

**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, October 8, 2020 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona.

**CALL TO ORDER**

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

**ROLL CALL**

**PRESENT:**

Mayor Mila Besich  
Council Member Bruce Armitage  
Council Member Olga Lopez

**PRESENT TELEPHONICALLY:**

Vice-Mayor Michael Alonzo  
Council Member Stephen Estatico  
Council Member Vanessa Navarrette

**ABSENT:**

Council Member Gilbert Aguilar

**STAFF PRESENT:**

Todd Pryor, Town Manager  
Stephen Cooper, Town Attorney – Telephonically  
Ruby Cervantes, Town Clerk  
Svetlana Clark, Engineer Tech

**PUBLIC PRESENT:**

Sue Anderson  
Pam Rabago  
Manuel Ruiz

**PLEDGE OF ALLEGIANCE**

Mayor Besich led everyone in the Pledge of Allegiance.

**INVOCATION**

Council Member Armitage gave the Invocation.

**SPECIAL PRESENTATIONS**

**NONE**

**STAFF REPORTS**

Mayor Besich wanted to thank Resolution Copper for inviting her and Council Member Armitage this morning to visit with Commerce Secretary Ross. We discussed critical minerals and how that affects the defense department. And we also discussed our Entrepreneur and Innovation Center. And potential funding from Economic Development Administration. And we will be offering yoga at the Besich Park Amphitheater starting later this month. The Wallace Garden is now officially open at the Boyce Thompson Arboretum. Their plant sale is this weekend. Encourages everyone to go and visit. We are receiving very positive reports; council should have received a copy of the Dog Cat Mouse quarterly report. Its also essential to our tourism partners. We are starting to see the attraction to all our visitation on our website and social media promoting Superior as a tourist destination.

Manager - None.

**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 Regular Council Meeting on September 10, 2020.
2. Approval of Contract #019-6655, Amendment #3 (6/20) for FY 2020-2021 between the Pinal-Gila Council for Senior Citizens for Congregate Meals, Home Delivered Meals, and Transportation Services. The maximum contract reimbursement /payment ceiling for all services provided during the term of contract and/or for the period specified shall be: \$70,205.00.
3. Approval of Contract between the Town of Superior and KIMLEY-HORN AND ASSOCIATES, INC . TOS engages the CONSULTANT to perform professional planning and designing services for the WAY FINDING SIGN PROJECT.
4. Approval of Uniform Video Service License Agreement between The Town Of Superior, an Arizona Municipal Corporation (“Licensor”) and CableOne, Inc. dba Sparklight,, a Delaware Corporation (“Licensee”).
5. Approval of an Amendment (the Amendment”) to the Services Agreement between SEED SPOT and the TOWN OF SUPERIOR (collectively, the “Parties”) is made effective November 12, 2019.
6. Approval of contract between the STATE OF ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY 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 Asbestos Abatement and Oversight of the former Roosevelt School. The site is improved property, located at 199 N. Lobb Avenue, Superior, AZ 85173. ADEQ will provide the total funding from SRG up to the amount of \$15,500.00 for the Asbestos Abatement and Oversight at the site.

7. Approval of Letter of Commitment for Fiscal Year 2021 EPA Brownfields Assessment Coalition Grant.
  
8. Department Reports:
  - Fire
  - Police
  - Public Works
  - Library
  - Senior Center
  - Sanitation
  - Town Engineer

**Per Mayor Besich, Item #5 was withdrawn due to Covid 19 and some new developments with Seed Spot since we presented this contract. We will put it out on our November meeting.**

**Motion to Approve Consent Agenda Items 1-4 and 6-8 made by Council Member Lopez, Second by Council Member Armitage, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.

NOES – 0

ABSENT- 1 Council Member Aguilar

**NEW BUSINESS**

- A. Discussion/Possible Approval of Resolution 2020-631, A RESOLUTION OF THE TOWN OF SUPERIOR APPROVING THE FISCAL YEAR 2019-2020 GENERAL FUND BUDGET TRANSFERS PROVIDING FOR AN EFFECTIVE DATE.

Town Council authorizes the following budget transfer to adjust budgeted amounts for the indicated accounts for Fiscal Year 2019-2020:

Transfers from:

Grants	(\$35,000.00)	500-00
General Fund		
Contingency	(\$15,000.00)	100-00
Town Attorney	(\$9,000.00)	100-03

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Magistrate	(\$6,000.00)	100-04
Finance	(\$25,000.00)	100-06
Fire	(\$7,000.00)	100-08
Engineer	(\$30,000.00)	100-10
Code Enforcement	(\$40,000.00)	100-18
Cemetery	(\$105,000.00)	230-00

Transfers to:

General Fund

Mayor and Council	\$115,000.00	100-01
Town Manager	\$13,000.00	100-02
Administration	\$2,000.00	100-05
Police	\$45,000.00	100-07
Public Works	\$33,000.00	100-09
Swimming Pool	\$19,000.00	100-11
Sr Center-Congregate	\$6,000.00	100-15
Sr Center-Home Delivery	\$2,000.00	100-16
Transfer Station	\$37,000.00	200-00

**Motion to approve to approve Resolution 2020-631 made by Council Member Navarrette, second by Council Member Estatico, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.

NOES -- 0

ABSENT- 1 Council Member Aguilar

B. Discussion/Possible Approval of Resolution 2020-632, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED THE BUILDING PERMIT MANUAL, BUILDING PERMIT APPLICATION FORMS, BUILDING PERMIT FEE SCHEDULE AND SERVICES, AND PERMIT FEE TABLE AS A REFERENCE TO THE TOWN CODE SECTION 12-3.

The Planning and Zoning Commission of the Town of Superior in a regular session on October 1, 2020 resolved to approve the Building Permit Manual, Building Permit Application Forms, Building Permit Fee Schedule and Service and the Permit Fee Table as a reference to the Town Code Section 12-3.

**Motion to approve Resolution 2020-632 made by Council Member Lopez, second by Council Member Armitage, Motion Carries.**  
**Takes effect in 30 days.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.  
NOES – 0  
ABSENT- 1 Council Member Aguilar

- C. Discussion/Possible Approval of Resolution 2020-633, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED “TOWN OF SUPERIOR NIMS COMPLIANCE POLICY Effective July 01, 2020”.

This standard operating Guideline is designed to set forth the Town of Superior’s NIMS Compliance. Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, directed the development and administration of the National Incident Management System (NIMS). Originally issued on March 1, 2004, by the Department of Homeland Security (DHS), NIMS provides a consistent nationwide template to enable Federal, State, tribal, and local governments, nongovernmental organizations (NGOs), and the private sector to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

**Motion to approve Resolution 2020-623, A Resolution Of The Town Of Superior, Arizona, Declaring As A Public Record That Certain Document Filed With The Town Clerk And Entitled “Town Of Superior NIMS Compliance Policy Effective July 1, 2020”, made by Vice-Mayor Alonzo, second by Council Member Lopez, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.  
NOES – 0  
ABSENT- 1 Council Member Aguilar

- D. Discussion/Possible Approval of PRE ANNEXATION AGREEMENT WITH RESOLUTION COPPER MINING FOR THE CASTLEBERRY PROPERTY.

This signature from Resolution Copper allows us to move forward with the next steps to Annex.

**Motion to approve the Pre-Annexation and Development Agreement with Resolution Copper Mining for the Castleberry Property made by Council Member Estatico, second by Council Member Navarrette, motion carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.  
NOES – 0  
ABSENT- 1 Council Member Aguilar

**ITEMS E AND F WERE MOVED TO AFTER THE MPC MEETING**

- G. Discussion/Possible Approval of Ordinance 2020-168, A RESOLUTION OF THE TOWN COUNCIL OF SUPERIOR, ARIZONA AMENDING SECTIONS 5-2-1 AND 5-2-3 OF THE SUPERIOR TOWN CODE AND DECLARING AN EFFECTIVE DATE.

The 2018 International Building Code (IBC) has already been adopted on May 14, 2020, Ordinance 2020-163. This is changing the Town Code to reflect these changes.

**Motion to approve Ordinance 2020-168 made by Council Member Navarrette, second by Council Member Armitage, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.  
NOES – 0  
ABSENT- 1 Council Member Aguilar

- H. Discussion/Possible Approval of Ordinance 2020-169, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR REPEALING SECTIONS 12-1-1 AND 12-1-3 OF THE SUPERIOR TOWN CODE AND ADDING SECTION 12-1-1 TO THE SUPERIOR TOWN CODE AND DECLARING AN EFFECTIVE DATE.

The 2018 International Building Code (IBC) was already adopted on May 14, 2020, Ordinance 2020-163. This is changing the Town Code to reflect these changes.

**Motion to approve Ordinance 2020-169 made by Council Member Armitage, second by Council Member Lopez, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.  
NOES – 0  
ABSENT- 1 Council Member Aguilar

- I. Discussion/Possible Approval of Extension of Emergency Declaration 2020-03 – Mask Mandate.

- 1, Leave the declaration in place for review by the Council for extension.
2. Leave the declaration in place and allow the Mayor and staff to determine an end date.
3. End the Declaration extension and allow the business community and individuals to decide for themselves if they choose to wear a mask.

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On July 9, 2020, New Business Item A, there was a motion to extend the Mask Mandate for 60 days. Motion carries. 5 AYES. 1 NO. 1 ABSENT. On September 10, 2020, New Business Item G, there was motion to extend for 30 days and to review by Council for extension at every Town Council Meeting. 6 AYES. 1 NO.

Mayor Besich asked if the Public or anyone on the phone line would like to address the Council.

Sue Anderson – Encourage and beg you to keep this in place. We are doing so well. If we all continue to work together I think we can lick this thing. People are complying. We will be getting a lot of new visitors, that we welcome, very shortly. If we don't wear masks we can't expect them to. We could have a horrendous outbreak. Please extend the mask requirement.

Jim Schenck – It's best for businesses and citizens to keep the mask ordinance in place at this time.

Mayor Besich asked if the Council would like to comment.

Council Member Armitage received a call from a business owner. His Dr said that being that he is wearing a mask so much, he had to be prescribed an inhaler. This individual got ahold of me and asked that we don't continue the Emergency Declaration. Asked 10 business for input. Seven requested we don't extend the Emergency Declaration. One was wishy washy. Another one that as long as he wore his mask he was happy. And one was confused. Wants the Council to be aware the tide is shifting and as Council Members and those who represent the town people and businesses need to realize that at least in this case, seven out of ten businesses that I went to want us to discontinue Emergency Declaration.

Vice Mayor Alonzo stated he has also been approached by residents applauding our strategicness for the Ordinance in place and protecting our residents and students. So I'm going to make a motion to keep the Declaration in place until our next meeting.

**Motion to approve Extension of Emergency Declaration 2020-03 Mask Mandate in place until our November meeting made by Vice-Mayor Alonzo, second by Council Member Estatico, Motion Carries.**

**Mayor Besich did a roll call vote.**

Vice-Mayor Alonzo – AYE  
Council Member Estatico – AYE  
Council Member Navarrette – AYE  
Council Member Lopez – AYE  
Council Member Armitage – NO  
Mayor Besich – AYE

AYES – 5 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Lopez, Navarrette.  
NOES – 1 Council Member Armitage  
ABSENT- 1 Council Member Aguilar

**LEAVE REGULAR MEETING AT 7:20 PM.**

**J. MEETING OF TOWN OF SUPERIOR MUNICIPAL PROPERTY CORPORATION**

**1) Call to Order**

President Besich called the meeting to order at 7:20 PM.

**2) Roll Call**

**PRESENT:**

President	Mila Besich
Vice-President	Michael Alonzo
Director	Vanessa Navarrette
Director	Bruce Armitage
Director	Stephen Estatico
Director	Olga Lopez

**ABSENT:**

Director	Gilbert Aguilar
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**New Business**

- 3) Consideration and Possible Approval of loan of \$1,100,000 and grant of \$1,600,000 with United States Department of Agriculture – Rural Development (“USDA-RD”) for wastewater system improvements. Approval includes approval of the following agreements:**
- A. Approve Letter of Intent Form 1942-46 to USDA-RD to meet all conditions of loan and grant.**
  - B. Approve Resolution 2020-02, Form 1942-8 of Members of Municipal Property Corporation to enter into loan and grant agreements with USDA-RD and to sign all necessary documents for the loan and grant;**
  - C. Authorize Chairman to sign on behalf of the MPC, Town of Superior and Municipal Property Corporation Master Lease and Series 2020 Town Lease at time off loan closing;**
  - D. Approve Deed of Trust, promissory note and security agreements for grant and loan with USDA-RD to be signed at time of loan closing;**

**Motion to approve Items A thru D made by Director Estatico, second by Director Lopez, Motion Carries.**

AYES – 6 President Besich, Vice-President Alonzo, Directors: Navarrette, Estatico, Armitage

NOES – 0

ABSTINATIONS – 0

ABSENT – 1 Director Aguilar

**4) Adjournment of Meeting of Municipal Property Corporation**

**Motion to adjourn the Meeting of the Municipal Property Corporation made by Director Armitage, second by Director Lopez, motion carries. MPC meeting adjourns at 7:24 PM.**



AYES – 6 President Besich, Vice-President Alonzo, Directors: Lopez, Navarrette, Estatico, Armitage  
NOES – 0  
ABSTINATIONS – 0  
ABSENT – 1 Director Aguilar

**RETURN TO REGULAR SESSION AT 7:24 PM.**

**NEXT AGENDA ITEMS E AND F**

- E. Discussion/Update/Possible Approval on a one-year Option Agreement for the purchase of the Superior High School for the purpose of creating a Multi Generational Center.

This in reference to the possible change of location for the Multi Generational Center. Attached is the letter of Intent from Elijah Cardon for the old Superior High School located at 98 N. High School Avenue, Superior, AZ. The purchase price would be \$3,000,000. There is also a DRAFT Purchase and Sale Agreement.

Mayor Besich stated there people in the public that would like to address the Pubic.

Sue Anderson – the Chamber of Commerce Board of Directors is in favor of this move. Think this is a great thing for the community. They also believe that this administration is very capable of doing this. Putting it together and doing it properly so we don't have things falling apart in 5 years. This is one of the main discussions that we have; what happens if the Town gets into all this expense and they blow it and nobody takes care of it. It's a magnificent building; it can last for many, many years. I certainly hope on behalf of the Chamber and myself personally that you will approve this.

On phone line:

Jim Schenck – per the letters I sent to the Council, I urge them to approve.

Per Mayor Besich – council has received letters from different groups and individuals asking us to please consider purchasing this property.

Council Member Navarrette – Had question regarding the purchase amount of \$3,000,000. How this was arrived at. And her second question , when we are applying for grants, or in the case of USDA loan-grant; are we going to use grant money for purchase.

Mr Pyor – USDA process is not involved in appraisal. As for the source of the price, it was a negotiated price. Our opening offer was \$1.5 million. And the counter offer was \$4 million. We negotiated for a month and meetings and we arrived at \$3 million. Mr. Cardon has told us that he has spent \$1.8 million in supplies, materials and contractors. So his direct costs are over \$2 million. That's how he justified his cost. That's how I justified the cost. Don't want to blow the budget. Per Ms. Navarrette, her question was answered.

Council Member Estatico has question. Has questions on the price, who will do the work, the cost to get this up to speed, unless we have more numbers, he doesn't see this happening. But in the spirit of being part of the Council, we have a year to decide this. And get more numbers and so with the exception to the rule and see where this takes us. I was there the year we closed it any my thought to that was we're moving out of an old building and into a new building . We were all excited about that. He did tour the building on Monday. I think there is a lot of work to be done.

**Motion to Approve a one-year Option Agreement for the purchase of the Superior High School for the purpose of creating a Multi Generational Center made by Council Member Lopez, second by Council Member Armitage, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.

NOES – 0

ABSENT- 1 Council Member Aguilar

**CALL TO THE PUBLIC – MOVED TO AFTER AGENDA ITEM E**

**NONE**

**SUMMARY OF CURRENT EVENTS**

Vice-Mayor Alonzo – NONE

Council Member Estatico – NONE

Council Member Navarrette – NONE

Council Member Lopez – Football game has limited occupancy.

Council Member Armitage – School Board Members plus one allowed to attend football game.

**F. Discussion/Possible Approval of sale of the Belmont Hotel**

We have two interested parties in the purchase of the Belmont Hotel. The first one is for a Craft Brewery with 3 luxury residential suites on the 2<sup>nd</sup> floor. The second proposal is for a Bed and Breakfast. The proposals are attached in the packet.

**Council will move into Executive Session for this item.**

**EXECUTIVE SESSION**

**Motion to move into Executive Session for no more than one hour with Council, Town Manager, Town Attorney and Town Clerk made by Council Member made by Council Member Estatico, second by Council Member Armitage. Moved to Executive Session at 7:24 PM.**

- A. Confidentiality Statement
- B. Discussion of legal matters/consultation with Town Attorney, Town Staff and/or the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, pursuant to A.R.S. '38-431.03 (A) (3) and (4).
- C. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. '38-431.03 (A) (3), (4) and (7).
- D. 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. '38-431.03 (A) (3) and (4).

**REGULAR SESSION**

**Motion to move back into Regular Session made by Council Member Armitage, second by Council Member Lopez, Motion Carries. Council goes into Regular Session at 7:58 PM.**

**Motion to Direct Town Manager to Proceed as Directed in Executive Session made by Council Member Armitage, second by Council Member Lopez, Motion Carries.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.  
NOES – 0  
ABSENT- 1 Council Member Aguilar

**SCHEDULING OF MEETINGS AND EVENTS**

**All meetings are held at Town Hall.**

<b>Emergency Svc Committee</b>	<b>10-15-2020</b>	<b>6:00 PM</b>
<b>Community Development Committee</b>	<b>10-22-2020</b>	<b>6:00 PM</b>
<b>Planning &amp; Zoning Committee</b>	<b>11-05-2020</b>	<b>6:00 PM</b>
<b>Town Council Meeting</b>	<b>11-12-2020</b>	<b>7:00 PM</b>

**ADJOURNMENT**


**Motion to adjourn the Regular Town Council Meeting by Council Member Lopez, second by Council Member Estatico, Motion Carries. Meeting adjourns at 7:59 PM.**

AYES – 6 Mayor Besich, Vice-Mayor Alonzo, Council Members: Armitage, Estatico, Lopez, Navarrette.

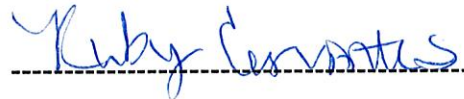
NOES – 0

ABSENT- 1 Council Member Aguilar

**ATTEST:**



**Mila Besich, Mayor**



**Ruby Cervantes, Town Clerk**