

**Superior Town Council
Town Council Meeting**

**Thursday, December 18, 2008
Superior Senior Center
Superior, Arizona**

M_I_N_U_T_E_S

A. Call to Order

Mayor Hing called the meeting to order at 7:05p.m.

B. Salute to the Flag

Mayor Hing led the council, staff and audience in the pledge.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, First Vice Mayor Valenzuela

Members Absent: Councilmember Peralta, and Councilmember Heglie

A quorum was present and the meeting continued.

E. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

**Approval of Minutes for regular meeting: December 4, 2008
Disbursements for the month of November
Blanket Permit for SHS Classes of 1966-1969**

Mayor Hing explained that he votes to approve the consent agenda but does abstain from the approval of check number 20483 in the November Disbursements. Vice Mayor Lopez made a motion to approve the consent agenda. Councilmember Cervantes seconded the motion. The motion passed unanimously.

F. Communication

Manager's Report – Ms. Oliver

Ms. Oliver explained that she was allowing representatives from Cobre Valley Community Hospital to give a brief update on the planned proposed new clinic. Mr. Neil Jensen and Mr. David Pfohl gave a brief presentation explaining that they are still planning to build a new clinic and future hospital/medical center. They explained that they were still working with area mining companies to see if they had land available to build a clinic on. They explained that the only thing holding them back at this time is finding adequate land for the clinic as well as the future expansion into a hospital and medical complex. After the presentation the council directed Ms. Oliver to draft a resolution of support for the construction of a new clinic/medical center.

Ms. Oliver gave a verbal update from her written report. She read the official press release from the town of Superior regarding the election mishap. She also stated that she accepted full responsibility. She stated that all candidates have been contacted and were briefed on the potential for them to run as write in candidates. She explained that the attorney is looking into the matter. She updated the council on the various projects currently underway within Superior including collection of delinquent sewer bills, issues with the contracts and services with WiVod, she also stated the town was awarded the tourism grant to complete the caboose visitor center project. Mr. Beers gave a brief update on the findings from the attorney general regarding open meeting violations. Discussion followed regarding the meeting with Ann Kirkpatrick and how notifications to other councilmember's were given.

Public Works Report – Becky Brothers

Ms. Brothers gave a brief verbal report in addition to her written report. She explained that it is

working out to have the food distribution at the food court. She also stated that she moved her office to the town hall to allow the dentist to move into her old office.

Library Report

No discussion followed. Council referred to written report in packet.

Senior Center

No discussion followed. Council referred to written report in packet.

Finance Report

Ms. DeZeeuw explained that the sewer and garbage services continue to operate in the red. She stated that it is getting better but there is still work to be done on the collections. Ms. DeZeeuw stated that further presentations would be made at the budget retreat in January.

Public Hearing (motion to go into public hearing)

Councilmember Cervantes made a motion to move into public hearing. Councilmember Lopez seconded the motion. The motion was approved unanimously.

Proposed Alternative Expenditure Limitation Home Rule

Mayor Hing explained that this hearing was the second in a series of two required hearing prior to the upcoming home rule election. He stated that Home Rule allows for cities to spend more than their state shared revenue allocation. He reminded everyone of the importance of passing the home rule because if not the town will not have enough money to fund services. He also explained that the town cannot spend money to campaign for the issue but councilmember's could spend their personal monies to promote the election. Mayor Hing called for public comments. No public comments were made.

Councilmember Cervantes made a motion to close the public hearing. Councilmember Lopez seconded the motion. The motion was approved unanimously.

Business

Possible Discussion and/or action on the following

Discuss/Approve/Reject Major Amendments

MAGA 08-01

MAGA 08-02

Vice Mayor Lopez made a motion to table these amendment due to a lack of a 2/3 majority quorum of the council. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Minor Amendments

MGA 08-01

MGA 08-02

MGA 08-03

Vice Mayor Lopez made a motion to table these amendment due to a lack of a 2/3 majority quorum of the council. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject a temporary use permit to BHP copper to place a mobile office for voluntary remediation program of the Northwest Study Area on 710 MainSt.

Ms. Oliver explained that representatives from BHP were unable to attend the meeting due to a prior commitment. She explained that they requested this agenda item be tabled until January. Councilmember Lopez made a motion to table this agenda item until January. Councilmember Cervantes seconded the motion. The motion was approved unanimously.

Presentation of the future baseball park

Ms. Oliver gave a presentation on the construction of a baseball park. She explained that staff has begun conversations with Dr. Wilt to trade the old swimming pool property with his property off of Mary drive and possibly other properties owned by Dr. Wilt. Questions and Discussion followed on whether or not the trade would be equitable since Dr. Wilt would be receiving prime land and the land for the proposed baseball field would be in flood plain area. She shared a preliminary design that she was provided by Dr. Wilt and Mr. Rawles to build two baseball fields on the Mary Drive property. Council directed staff to get an appraisal on the old pool property and continue negotiations with Dr. Wilt. Mayor Hing stated that he would like to see staff go after all of the property and possibly his other properties as well in the trade.

Discuss/Approve/Reject Resolution 490, Proposing an alternative expenditure limit, home rule.

Ms. Oliver read the heading for resolution 490. Councilmember Cervantes made a motion to approve the resolution. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Cancellation of the January 1, 2009 Regular Meeting

Vice Mayor Lopez made a motion to cancel the January 1, 2009 regular meeting. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Resolution a memorandum of understanding between the Superior Economic Development Committee and Southern Gila County Economic Development Corporation to facilitate a collaborated effort in conducting cooperative and community wide efforts for economic development.

Ms. Lira explained that the EDC was requesting approval from the Council to enter into a memorandum of understanding to use the 501c3 of the Southern Gila County Economic Development Corporation should the committee find grants that would support the Superior Development Authority. She stated that at this time they would only be looking for small grants to assist with the start up of the Superior Development Authority.

Mayor Hing stated that Chris Martin the executive director for the SGCEDC has been a great support to the committee in getting the SDA started. He also stated that he would like a presentation done during the budget work session in January.

Vice Mayor Lopez made a motion to approve the memorandum of understanding. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Presentation of the Copper Corridor Economic Development Corporation

Ms. DeZeeuw gave a brief presentation on the Ore Cart Trail project that is being coordinated through Copper Corridor Economic Development Corporation. She stated that the project has received federal funding and that the project concept was similar to the painted pony public art project in New Mexico. Ms. DeZeeuw showed the model of the Ore Cart that was voted on by residents in Superior. She gave a brief background on the structure and read the artists description of the piece. Questions and discussion followed on the use of canaries and whether or not this artist really portrayed the true mining industry in Superior.

Discuss/Approve/Reject Resolution Number 491 approving the ambulance rate

Mr. Pryor explained that this resolution would set the fire emergency rate. He stated that the ambulance rates are set by the state. He stated that the fees are usually recovered by billing the insurance. He said the collection rate is usually 60%. Councilmember Aguilar made a motion to accept resolution number 491. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Resolution Number 492 in support of the Arizona Diamondbacks grant

Ms. Oliver and Ms. Lira gave a brief presentation on the Diamondbacks grant application. Ms. Oliver stated that the resolution would allow the town to support and assist with the project. Ms. Lira gave a brief overview on the public participation process they administered to gain community support for the grant she encouraged everyone to stay involved in the project by either making a cash pledge or a pledge of time to assist with the construction of the field should the grant be awarded. Ms. Oliver also explained that the work done on previous proposals submitted by Vice Mayor Valenzuela would be included in the 2008 application. Vice Mayor Valenzuela made a motion to pass the resolution. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Resolution Number 493 in support of the ASU grant application for the Legends of Superior Trail.

Ms. Oliver read the resolution title. Councilmember Cervantes made a motion to approve resolution 493. Vice Mayor Valenzuela seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject the amending of Resolution Number 487 to correct a clerical error of the election date

Ms. Oliver explained that staff recommends tabling this item until a full legal review is done regarding elections clerical error. Vice Mayor Lopez made a motion to table the agenda item. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject the amending of Resolution Number 489 to correct a clerical error of the election date.

Ms. Oliver explained that staff recommends tabling this item until a full legal review is done regarding elections clerical error. Councilmember Cervantes made a motion to table the agenda item. Vice Mayor Valenzuela seconded the motion. The motion passed unanimously.

Public Comments

Richard Green, 68 Sunset Dr: Mr. Green stated that anyone can be a write in candidate if they submit the appropriate paperwork by January 29th. He referred to the press release by the town explaining that some of the candidates were qualified to run as write in candidates due to

the clerical error.

Council Comments

Councilmember Heglie: Absent

Councilmember Cervantes: No Comments

Second Vice Mayor Lopez: Wished everyone a Merry Christmas and Happy New Year

Councilmember Peralta: Absent

First Vice Mayor Valenzuela: Wished everyone a Merry Christmas and Happy New Year.

Mayor Hing: Echoed everyone comments wishing everyone a Merry Christmas and a Happy New Year.

Mayor Hing announced that there would not be an executive session.

K. 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)

(A-1) – Personnel

(A-3) – Legal Advise with Attorney

(A-7) – Legal Advice on Sale, Lease, or Purchase of Real Property:

L. In Public Session

M. Adjournment

Councilmember Valenzuela made a motion to adjourn the meeting. Councilmember Cervantes seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:35 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 18th Day of December 2008. I further certify that the meeting was duly called and held and that a quorum was present.

/s/
Melanie Oliver _____
Melanie Oliver
Interim Town Manager

These minutes have been transcribed and compiled by
Mila Lira
Miracle Executive Services