

TOWN OF SUPERIOR
MINUTES
NOTICE OF REGULAR MEETING OF THE
TOWN OF SUPERIOR TOWN COUNCIL

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the Superior Town Council and to the public, that a Regular Meeting of the Superior Town Council was held on Thursday, February 13, 2020 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona.

1. **CALL TO ORDER**

Mayor Besich called the meeting to order at 7:00 PM.

2. **ROLL CALL**

PRESENT:

Mayor	Mila Besich
Vice-Mayor	Michael Alonzo
Council Member	Vanessa Navarrette
Council Member	Bruce Armitage
Council Member	Stephen Estatico
Council Member	Olga Lopez

ABSENT:

Council Member	Gilbert Aguilar-excused
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STAFF PRESENT:

Todd Pryor, Town Manger
Stephen Cooper, Town Attorney
Ruby Cervantes, Town Clerk
Lana Clark, Engineer Teck
Anthony Huerta – Public Works
Frank Alanis -- Police Chief
John Perez – Fire Chief

3. **PLEDGE OF ALLEGIANCE**

Mayor Besich led everyone present in the Pledge of Allegiance.

4. **INVOCATION**

Chaplain Van Gorp gave the Invocation. He also asked for a moment of silence for Former Fire Fighter Robert Canby who passed away on February 8, 2020.

5. **SPECIAL PRESENTATIONS**

Fire Chief John P. Perez presented two new Fire Captains, Reserve Fire Captain John Allison and Full Time Fire Captain David Clinkenbeard. Captain Allison has been with the SFD since 2009, 11 years. Captain Clinkenbeard has been with SFD since 2008. He became a full time employee in 2016.

Mayor Besich thanked Chief Perez and the new Captains. We appreciated their service.

- A. Mayor Besich read the Proclamation Honoring the Loss of Former Fire Fighter Robert Canby who passed away on February 8, 2020.
- B. Proclamation for the Superior Lumber Yard and retired owners Arnold and Margaret Salazar. Mayor Besich stated this will be on next month's Agenda.
- C. GLHN Architects presented the final version of the Schematic Design – Plans and Renderings for the Superior Multi-Generational Facility. This will mark the end of the Schematic Design and the transition into Design Development Phase. For additional information please visit www.superior-mgc.info.

Mayor Besich reminded us that today is a very big milestone for us, as it was a year ago this week that we signed our Agreements with Resolution Copper.

Russell Combs, GLHN, presented a Power Point Presentation on the Roosevelt Multi-Generational Center Schematic Design. This is a result of workshops and work sessions with the Town.

Council Member Armitage asked that on the bandstand make sure there are a lot of outlets. Mr. Pryor stated that we have just upgraded all circuit panels in this wing except for oldest wing.

Mr. Combs stated that the next phase is the fun phase. That's where we start looking at the structure. Start digging into the details. The Library and the Sr. Center. We will start meeting with the staff to figure out the details of what they need. Commercial kitchen for Sr. Center. This is the next phase called Design Development. After then we go into Construction Documents. These are the next two phases we are looking at.

Council Member Navarrette wanted to say thank you. She wasn't able to make the meeting on January 30th. But when you presented the three, I think this is a pretty good combination of the three. She's impressed and very excited. She did have a question on the handicap access to Town Hall.

Mr. Combs explained the different accesses to the Town Hall Building. They do have to fix and grade the existing steps into the building. Access into the building off Porphyry for Sr Center.

Council Member Estatico asked about putting in security cameras. He was told they can put in as many as we want.

Mayor Besich thanked our team for GLHN. They have been amazing. What you have turned around to make this project what we needed. Todd really appreciated it. When he sent a text saying they got it all right, that is a highest standard to get. When Todd said its beautiful, its good to go, you know you have met all the extreme challenges that Superior puts everyone through.

Chief Perez stated he had to meet with GLHN for planning more fire access and fire hydrants placements.

6. STAFF REPORTS

Mayor Besich – Todd, Jim Schenk and myself were at the Government Hearing Meeting Legislature where they heard our Blight Bill on No. 2705. It did pass out of Committee with an 8-3 vote. It wasn't

necessarily an easy debate. It is moving forward. The AZ Realtors Association has requested some changes to the bill. Nothing overly significant, but that did cause some opposition. On April 22, we're are going to host our first State of the Town address in Superior. We are very excited to do something like this. More information will be put out. Mayor participated in a Spring Seminar at the U of A yesterday which was what was going on in greater Arizona through the college of Agriculture and Ranch Sciences. They are doing a seminar every two weeks on what is going on in rural Arizona. Mayor also participated in Civics Seminar through Flynn Brown. Mayor also mentioned that we were featured in the AZ Hike Book; 228 of our favorite AZ Trails. Picket Post is in it. The LOST has its story written about it. The LOST and Town bought ads. We talked about our Multi-Gen Center and it being a milestone moment. Facebook reminded her that it was 9 years ago yesterday that we opened our first segment of the Lost Trail. The was the segment from the Airport to Picket Post. As of next Saturday, the Trail will be fully complete. All in part to the AmeriCorp team and to Jim Schenck who put a big effort in this. Hope they come back. Pictures of group taken.

Manager - We have contracted to get these lights in Council Chamber replaced with LED flat panels.

7. CONSENT AGENDA

Pursuant to Section 2-4-6 (D), matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Prior to consideration of the Consent Agenda, the Mayor will ask whether any members of the Council request any item be removed from the Consent Agenda for separate discussion.

1. Approval of Minutes of Special Meeting on January 9, 2020.
2. Approval of Minutes of Regular Meeting on January 9, 2020.
3. Approval of Arizona Department of Liquor Licenses and Control Application License, Type 012 Restaurant, for Casa Dona Lola Restaurante LLC, 649 W. US Highway 60, Superior Arizona.
4. Approval of Arizona Department of Liquor License and Control Application for Special Event License for Francisco Valenzuela Moreno/Red Bear Outfitters Inc. on Saturday, April 18, 2020 at Rose's Roses Flowers Deck, 203 Main Street, Superior, AZ 85173, from 10:00 AM to 11:59 PM.
5. Approval of Town of Superior Alcohol Permit for Olga Lopez-Social Club de Damas for Annual Richard Castaneda Horseshoe Tournament, Behind the Sr. Center at 360 Main Street, Superior, Arizona on March 14, 2020 from 10:00 AM to 10:00 PM.
6. Approval to close Main Street between Magma Ave. and Kellner Ave. for the Superior Artisans-Leslie Martin 2nd Annual Superior Arts Festival and Mural Walk on Saturday, April 4, 2020 from 8:00 AM to 6:00 PM. Asking for Main St. closure to expand the vendor capacity of the event and for safety reasons due to pedestrian traffic.

7. Approval of Contractor Agreement between Villaverde Electrical LLC and the Town of Superior for Superior Besich Park Electrical Installation. Town shall pay Contractor as compensation for the Work not to exceed \$20,000.00.
8. Approval of Government Service Contract between the State of Arizona Department of Environmental Quality (ADEQ) and the Town of Superior. The purpose of this Agreement is to provide, through ADEQ Brownfields State Response Grant, funding on behalf of the Town of Superior for an asbestos and lead survey of the former Roosevelt School. The site is improved property, located at 199 North Lobb Avenue, Superior, AZ, 85173. Total funds available for this Contract shall not exceed \$8,600.00 unless otherwise amended in accordance with Section 10. This funding is an initial amount of sponsorship form ADEQ on behalf of the Grantee for this project.
9. Town of Superior Request for Proposal – The Town of Superior is requesting sealed proposals from qualified firms or individuals to purchase the Industrial Lot #3 for the development of an industrial business. It is located in the Superior Industrial Part at 3 Mesquite Drive, North of US Highway 60. Industrial Lot #3 is a 10-acre lot zoned I-2 General Industrial. It is a developed lot with utilities available on the lot line and a 4-ace graded pad ready for construction. An appraisal to establish the fair market value, dated January 11, 2020, set the appraised value at \$415,000.00.
10. Approval of Grant Agreement between Arizona Department of Forestry and Fire Management (“State Forestry” or “State”) and Town of Superior. This Community Challenge Grant #CCG 19-108 is for the Legends of Superior Trail Project. Compensation under this agreement shall be on a reimbursement basis and shall not exceed the total eligible costs of the project, and total compensation (federal portion) shall not exceed \$15,000.00.
11. Approval of Inter-Governmental Agreement (IGA) with Pinal County Elections Department for the 2020 consolidated election cycle.
12. Approval of Agreement between Town of Superior and Laura Rivas for the Social Media Services Position. The cost per year will be \$5,400.00 which will come out of the contingency fund.
13. Department Reports:
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation
 - Town Engineer

Motion to approve the Consent Agenda made by Vice-Mayor Alonzo, second by Council Member Navarrette, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

8. NEW BUSINESS

A. Public Hearing to consider the Alternative Expenditure Limitation Option. (Home Rule Extension)

Mayor Besich opened the Public Hearing and asked if Council or anyone from Public had any comments or questions on the Home Rule Election.

Mr. Pryor described the general nature of the Home Rule Election. Home Rule Elections allows us to only spend what we bring in. Doesn't allow us to spend anything in excess. We still have to have a balanced budget. It just allows us to use the money that we raised on town functions. Expenditure of Limitation without the Home Rule would be about \$1.9 million. With Home Rule its about , the first year its about \$7.5 million. Without that, we cannot offer the same level of fire, EMS, Police, Public Works or any other town function including Library, Pool. All of those would have to be on chopping block if we do not get the Home Rule passed. This is just factual analysis of what the Home Rule does and where the money goes. He would be happy to answer any questions or if anyone from the Public would like to speak.

No comments from Public or Council. Mayor closed the Public Hearing. We have met our Public Hearing requirement.

B. Discussion/Possible Approval of Resolution No. 2020-616, A RESOLUTION OF THE TOWN OF SUPERIOR, PINAL COUNTY, ARIZONA, SUPPORTING PENDING LEGISLATION REGARDING ABSENTEE LANDLORDS OF VACANT AND ABANDONED BUILDINGS; AND AUTHORIZING EXECUTION BY THE MAYOR OF SUPPORTING DOCUMENTS.

The Town of Superior regularly deals with complaints regarding deteriorating vacant and abandoned buildings in and around downtown. A large percent of these building are owned by owners who are not residents of the Town and are often dangerous and susceptible to fire, rain damage, mold, vermin and other issues caused by lack of maintenance. Lack of maintenance of these vacant and abandoned buildings negatively impact surrounding property values. The preservation and revitalization of these buildings is paramount in stabilizing the economy of Superior.

Motion to approve Resolution No. 2020-616 made by Council Member Estatico, second by Council Member Lopez, Motion carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.
NOES – 0
ABSENT – 1 Council Member Aguilar
ABSTINATIONS - 0

C. Discussion/Possible Approval of Resolution 2020-617, A RESOLUTION IN SUPPORT OF THE NATIONAL LEAGUE OF CITIES' LEADING TOGETHER CITIES AGENDA FOR THE 2020 U.S. PRESIDENTIAL ELECTION.

The NLC has launched its Leading Together 2020 Cities Agenda in advance of the upcoming presidential election, which was created by a bipartisan task force composed of 28 local leaders from around the country. The 2020 Cities Agenda lays out four principals and four priorities that candidates for President of the United States should support prior to seeking the endorsement of local leaders. The 2020 Cities Agenda reflects local leaders strong understanding of Americans' top priorities and concerns, and represents an agenda for a strong, safe and fair nation.

Motion to approve Resolution No. 2020-617 made by Council Member Estatico, second by Vice-Mayor Alonzo, motion carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.
NOES – 0
ABSENT – 1 Council Member Aguilar
ABSTINATIONS - 0

D. Discussion/Approval of Resolution 2020-618, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF SUPERIOR AUTHORIZING THE SETTING OF FEES FOR TOWN ENGINEERING SERVICES.

The Town of Superior periodically sets and adjusts fees for Town Engineering Services pursuant to Section 12-2-3 of the Town Code.

The Town of Superior hereby sets the hourly fee of \$90.00 dollars for the following Engineering Services:

1. Civil Engineering.
2. Engineering Design Plans for site Development including:
 - a. Grading and Drainage.
 - b. Finish Grade Design.
 - c. Utility Plan and Profile including underground utilities.
 - d. Landscape Plans.
 - e. Site Sections and Details.
 - f. As Built Plans.
 - g. Staking Plan.

h. Finish Grade and Staking Points.

An applicable Sales Tax and credit card use and processing fee of 2.5% will be added to the charges set forth above.

A fee of \$25 shall be charged for any payment by insufficient funds

Council Member Estatico asked how did they come up with \$90?

Mr. Pryor stated that \$90 is just an average of the Engineering Fees that we have been charged. If you also calculate stand by time, what it costs us for our Engineer. It just about cost recovery. This program doesn't make a profit. Our staff helps clients with plans so they can get a permit. We do not give them an Engineering stamp. This is just design assistance for people who need more help to develop the project. We try to help them in house. Want to make charges consistent. We want to be fair across the board.

Council Member Navarrette asked if different people have used this service already?

Lana Clark answered all the time.

Motion to approve Resolution No. 2020-618 made by Council Member Armitage, second by Council Member Lopez, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

E. Discussion/Approval of Resolution 2020-619, A RESOLUTION OF THE SUPERIOR TOWN COUNCIL, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE RURAL COMMUNITY ASSISTANCE CORPORATION PROGRAM; DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE MAYOR AND TOWN MANAGER OF THE TOWN OF SUPERIOR PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS AND MAKING CERTAIN CONVENATS AND AGREEMENTS WITH RESPECT THERETO; AUTHORIZING THE TAKING OF THE TRANSACTIONS CONTEMPLATEDBY SUCH LOAN AGREEMENT AND THIS RESOLUTION AND DECLARING AN EMERGENCY.

The Town of Superior has applied to the Rural Community Assistance Corporation for a loan from the Authority's Wastewater Loan Program to provide funds to design and for construction of improvements to the Town's Wastewater Treatment Plant as well as payment of the Town's proportionate share of expenses of administering the Program(the project); and identified needs for the wastewater capital improvement project.

Per Mr.Pryor the bank keeps asking for it in a different form. This is approving the loan for the \$250,000.00 for design.

Motion to approve Resolution 2020-619 made by Council Member Navarrette, second by Vice-Mayor Alonzo, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.
NOES – 0
ABSENT – 1 Council Member Aguilar
ABSTINATIONS – 0

Mr. Cooper asked if this was to be passed as an emergency. Mayor Besich replied yes.

F. Discussion/Possible Approval of Request for Qualification for Building Inspection Services of the Existing and New Buildings.

Town of Superior is seeking the services of a qualified Building Inspection Firm to provide Plan Review and Inspection Services for the Planning and Building Department. The Contract is anticipated to start October 01, 2020 and will cover a period of three (3) years with an option for renewal for two (2) additional years. The Town reserves the right to amend this contract for additional time if it is the best interest of the Town.

Mayor Besich stated that this is coming up because we anticipate that Pinal County will be operating as our inspection services. And while we keep hearing new one way or the other, we need to be prepared in the event that on October 1st they will actually cut us off. We're leaning more likely that they will. We need to be more independent. She asked for questions or comments.

Council Member Estatico asked how much this was going to cost and where the money coming out of.

Mr. Pryor stated that in order to take on this project we have to do 3 things. Adopt a new code structure; adopt a new fee structure; hire an inspection company to charge that fee structure. The new fee structure should hopefully meet the exact costs of the inspection. Which is the way it works with Pinal county now. We don't charge fee. Pinal county charged the fees. It's revenue neutral for the town. We have to make sure the fees charged are sufficient to pay the contractor.

Motion to approve Request for Qualification for Building Inspection Services of the Existing and New Buildings made by Council Member Estatico, second by Council Member Armitage, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.
NOES – 0
ABSENT – 1 Council Member Aguilar
ABSTINATIONS - 0

- G. Discussion/Possible approval of Construction Contract Agreement between DBA Construction and the Town of Superior for the Stone Avenue Project.

This project consists of removal of the reconstruction of asphalt pavement at Stone Avenue in the Town of Superior. The work to be performed and the pricing for the work are set forth in the Attached Exhibit "A". The total proposal amount is \$191,658.00.

Mayor Besich stated we were going to do this under the Pinal County contract but now we are taking this out on our own due to complications in getting the Church Street project going. So we are taking the lead and this work will start first. Mr. Pryor agreed.

Motion to approve the Construction Contract Agreement between DBA Construction and the Town of Superior for the Stone Avenue Project made by Vice-Mayor Alonzo, second by Council Member Alonzo, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

9. CALL TO THE PUBLIC

A. Any citizen desiring to speak on a matter that is not scheduled on this agenda may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Town Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Town Council. Pursuant to the Arizona Open Meeting Law, the Town Council cannot discuss or act on items presented at this time.

B. At the conclusion of the call to the public, individual Town Council members may (1) respond to criticism made by those who have spoken; (2) ask staff to review a matter; or (3) ask that a matter be put on a future agenda.

Leslie Martin – commented that this has been the most professional and well-prepared council meeting she has been to.

Apache Leap mining festival from March 13 to 15. This is important to our area. Run by 100% volunteers and run by Chamber of Commerce.

On April 4th is the Artisian Festival. This year should be bigger and better. Put on in partnership with Hotel Magma and the Barmacy. Expect over 40 Artisians to attend.

Wanted to thank Connie Perez for volunteering at Sr. Center.

Jim Schenck – on March 28 we have a 100 K run. It's going to start and end in downtown Superior. If you haven't had a chance, look up Aravaipa Running. This group is very organized. The LOST will have breakfast tomorrow with their Hashbrowns, History and Breakfast. This will be to Pinal City and have about 50 people signed up. In April will be inaugurating the Lost Trail.

10. **EXECUTIVE SESSION**

Mayor Besich stated we need a motion to go into Executive so we can do the review of Mr. Pryor and discuss his next contract.

Motion to go into Executive Session with Council, Town Manager, Town Attorney, Town Clerk for no more than 40 minutes made by Council Member Estatico, second by Council Member Lopez, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

- A. Confidentiality Statement
- B. Possible executive session for discussion/consultation for legal advice with the Town Attorney and/or Town Staff concerning any of the agenda items, pursuant to A.R.S. Section 38-431.03 (A)(3), (4) and (7).
 - 1. Pursuant to A.R.S. '38-431.03 (A)(1),(3) and (4) discussion and/or negotiation of an employment contract of a public officer - Town Manager, including legal advice (if requested by Town Council) with Town Attorney and possible contract negotiations.
 - 2. **Personnel Action.** Consideration of Employment status of Town Manager including possible actions of one (1) of the following: contract negotiations, renewal of contract, or no action taken on matter.

11. **REGULAR SESSION**

Motion to return to regular session at 8:46 PM made by Council Member Armitage, second by Council member Lopez, Motion Carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

12. **A. Direct Town Manager, Town Attorney, Town Staff Counsel to Proceed as Directed in Executive Session.**

Mayor Besich stated after a positive debate, she would like a motion to allow Council Member Navarrette and Vice-Mayor Alonzo to negotiate a new Contract with Todd Pryor.

Motion to allow Council Member Navarrette and Vice-Mayor Alonzo to negotiate a new Contract with Todd Pryor made by Council Member Armitage, second by Council Member Lopez. Motion carries.

AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

13. SUMMARY OF CURRENT EVENTS -- Mayor Besich moved Item 13 to after Item 10, Call to the Public.

A. Council Members:

Mr. Armitage – don't forget your loved one on Valentine's Day.

Ms. Lopez – the park on the highway is being used so much. During the week and on weekends.

Ms. Navarrette – No comment.

Mr. Estatico – thanked the AmeriCorp kids. SUSD voted to have an over-ride election in November. Not a new tax, but a renewal of an existing tax.

Mr. Alonzo – Thanked AmeriCorp kids for everything they have done to the trails and the community. Hearing your stories was really nice.

B. Mayor Besich thanked everyone for attend the meeting.

C. Town Manager- No comment.

14. SCHEDULING OF MEETINGS AND EVENTS
All meetings are held at Town Hall.

Emergency Services Committee	Feb. 20, 2020	6:00 PM
Community Development Committee	Feb 27, 2020	6:00 PM
Planning & Zoning Committee	March 5, 2020	6:00 PM
Town Council Meeting	March 12, 2020	7:00 PM

15. ADJOURNMENT

Motion to adjourn the Town Council Meeting made by Council Armitage, second by Council Member Lopez, Motion Carries. Meeting Adjourns at 8:47 PM.

Town of Superior Regular Meeting

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AYES – Mayor Besich, Vice-Mayor Alonzo, Council Members: Navarrette, Estatico, Lopez, Armitage.

NOES – 0

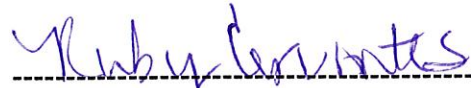
ABSENT – 1 Council Member Aguilar

ABSTINATIONS - 0

ATTEST:

A handwritten signature in blue ink, appearing to read "Mila Besich", written over a horizontal dashed line.

Mila Besich, Mayor

A handwritten signature in blue ink, appearing to read "Ruby Cervantes", written over a horizontal dashed line.

Ruby Cervantes, Town Clerk