

**TOWN OF SUPERIOR  
TOWN COUNCIL MINUTES  
THURSDAY, NOVEMBER 12, 2015**

**REGULAR MEETING OF THE SUPERIOR TOWN COUNCIL HELD ON THURSDAY  
NOVEMBER 12, 2015 AT 7:00 PM IN THE SUPERIOR AUDITORIUM 199 N. LOBB AVENUE,  
SUPERIOR, ARIZONA, PINAL COUNTY, ARIZONA.**

**CALL TO ORDER**

Mayor Valenzuela called meeting to order at 7:00 P.M.

**ROLL CALL**

Mayor	Jayne Valenzuela - Present
Vice-Mayor	Olga Lopez - Present
Councilmember	Gilbert Aguilar - Present
Councilmember	Michael Alonzo - Present
Councilmember	Mila Besich-Lira - Present
Councilmember	Steve Estatico - Present
Councilmember	John Tameron – Present

Quorum Present

**PLEDGE OF ALLEGIANCE**

Mayor Valenzuela led everyone in attendance in the Pledge of Allegiance

**INVOCATION**

Branch President Elijah Cardon, Church of Latter Day Saints gave the Invocation.

**STAFF PRESENT**

Town Manager	Margaret Gaston
Town Attorney	Steven Cooper
Town Clerk	Rachelle Sanchez
Police Chief	David Neuss

**PUBLIC ATTENDANCE**

Dave Richins	Jesse Gutierrez
Nancy Volger	Gloria Derlsf
Hank Gutierrez	Tina Gutierrez
Allison Martinez	Kassandra Balterra
Victoria Juarez	Maribel Castro
Jose Lira	Bruce Armitage
Gary Briegel	Dixie Briegel
Kayloa Cardenas	Audrey Martinez
Bill Hanson	

**SPECIAL PRESENTATIONS**

**Special Presentation of Superior's Junior High School Championship Football Team.**

Margaret stated that Council wanted to do something special for the Superior Jr. High Football team. This year they won the Championship. The Council would like to present each team member with a certificate.

Mayor Valenzuela stated that he wanted to thank the team, the coaches, parents and the school administration, this is a great accomplishment.

Vice Mayor Lopez stated that she is very proud of all their efforts. Mayor Valenzuela read the team members names and Vice Mayor Lopez and Councilmember Besich-Lira presented them with the certificate.

**Presentation by Bill Harmon, Arizona Department of Transportation District Engineer.**

Margaret stated that Bill Harmon was present tonight to give a presentation he is the new District Engineer for ADOTS Southeast District.

Mr. Harman stated that he lives in Thatcher; he is the new ADOT District Representative for this area.

Mr. Harmon gave council a handout showing the region he represents. He spoke about the projects currently going on and the future projects in the Superior area. Council had some concerns regarding the contractors and the promises they made to hire locally.

**Presentation by San Carlos Apache Tribe.**

No Presentation was held on this Item.

**Presentation by Councilman John Tameron regarding his Washington, DC trip.**

Mayor Valenzuela read a letter that was publicized publically regarding the Councilmember attending the Washington DC meetings.

Councilmember Tameron gave a report to Council and the audience on the meeting that he attended while in Washington DC.

**Proclamation by Mayor Valenzuela for the 2015 Spirit of Optimism Community Champion by the Superior Optimist Club Robert "Veto" Cervantes.**

Margaret stated that this proclamation that was requested by the Optimist Club. Councilmember Besich-Lira stated that since 2008 the Superior Optimist Club has recognized a Community Champion. This year Robert "Veto" Cervantes joins the ranks of the many that have been recognized. Mr. Cervantes has served on the School Board, he's and Educator, he has served on the Town Council and he is also the creator of the Vietnam Memorial Project. Mr. Cervantes has really aided our community. It is with great honor that we recognize Mr. Cervantes. Mr. Cervantes will be the Grand Marshall of the parade on December 5, 2015. Councilmember Besich-Lira read the Proclamation and made the presentation.

**Proclamation by Mayor Valenzuela Declaring November as American Diabetes Month.**

Margaret stated that November is American Diabetes month, Margaret read the Proclamation. The Proclamation was signed by Mayor Valenzuela.

**Presentation of New Reserve Officer Jay Halstead by Chief Neuss.**

Margaret stated that we have a new Reserve Officer and Chief Neuss was here to introduce him to Council and the public. Chief Neuss stated he just wanted to take a moment to welcome Reserve Officer Jay Halstead. Reserve Officer Halstead thanked the Town for the opportunity to serve the community.

**STAFF REPORTS**

Margaret stated that ads have been placed in the newspaper and on the Towns website for a Planning and Zoning Commissioner for a term that expires June 2016, and for a part time librarian, this is an on call position.

The chipper will be taken to Globe to be checked out on Friday by ADOT's Globe Maintenance people.

Matt Bingham, from Colby and Powell, was here today and will be here Friday; then Hinton Burdick auditors will be here starting the 17<sup>th</sup> to start the 2012-2013 audit. Matt is checking to make sure everything is in order to do the FY 2013 audit. We were hoping we could present this audit in December, but it will not be until January.

The Youth Group from the LDS Gilbert Ward will be here on November 21, 2015 to clean up the cemetery.

The Safety Miners, LLC have submitted a letter requesting the lease to continue with renting of the lower half of Town Hall and some of the rooms in the upper section. They have built a new office for the Manager and have continued to pay their rent and any extra for the utility bills for Town Hall. It has worked out well and helps the town.

The PARA grant should advertise in two weeks and possibly a contractor will be on board by the first week of January.

The street sign project under the Highway Safety Improvement Project, FY 2016 and 2017 it seems that the cost of the new signs, hardware and contractor installed have risen quite a lot. Today at the TTAC meeting we were able to allow an additional \$100,000.00 the total for the project can be \$270,000.00 which should be more than we need. Any money not used will be turned back in for other projects.

Margaret reminded everyone that Town Hall will be closed for Thanksgiving on Thursday and Friday, the 26<sup>th</sup> and 27<sup>th</sup>.

Mayor Valenzuela stated that there would now be a presentation given by Mrs. Martinez. Mrs. Martinez stated that this is something to be added to all the pictures that have been donated by Harding School. Mrs. Martinez read a poem that was framed and to be hung in the Auditorium.

Mayor Valenzuela stated that the Safety Miners, LLC have done a lot of work to the building if you have time he suggested to go take a look at all the improvements they've made.

Mayor stated that we will soon be going into the budgeting process again. He asked Council to come up with a list of things they would like to see worked on within the town. If council members have a list of at least five improvements they would like to see done within the Town maybe we can start looking at them.

Mayor Valenzuela also congratulated the High School football team on their great run this season. These young men did a great job this year.

### **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.

- A. Minutes of Regular Meeting on October 8, 2015
- B. Superior Optimist Club – Miracle on Main Street, December 5, 2015  
Food Court Bathrooms to be free; Parade and Festival
- C. Superior Chamber of Commerce Antique Show at Magma Club and Home Tour throughout Superior, January 29, 30, and 31, 2016.
- D. Superior Chamber of Commerce Request for 28<sup>th</sup> Annual Apache Leap Mining

Festival March 8 through March 13, 2016

- E. Department Reports
  - Fire
  - Police
  - Library
  - Senior Center
  - Public Works
  - Sanitation
  - Superior Magistrate Court

Motion to approve the Consent Agenda as presented made by Councilmember Besich-Lira, second by Vice Mayor Lopez. Motion carries

#### **NEW BUSINESS**

#### **Resolution No. 15-557 A Resolution of the Mayor and Council of the Town of Superior, Arizona, Approving the Street Change of Name for Mary Drive and the Superior School District on Sunset to Panther Drive and Declaring an Emergency.**

Margaret read Resolution 15-557. Councilmember Estatico stated that an idea was brought up about changing the name of Mary Drive to something with Panther in it. The school conducted an internal and online survey to find a name people actually like. They have contacted the Post Office to see how many people actually have Mary Drive as their street address for mail delivery and they found there were only two. The District Office and the JFK Elementary have Sunset as their address. This would help coordinate all the schools including the District Office to Panther Drive. The school is supporting the name change. The survey results were as follows Panther Drive received 109 votes, Panther Way received 67 votes, Parkway received 42, and Panther Alley received 32 and Panther Lane received 26, with a total of 276 votes. Margaret stated that Stephen Cooper has approved the Resolution. Council member Estatico asked since the Superintendent and a School Board Member sit on council if there is a conflict of interest in their voting on this Resolution. Town Attorney Cooper stated that the Arizona conflict of interest applies to issues where you have a monetary issue involved whether it's for family or other members closely related to you. Conflicts of interest only have a direct conflict verses a remote conflict. In this matter it's just changing the name of a street. So you would not have conflict of interest. He stated that this Resolution does have an emergency clause. The reason is basically for Fire Safety, public records if you're going to change the name it needs to be done immediately so that Law Enforcement and Fire are aware of the change of the road name. He stated that this Resolution must be passed by 6 out of seven votes. MR. Cooper suggested that this be done with a roll call, and if the motion is to move to approve then to add to approve with the emergency clause.

Council member Besich-Lira stated that she would like to thank all the students for coming out and participating in this evenings meeting.

Mayor Valenzuela asked how many people are going to have to change their mailing address, Councilmember Estatico stated that was a big issue of who actually received mail at their residence, after checking all had P.O. Boxes.

Councilmember Tameron motioned to approve Resolution 15-557 to change the street name to Panther Drive, with the Emergency Clause, second by Vice Mayor Lopez.

**ROLL CALL**

**Councilmember Alonzo – YAY**  
**Councilman Estatico – YAY**  
**Vice Mayor – Lopez – YAY**  
**Councilmember Besich-Lira – YAY**  
**Councilmember Tameron – YAY**  
**Mayor Valenzuela – YAY**  
**Motion carries.**

**Discussion of December 10, 2015, Council Meeting, Possible Date Change.**

Margaret stated that there's a Christmas program on December 10, at JFk School so she suggested to have the December Council meeting in the 9<sup>th</sup> or later. Councilmember Tameron asked if there was anything pressing for the December meeting. Mayor Valenzuela stated that we would set the date for the December Council meeting for the 9<sup>th</sup> if the meeting is needed

**CALL TO THE PUBLIC**

**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.**

Mr. Ortega made statements regarding the article on Ms. Ketchiyan, he also stated that that in Doing some research they have found a large number of people from this area that have died from cancer, because of the mines. He stated that we need to start caring about the lives not the money.

Martin Navarrette stated he had a couple of questions for Council. He wanted to know why Council is worried what the Apache Tribe thinks. Why aren't we focusing on what Superior needs and what the people want? He wants to know where Council stands; Councilmember Aguilar talked about frustration of when it's going to happen. He feels the community's frustration. When is the council going to make a stand and make a decision on where you're going to stand and stand behind it, the majority of people don't agree with it then we'll vote people in that do. But council needs to speak for the community.

Bruce Armitage stated it would be a good idea to offer Ms. Ketchiyan an opportunity to defend her position. He feels she could present a very substantial argument as to why the documentation that you have is there. Maybe Council can invite her to address this.

Hank Gutierrez had comments regarding the same topics.

Pete Casillas stated that he was here to speak on behalf of the Chamber of Commerce he stated that the group that is heading up the Business Attraction and Retention Project has been meeting. The purpose of this project is to support and enhance our local and existing businesses and to attract a more diverse and sustainable businesses in Superior.

Pam Rabago stated that she would like to see Ms. Ketchiyan come speak to the Council. She is not the only one that has stated that Oak Flats is not sacred ground, there have been others who have made the same statement.

Sue Anderson stated that she was here on behalf of the Chamber of Commerce, there will be a meeting held on Monday at 1:00 p.m., and 5:30 p.m., they would like to get everyone's input on the Business Attraction and Retention Project.

### **SUMMARY OF CURRENT EVENTS**

Councilmember Besich-Lira stated that she just wanted to congratulate the High School Football team for making it to the Semi-Finals. She hope they can come to a meeting and be recognized for the great job they did this year. Also the Miracle on Main Street is December 5<sup>th</sup>, we hope to see more floats this year. Everyone come out and support this event.

Councilmember Alonzo stated that the Little League received a grant and there will be new dug out, a pitching lane for warm up and to make it safe for fans from getting hit. And a new Storage facility will be built with the funds they received.

Councilmember Estatico stated he wanted to wish everyone a Happy Thanksgiving. Vice Mayor Lopez stated that when you see members of the High School Football team acknowledge them for all they have accomplished this season. She also wished everyone a Happy Thanksgiving.

Mayor Valenzuela stated that the sports programs at the school are doing great as well as the academics. Mayor stated that the girl's softball team won the state championship this past May. He stated that he knew that Mr. Navarrette and Mr. Duarte were having fundraisers to purchase championship rings for the team. The cost of the rings is approximately \$5000.00 to \$6000.00 so far they have raised \$3000.00. Mayor stated that he talked to Sheriff Babeu about it and the Sheriff will be paying the remaining balance on the rings.

The cemetery clean up has been on our agenda for several months but for reasons we have not been able to get out there. The PW crew has been making a lot of progress. We also have the youth that will be coming in on the 21<sup>st</sup> to clean. We will decide what more we will need to do in the future.

On Saturday the VFW will be hosting a dinner to support the Vietnam Veterans at 6:00 p.m., if you can try to attend. The Mayor also wished everyone a Happy Thanksgiving.

### **SCHEDULING OF MEETINGS AND EVENTS**

Planning and Zoning Meeting, November 19, 2015

Town Hall is closed November 26<sup>th</sup> and 27<sup>th</sup>, 2015

Council Meeting, December 9, 2015, 7:00 p.m.

Possible Cemetery Cleanup November 14, 2015

### **EXECUTIVE SESSION**

#### **A. Confidentiality Statement**

At the April 10<sup>th</sup>, 2014 Council Meeting the following member of the Superior Town Council declared a conflict of interest concerning matters involving Resolution Copper, Mayor Valenzuela, Vice-Mayor Lopez, Councilmember Tameron and Councilmember Aguilar. Due to the four conflicts of interest the Superior Town Council would not be able to discuss matters

involving Resolution Copper. However, pursuant to A.R.S. 38-508 if conflicts of interest prevent a Town from acting as required by law in its official capacity, such action shall not be prevented if the Councilmember's who have apparent conflicts make known their conflicts of interest in the official records of the Town.

Due to the fact the Mayor, Vice-Mayor and two Councilmember's have publically declared their conflicts of interest at the prior Council Meeting and the Town Council would not be able to address matters involving Resolution Copper these Councilmember's are authorized to participate in matters involving Resolution Copper pursuant to A.R.S 38-508.

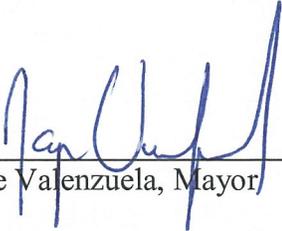
- B. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts, contracts subject to negotiation and or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Section 38-431.03(A)(3) & (4):**

Resolution Copper status of negotiations concerning possible Emergency Service agreement. Attorney Stephen Cooper stated with regards to Executive Session we have no updates from Resolution Copper. Council did not hold Executive Session

**REGULAR SESSION**

**9. ADJOURNMENT:**

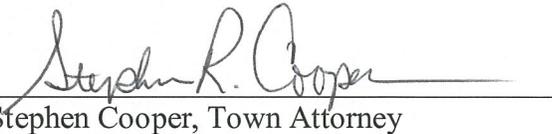
Motion to adjourn made by Councilmember Estatico, second by Councilmember Besich-Lira  
Meeting adjourned 9:07 p.m.

  
\_\_\_\_\_  
Jayme Valenzuela, Mayor

Attest:

  
\_\_\_\_\_  
Rachelle Sanchez, Town Clerk

Approved to Form:

  
\_\_\_\_\_  
Stephen Cooper, Town Attorney