

**Superior Town Council
Town Council Meeting**

**Thursday, August 6, 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 7:12 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: Vice Mayor Lopez, Mayor Hing, Councilmember Heglie, Councilmember Pfohl, Councilmember Gutierrez, Councilmember Aguilar, Councilmember Peralta

Members Absent:

E. Consent Agenda –

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

1. Approval of Minutes for Regular Meeting: July 16, 2009
2. Blanket Permit for the Superior Historical Society, Inc. Fundraisers
3. Approval for a special event liquor license for the St. Francis of Assisi Catholic Church, September 12 and 13, 2009

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

F. Communication

1. Town Managers Report

a. Sewer & Refuse Collection

Ms. Oliver gave the council a brief update on the new round of collections being started on the sewer and garbage delinquencies. She explained that this next round of offenders are not just months late but years in delinquency. She stated that they have to make a lump payment of at least half the balance then they can make payment arrangements if they do not work through this agreement they will begin the lien process. She reported that they are getting a good response and people are coming forward to pay the bills.

G. Business

Possible Discussion and/or action on the following

1. **Oath of Office for newly appointed Planning and Zoning Commissioners Matthew “Matt” Mashaw and Carl “Bill” Vogler**
Judge Bravo gave the oath of office to the appointees. Mayor Hing and the councilmember’s offered thanks and congratulations to the appointees.
2. **Discuss/Approve/Reject Ordinance 105 Regarding the ordinance of the mayor and Town Council of the Town of Superior, Arizona adding Chapter 10-1-11 of the**

Superior Town Code, creating laws banning underage drinking creating penalties for violations thereof and declaring an emergency.

Chief Digirolamo explained that after the previous meeting council directed staff to separate the unruly gathering ordinance from the social host, he explained that Ordinance 105 reflects the request of the council. Discussion followed the chiefs report. Chief Digirolamo read the heading to the ordinance.

Councilmember Pfohl made a motion to approve/adopt Ordinance 105. Councilmember Aguilar seconded the motion. Mayor Hing called for a hand vote. The motion passed unanimously with hand vote of 6 in approval.

3. Discuss/Approve/Reject Ordinance 106 of the Mayor and Town Council of the Town of Superior, Arizona adding chapter 5-2-3 (H) of the Superior Town Code, Creating laws regarding Fines; Collection; Abatement

Chief Digirolamo explained that this ordinance allowed for collection of fines/ fees issued when citations are given and establishes procedure of how to collect the fines and fees. Chief Digirolamo read the heading to the ordinance.

Councilmember Heglie made a motion to approve/adopt Ordinance 106. Vice Mayor Lopez seconded the motion. Mayor Hing called for a hand vote. The motion passed unanimously with hand vote of 6 in approval.

Councilmember Peralta entered the meeting at 7:43pm.

4. Discuss/Approve/Reject Ordinance 107 Regarding the ordinance of the mayor and Town Council of the Town of Superior, Arizona adding Chapter 10-1-23 of the Superior Town Code, creating laws banning unruly gatherings, creating penalties for violations thereof and declaring an emergency.

Chief Digirolamo gave a presentation on the unruly gathering ordinance. He reviewed the process that the officers will be required to follow should the ordinance pass. He stated the officers could not just stop they would have to receive call from a neighbor the first visit would be a to tell the hosts to quiet the party down , he said no citations would be written unless there was underage drinking involved. He explained that citations would be written if there were multiple or repeat calls on the house. He also explained the sticker that would be placed on the property for 180 days if the violations continued, in his explanation of the how the citations could be paid or remedied. Questions discussion and comments followed.

Councilmember Pfohl made a motion to approve/adopt Ordinance 107. Councilmember Gutierrez seconded the motion. Mayor Hing called for a hand vote. The motion failed with hand vote of 2 in approval 5 against.

Following the vote Mayor Hing requested that staff and the group proposing this ordinance clean up the verbiage and bring forth something different.

5. Discuss/Approve/Reject cancelling the August 20, 2009 Regular Council meeting.

Ms. Oliver explained that two councilmembers were attending the rural development conference and she requested cancelling the August 20th meeting. Councilmember Heglie made a motion to cancel the meeting. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

H. Call to the Public

Ms. Pamela Dalton-Rabago: She explained that she was just reminding the Mayor that he promised to host open house meetings regarding the US 60 improvements so the community can be informed.

Mr. Jim Gilbert: He expressed his concern on several issues and informed the Mayor and council of a new group he is forming from the Committee of Nine they will now be called "We are Not the Chamber of Commerce" He stated that the articles of incorporation were being filed. He also

reported on a new website called Superior Cares where people can write their opinions and they won't be edited.

His other Concerns were:

- Councilmember Gutierrez's conflict of interest being on the council and being President of the Chamber of commerce. He stated he is also having that investigated.
- Told Councilmember Peralta it was good to see here but she could consider resigning since she cannot attend regularly.
- That there are still 8 active drug dealers living in Superior.
- That everyone needs to understand that Superior does not have the population for a new hotel or McDonalds and that the town and the chamber need to do more to help support business.

Mr. Steve Greggors – explained that McDonalds actually has submitted a second site plan for the development on US 60 and he thanked everyone for their support as the Family Dollar has been being built.

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 Gutierrez

Reminded everyone to attend the Resolution Copper support events including the Mining Rocks Rally in Globe on August 21, 2009.

Councilmember Pfohl

Congratulated the new Planning and Zoning members and thanked the volunteers for assisting with the La Noche de Vaquero event.

Councilmember Heglie

No Comments

Councilmember Aguilar

Explained that there is a great need for public use softball fields here in Superior. He also stated that he would like to see more things done through parks and recreation.

Councilmember Peralta

No Comments

Vice Mayor Lopez

Stated she hopes the Vaquero event goes well, she said she knew a lot of work went into it.

Mayor Hing

Mayor Hing explained that Ms. Peralta does not need to resign she was late because she was in a 5 hour hearing earlier in the day which delayed her day. He also stated that community meetings for the US 60 improvements will begin in September, with the intention of having the communities of Top of the World, Miami and Globe join in the conversations.

L. Adjournment

Vice Mayor Lopez made a motion to adjourn the meeting. Councilmember Aguilar seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:30 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 6th day of August 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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