25<sup>th</sup> Annual Apache Leap Mining Festival, March 8-10, 2013

Ms. Pamela Rabago asked to table the request for the Town Council to approve the Proposed Layout for the 25<sup>th</sup> Annual Apache Leap Mining Festival, March 8-10, 2013. It was brought to the Town as a courtesy.

**MOTION:** Council Member Tomerlin moved to table the Proposed Layout for the 25<sup>th</sup> Annual Apache Leap Mining Festival, March 8-10, 2013. Council Member Peralta seconded. **VOTE:** 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: Discussion or consultation for legal advice with the attorney or attorneys of the Town regarding possible settlement of a claim made by Luigi Digirolamo and Michael Campbell
3. A-7—LEGAL ADVICE WITH ATTORNEY REGARDING SALE, LEASE OR PURCHASE OF REAL PROPERTY: Discussion or consultation for legal advice with the attorney or attorneys of the Town regarding 85 N. High School Avenue

**MOTION:** Council Member Tomerlin moved to enter executive session and Council Member Peralta seconded. **VOTE:** The motion carried unanimously. Council entered executive session at 9:40pm and returned to open session at 9:56pm

#### K. COUNCIL COMMENTS

Mayor Valenzuela polled council members present and Mr. Tameron indicated he did not have a comment.

Ms. Peralta gave her condolences to the Lopez family and asked everyone to keep them in their prayers.

Mr. Aguilar also gave his condolences. He indicated that it has to be hard when you lose a loved one. Joey was a good friend. Aguilar indicated that Olga was in good spirits and hoped that we can all be there for her. He thanked the Chamber of Commerce for all the work they have done. He liked the fact that that the Chamber was working with us as a partnership and we are all in this together. Aguilar suggested that they can come and talk to us at any time. Mr. Aguilar indicated that the CAHRA opportunity is a great thing for the elders and very much needed. He thanked them for their participation.

Mr. Gutierrez made a few comments: He thanked the Chamber for spending the time to bring the Board of Directors for the workshop; He felt it was great that Elizabeth Magallanez is coming on staff as she has a sense of commitment; He felt that we need to be aggressive with the trash situation; and He asked everyone to think about the Lopez family during the elections and the Affordable Healthcare options.

Mr. Tomerlin offered his condolences to the Lopez family. He said if they need anything, they can get in contact with any of the Council.

Mayor Valenzuela echoed condolences to both Lopez families. He asked everyone to keep praying for them and reach out to help however you can. Mayor Valenzuela thanked everyone for attending this evening's meeting.

#### **L. FUTURE AGENDA ITEMS**

1. H.B. 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

Item L was not addressed at the meeting.

#### **M. ADJOURNMENT**

**MOTION:** Council Member Aguilar moved to adjourn. Mr. Tomerlin seconded. **VOTE:** The motion passed unanimously. Mayor Valenzuela adjourned the meeting at 9:59 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 20<sup>th</sup> day of September, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

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**Rita M. Wentzel, Interim Town Manager/Clerk**