

**Superior Town Council
Town Council Meeting**

**Thursday, April 16, 2009
Superior Senior Center
Superior, Arizona**

M_I_N_U_T_E_S

A. Call to Order

Mayor Hing called the meeting to order at 7:09 p.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, Councilmember Aguilar, Councilmember Heglie, Councilmember Peralta

Members Absent: Vice-Mayor Valenzuela,

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: March 19, 2009

Approval of Blanket Permit for Calvary Chapel Spiritual Outreach

Approval of Blanket Permit Request for Presbyterian Church Spiritual Outreach

Approval of Street Closure on Magma to Main and Church 4/20/09 – Little League

Approval of Blanket Permit for Superior Substance Abuse Coalition

Approval of Street Closure on Main, Church and Santa Rita on 5/02/09 requested by Superior Substance Abuse Coalition

Vice Mayor Lopez made a motion to approve the consent agenda. Councilmember Cervantes seconded the motion. The motion passed unanimously.

F. Proclamation: National Library Week 2009

Mayor Hing read the proclamation in its entirety.

G. Communication

1. Managers Report

Ms. Oliver reported that during the open meeting law training that they learned that only items placed on the agenda can be discussed in the communications. She introduced Curt Williams who is managing the CDBG projects for the town. She stated that he will be giving the construction and project updates on the pool park and the visitor center. She also stated that they are awaiting the final contract to be signed to start on the Magma Club using the CDBG funds.

CDBG Project Updates

Mr. Williams explained that because the town handled the project in house they saved a lot of money on engineering and that allowed them to place 4 ramadas, 8 tables, and 4 barbeques at the pool park. He also stated that they met ADA compliance and also completed sidewalks and also did improvements for erosion control. Mr. Williams also reviewed the improvements that were made at the Main St. Food Court bathrooms.

Mr. Williams explained that they will begin construction at the Caboose Visitor Center.

2. Public Safety Report

a. Abandoned Vehicle procedures

Chief Pryor reviewed the current abandoned vehicle procedures for the town. He explained that when they adopted the new building codes the code does not allow for vehicles to be under cover. He explained that many of the hobbyist car collectors are receiving citations because the code does not allow for non operating vehicles to be stored. He requested that the council provide more direction on how to remedy this situation and also recommended that the council adopt an amendment to the code to allow for hobby vehicles to be stored.

Personnel Issues

Chief Digirolamo explained that Officer Burnside and Clorox have finished their drug training. He stated that both are doing well with their new training and that Clorox was able to assist during a stolen vehicle case.

Investigations

Chief Digirolamo explained that the Homicide Case from March 14, 2009 was still a working investigation. He stated that arrests were made on March 27, 2009. Councilmember's commended the police department for doing a good job on this case and working in conjunction with the Pinal County Sheriff's office.

Chief Digirolamo also explained that they are waiting for the County Attorney to file charges on the embezzlement charges from a previous employees at the Copper Triangle.

Projects

Chief Digirolamo updated the council on the Volunteers in Police Service Program (VIPS). He explained that VIP's would assist with various amounts of tasks for the department. He said they could be used for welfare checks, tech support, administrative, citizen patrols. He stated that Susan Medlock is the coordinator and that the volunteers must pass a background check, have a positive attitude, be at least 18 years of age. He also stated that the VIPS will not have a weapon and will not be able to arrest people.

G. Public Hearing

1. RZ-09-01, Superior Unified School District #15 requests approval for a rezone from a R1-6 Residential to a C-2 General Commercial for a commercial business located at 901 W. Main St. – Rebecca Brothers

Councilmember Heglie made a motion to move into public hearing. Vice Mayor Lopez seconded the motion. The motion passed unanimously. Entered into public hearing at 7:37pm.

Ms. Oliver requested that the council table the hearing. She explained that the Planning and Zoning Commission also tabled the item because the applicant did not fully notify all residents in the area. She explained that town staff is working with them make appropriate notifications.

No further comments. Councilmember Aguilar made a motion to table the public hearing and return to the regular meeting. Vice Mayor Lopez seconded the motion. The motion passed unanimously. Returned to Open Session at 7:38pm.

H. Business

Possible Discussion and/or action on the following

Discuss/Approve/Reject Pinal County Community Wildlife Protection Plan MOU to protect lands from severe wildfire threat – Todd Pryor, Fire Chief

Chief Pryor gave a detailed presentation on the wild fire risks in Superior and surrounding Superior. He stated that Superior is in a high risk area and he requested approval to enter into this MOU with Pinal County because it will help the town to apply for and receive grants for wildfire prevention. He also explained that many of the grants are zero match and one of the will allow the town to hire 10 seasonal workers to trim away fire hazards. Councilmember Peralta made a motion to approve the MOU. Councilmember Heglie seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Resolution number 499 Government Lease-Purchase for Software, Licenses, and Professional Services – Aja DeZeeuw, Finance Director

Ms. DeZeeuw explained that the town approved the contract for the purchase of the software in a previous meeting. She explained that the resolution designated the Town as a tax exempt agency and allowed Ms. Oliver and Ms. DeZeeuw to be authorized signers on the software agreement. Ms. DeZeeuw read the resolution by title. Vice Mayor Lopez made a motion to approve resolution 499. Councilmember Peralta seconded the motion. The motion passed unanimously. Ms. DeZeeuw also stated that the software will be in use shortly after the new fiscal year begins.

Discuss/Approve/Reject the financial support of the COPS Grant – Chief Lou Digirolamo

Chief Digirolamo explained that when the President signed the American Recovery and

Revitalization Act there were 2 billion dollars placed in the budget for law enforcement. He stated that the town wrote a grant for two new officers. He stated that the grant will pay the salary for three years but the town must hire the officer after the third year. He stated that they chose a conservative amount of funding for officers so that way the town would not be burdened at the end of three years. Questions and comments followed regarding if the the town could not hire them after three years would they have to pay the money back. Mr. Beers explained more than likely they will have too but the official regulations have not be made available yet. Discussion followed on other grants that will be coming up through the stimulus funds for law enforcement. Councilmember Aguilar made a motion to approve financial support for the COPS grant. Vice Mayor Lopez seconded the grant. The motion passed unanimously.

Discuss/Approve/Reject the professional contract with an Engineering Firm – Melanie Oliver, Town Manager

Ms. Oliver explained that she received 3 different quotes on engineering services. She explained that staff recommended contracting with Ellsworth Engineers. She stated that she also liked CK group but they were costly and she felt that it was best to start out with a company who had no previous ties to the community. She also stated that Ellsworth is a smaller firm and will be able to provide more service to the residents and it is a requirement that they apply some compassion when dealing with town residents to help them understand what needs to be done.

Councilmember Heglie made a motion to enter into a professional contract with Ellsworth Engineers. Councilmember Peralta seconded the motion. The motion was approved unanimously.

H. Call to the Public

Mr. Jim Gilbert-expressed his concern about the lack of a pet ordinance in the community. He also updated the council on some very good news that Habitat for Humanity will be coming to Superior and will be building up to four new homes. He also stated that the after his research he learned that the USDA does not identify Superior with being a rural town. He asked that paperwork be done to designate Superior as a rural town. He also asked that the Town not charge for the fees for the Habitat Homes. Mr. Gilbert also gave an update on his health and stated that he is on a new phase of medication and he is pain free and his head is clear.

Ms. Christy Hayes –handed out copies of her Firehouse Kids newsletters. She read a portion of the newsletter about the Easter events.

Ms. Mila Lira – updated the council on several upcoming community events including the Opening Ceremonies for Little League, and upcoming Chamber of Commerce events including Cruising Main, La Noche de Vaquero and the Candidate Forum.

Mayor Hing announced that there were no items for Executive Session.

I. 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 Advice with Attorney

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

J. In Public Session:

K. Council Comments

Councilmember Heglie

No Comments

Councilmember Cervantes

Expressed his concern about the roll off on Pinal Ave. which belongs to Dr. Wilt. He stated that it is an eye sore and a health and safety hazard. He requested that staff have it hauled off as soon as possible. Ms. Oliver stated that they have notified Dr. Wilt and that staff will have it removed

Councilmember Peralta

No comments

Councilmember Aguilar

Thanked Ms. Anderson for coordinating the Community Pride Day. He explained that this was the first time he ever participated in the event and he hopes to continue to participate and to get more people involved. He stated that it was a great day.

Second Vice Mayor Lopez

Thanked Ms. Arriola and Ms. Zavala for their efforts on coordinating the Easter Events. She also explained that the open meeting law training that they attended was one of the best trainings she has ever been to in regards to open meeting law. Ms. Lopez also stated that she attended a meeting about the upcoming census. She reminded everyone how important it is to be counted and that there will be lots of community outreach needed to assist residents to send in their surveys. Vice Mayor Lopez also asked for an update on the four hour work weeks. Ms. Oliver stated that they will review that at the budget meeting which will be held the second Saturday in May.

First Vice Mayor Valenzuela

No Comments - Absent

Mayor Hing

Invited the public and council to attend a reception with Governor Brewer on Thursday, April 23, 2009 at 3:00pm. He also stated that a new internet service provider signed a service agreement to begin offering service in Superior. He also reminded everyone to attend the Little League opening ceremonies and explained how important it is that the home rule election pass.

Mayor Hing also presented his written report on the findings of the allegations of the Town Manager making an inappropriate comment. He stated that after interviewing the entire staff present at that meeting there was not another staff member who could verify that the comment was made. He stated that comments were made in a humorous matter to lighten what had been a stressful meeting.

L. Adjournment

Vice Mayor Lopez made a motion to adjourn the meeting. Councilmember Peralta seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:33 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 16th day of April 2009. I further certify that the meeting was duly called and held and that a quorum was present.

/s/
Melanie Oliver _____
Melanie Oliver
Town Manager

These minutes have been transcribed and compiled by
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