

**TOWN OF SUPERIOR
REGULAR MEETING**

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR,
ARIZONA, AT THE SUPERIOR SENIOR CENTER LOCATED AT 360 W. MAIN
STREET ON THURSDAY, OCTOBER 3, 2013, AT 7:00 PM**

COUNCIL MEMBER

Mayor Valenzuela	Jayme Valenzuela
Vice Mayor Lopez	Olga Lopez
Councilmember Aguilar	Gilbert Aguilar
Councilmember Besich-Lira	Mila Besich-Lira
Councilmember Estatico	Steve Estatico
Councilmember Tameron	John Tameron

Absent: Councilmember Alonzo-out of town

TOWN STAFF PRESENT

Manager	Margaret Gaston
Town Attorney	Stephen Cooper
Police Department	Sergeant Ramirez
Fire Chief	Todd Pryor
Account Payables	Ruby Cervantes
Senior Center	Debbie Casillas
Public Works	Eddie Noriega
Administrative Aide	David Romero
Town Staff	Nora Miramon

VISITORS PRESENT

Sandra Doyle	Lindsay Duarte
Hilda Cardenas	Hank Gutierrez
Nina Crowder	Tina Gutierrez
Joy Eveland	Andrew Taplin
Carolyn Gillis	Bill Vogler
Steve Shapin	Pamela Peck
Hunter Flanagan	Dora C. Solis
Sonnie Sansom	Bharathi Tameron
Nancy Vogler	Cierre Navarrete
Charles A. Vega	Bud Estatico
Anita Hinojos	

CALL TO ORDER

Mayor Valenzuela called meeting to order at 7:00 p.m., followed by **ROLL CALL**. Quorum was present.

INVOCATION

Mayor Valenzuela led the meeting in the Pledge of Allegiance. Freddie Miramon, Temple of The Redeemer Apostolic Church gave the invocation.

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SPECIAL PRESENTATIONS

- A. Manager introduced two new employees for the Town. Public Works-Eddie Noriega has 27 years experience with the city of Mesa is born and raised in Superior. Administrative Aide-David Romero born and raised in Superior also has experience in accounting. Two good assets for the Town.
- B. Proclamation to Proclaim October 2013 as “Domestic Violence Month” Carolyn Gillis from Horizon Human Services. The Horizon Domestic Violence Safe Home would be honored if you would sponsor an official proclamation to recognize October as Town of Superior National Domestic Violence Awareness Month. Your proclamation would lend official recognition to the important work of educating the public on domestic violence, as well as emphasize your personal commitment to ending this crime. Mayor Valenzuela signed the proclamation.
- C. Proclamation to Proclaim National Head Start Awareness Month Presentation by Hilda Cardenas. I respectfully request a proclamation to help bring awareness to this program which provides education & health services and school readiness skills to three and four year old children. The Head Start preschool setting is a developmentally appropriate environment and encourages exploration and learning. Services are provided at no charge. She also extended an invitation to visit our Head Start Preschool class on Thursday, October 24th for our Open House, 8:00 am to 12:00 pm. You will have a chance to see for your selves how children are positively impacted by being allowed to learn as they explore the world around them. Mayor Valenzuela signed the proclamation.

CONSENT AGENDA

No questions from the Council on any of the items on the Consent Agenda.

Councilmember Besich-Lira requested representatives of the Homecoming Parade for Superior High School to do a presentation, Cierra Navarette, Lindsay Duarte & Hunter Flanagan. They extended an invitation to the Town of Superior to attend the Homecoming Parade and come out and support our Superior Panthers. Line up time for the parade is at 4:00pm, October 18, 2013.

Motion to approve the items on the Consent Agenda was made by Councilmember Estatico, second by Councilmember Tameron, Motion carries.

NEW BUSINESS

- A. **Review and Possible Approval of Arizona Department of Liquor Licenses and Control Application filed by the Veterans of Foreign Wars Post 3584 for a Special Event Liquor License on October 19, 2013.**

This application will allow the VFW to open to the public during this event. Motion to approve application by the VFW for a Special Event Liquor License on October 19, 2013. Motion made by Councilmember Besich-Lira, second by Vice Mayor Lopez, Motion carries unanimously.

- B. **Presentation by Annie Hinojos Director Hayden Senior Center.**

On Wednesday at 10:00am, Annie Hinojos, Mayor Chale Vega, Councilmember Besich-Lira, Director Debbie Casillas and Manager Margaret Gaston met at the Superior Senior Center. Ms. Hinojos is working with her staff to ensure that the food quality is exceptional. Over the summer there were some staffing changes which may have created some of the changes. After several minutes of discussion, Ms. Hinojos and Ms. Casillas regarding training, and the issues that the seniors have voiced. Ms. Casillas stated that things are looking up and that she also understood things a little better and would be giving this information to all of her seniors.

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C. Resolution No. 13-547, A Resolution of the Town Council of the Town of Superior, Arizona, Providing for Compliance with A.R.S. 16-204 as Amended by the Arizona State Legislature in 2012.

Attorney Stephen Cooper read Resolution No. 13-547. Town Manager Margaret Gaston requested from Mayor and Council if these three items can be discussed at the same time since all 3 items are related. Mayor and Council agreed after several minutes of discussion Mayor called for a motion. Motion by Councilmember Besich-Lira, second by Vice Mayor Lopez. Motion carries unanimously.

D. Ordinance No 13-118, A Ordinance of the Town of Superior, Arizona, Specifying the Number of Signatures Required on Nomination Petitions for the Offices of Mayor and Council.

Attorney Stephen Cooper read Ordinance No. 13-118. Ordinance No. 13-118 is specifying the number of signatures required on nomination petitions Motion by Vice Mayor Lopez, Second by Councilmember Aguilar, motion carries unanimously.

E. Ordinance No. 13-119, A Ordinance of the Town of Superior, Arizona, Changing the Basis for Calculation of a Majority of Votes Cast at the Primary Election.

Attorney Stephen Cooper read Ordinance No. 13-119. Ordinance 13-119 is recommending the Council Adopt the resolution and two ordinances authorize changes for Municipal Elections effective in 2014. Motion made by Councilmember Besich-Lira, Second by Vice Mayor Lopez. Motion carries unanimously.

F. Discussion and Approval of Change Order No. 1 for Jonovich Companies Inc. in the amount of \$7,272.41 to repair the linter for the roof.

Attached is a change order to the Jonovich contract in the amount of \$7,274.41, which raises the total of Jonovich to \$232,629.41. The repair to the lintel will need to be completed before the roof can be repaired. Both repairs are needed to protect the new electrical equipment that will be installed from the CDBG Grant 140-12 at the WWTP. Also the next agenda item is a change order for Willdan to prepare the engineering work required for the repair of the lintel and the roofing repair. Willdan's change order is in the amount of \$4,275.00, which brings their total to \$52,620.00. Motion to approve Change Order No. 1 for Jonovich Companies Inc. in the amount of \$7,272.41 to repair the linter for the roof at the WWTP made by Vice Mayor Lopez, second by Councilmember Estatico, motion carries unanimously.

G. Discussion and Approval of Change Order No. 1 for Willdan to perform the engineering duties for the roof repair at the WWTP in the amount of \$4,275.00.

A discussion for items F and G were done together and motions were done per item. Motion to approve Change Order No. 1 for Willdan to perform the engineering duties for the roof repair at the WWTP in the amount of \$4,275.00 made by Councilmember Estatico, second by Councilmember Besich-Lira, Councilmember Aguilar, Vice Mayor Lopez all voted yay's. Mayor Valenzuela, Councilmember Tameron voted nay, motion carried 4-2.

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- H. **Discussion and Approval of Change Order No. 2 for Jonovich Companies Inc. in the amount of \$3,050.38 pending approval by Arizona Department of Housing.** When Jonovich was asked to pull items 6-13 out of their bid, it was correct at the time, but part of the items removed was the effluent pumps and a starter. The improvements to the existing conditions will not allow for the existing breaker to remain in place, therefore, Jonovich was asked to prepare a change order listing for the cost of implementing this repair. This repair is needed in order to replace the existing breaker with a new motor start unit (bucket). It will become a part of the new electrical work that is being completed as part of the CDBG 140-12 project. Jonovich Companies Inc. submitted a cost of \$3050.38 to implement the recommended installment of this necessary new motor starter unit. This amount is eligible for the CDBG funds. Willdan recommends, which Manager-Margaret also concurs, this change order be approved in the amount of \$3,050.38. This brings the total amount for Jonovich to \$235,679.79. Motion to approve Change Order No. 2 for Jonovich Companies Inc. the the amount of \$3,050.38, **pending approval by Arizona Department of Housing** by Councilmember Besich-Lira, second by Vice Mayor Lopez, motion passed unanimously.
- I. **Discussion, Acceptance of Bids and Awarding of the Contract to German Roofing in the amount of \$8,935.00 for the WWTP roof repairs under the CDBG contract 140-12.** After several minutes of discussion regarding the bids, Willdan Engineers went out for 4 bids to repair the roof at the WWTP after Jonovich has repaired the lintel. Three companies did submit a bid for the repairs. German Roofing was the low bidder of \$8,935.00. This item will be covered by the change in the scope of work for the Arizona Department of Housing. The bids are German Roofing \$8,935.00; Rodriguez Construction, Inc. \$11,155.20; and Progressive Roofing \$24,960.00. The low bidder was German Roofing, Willdan Engineering is recommending the bids be accepted, and a contract awarded to German Roofing in the amount \$8,935.00. Manager also recommends the Town accept the bids and contract be awarded to German Roofing. After several minutes of discussion and questions regarding the warranties that each company offered a motion was made by Councilmember Tameron to award the bid to Rodriguez Construction, Inc. in the amount of \$11,155.20, based on the warranty and it is only with the **approval of Arizona Department of Housing**, second Councilmember Aguilar, motion carries unanimously.

CALL TO THE PUBLIC

1. Sandra Doyle – Issue with the bathrooms at the park. Those should be kept clean at all times. Winter visitors are beginning to return and we need to make sure we make a good impression when they visit.
2. Nancy Voglar- Would like to have a recycling program again in the town. Maybe some dumpsters like they had before. We need to do our part to recycle.
3. Sonnie Sansom- Weeds need to be cut in the downtown area. The property on 85 High School Avenue was awarded to a member on the board and at that it was said he was going to turn that into a laundry mat. It is not a laundry mat and would like for all of the public to go check out our new laundry mat.
4. Andrew Taplin- Resolution Copper looks forward to moving forward with out relationship. Would like to encourage the Town to move forward on an agreement so that the land exchange can move ahead. Resolution Copper has submitted some documents to the Town Attorney that

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5. the Town had requested. Was pleased to hear that they will select some residents to participate in the talks with Resolution Copper. The company is committed to the Town and is looking for ward to sit down and have discussions regarding the issues.
6. Joy Eveland- She has talked to the Mayor about this, but there are two empty houses where she lives and the smell is horrendous, tweakers are sleeping in those houses. The houses need to be boarded up and owners notified. The house right in back of hers has a couple of bath tubs in the back yard and they have water sitting in them and they attracted tons of mesquites which is a health hazard. Please can someone do something about this problem?
7. Freddie Miramon- Comments regarding the environment, mining and what responsibilities the mine has to the state and to our community. Reminding the mining industries of the consequences of the past and what will the future has in store and how they will handle some of the situations that happened in the past. He supports the Town's position and Resolution Copper Company. Just wants all parties to be responsible for their actions and make sure the surrounding environment is taken care of.

SUMMARY OF CURRENT EVENTS

A. COUNCIL MEMBERS:

Councilmember Besich-Lira- She had a real great lunch meeting with Richard Salas, district manager for APS. He briefed her on a lot of resources that APS has. They did a retreat with the Town of Miami, also working with the chamber. She wanted to let the council know that she has his contact information if anyone is interested in meeting with Mr. Salas and discussing everything that APS has to offer. The other thing she would like for the board to get back to discussing the mutual agreement with Resolution Copper Company. Too much bickering has gone on and the division it has caused is really hurting our community. We need to get back to the business of taking care of the needs of the town. We are in need of jobs and economic development and the mine is a huge part of this process. We cannot afford to put this off any longer.

Councilmember Aguilar- Let us not forget that we are here for all the people of this town; those for and those against. We are looking at everything and I am hoping to continue to be able to resolve something down the road.

Councilmember Estatico- We have a trash problem. Would like to see if we can do a clean up day like it has been done in the past. Have met with Pam Rabago, Sue Anderson & Councilmember Alonzo, so hopefully we can get something in the works.

Councilmember Tameron- He is the one that bought 85 High School Avenue. It took him two years for the Town to close on this property. He tried very hard to get everything in order to be able to open a laundry mat and was not able to get the help from the town so he had to take his business out side of the town. This property is over 200 or 100 years old and he is working on getting back to the original state but it will take a little time.

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Vice Mayor Lopez- Recycling bins are full and the one on town hall property should be moved since the property is locked in the evenings and that makes it difficult for the public to use. Also I am requesting that PCSO be put on the agenda, I had requested that this be put on the agenda but we need 3 people to request or agree to have it on the agenda. We need to act on this matter now. This has gone on for too long.

Mayor Valenzuela- Cemetery cleanup on Saturday, October 12, 2013 from 7:00am to 12:00pm. I will be bringing some inmates from PCSO to help us. Need to have the dumpster that are located at town hall moved to the cemetery for Saturday, October 12, 2013. We also have to make a decision on how long are we going to allow for trash to sit in front of someone's yard. Is it going to be that we let people put out their stuff for pick up 24 hrs ahead of pick up or do we allow 48 hrs and then the pick up. So we need to decide how long we allow it to sit on the street because it is looking awful. The issue Vice Mayor Lopez is talking about is in order to have item put on the agenda you need to have Councilmember's agree to put it on the agenda for discussion. Regarding Resolution Copper Company, the Town is not delaying any talks we are more than willing to sit and meet. We have asked for correspondence, we have a new Attorney and lots of changes have been happening. We want to sit with any company who ever it might be Resolution, Omya who ever the company might be. We want to move forward so there is no delay on the part of this Council. I want to thank Mr. Taplin for his good gesture in offering himself & Resolution's services.

Town Manager-Ms. Gaston- Work has begun on the CBDG Project starting with the concrete pad being poured. Circle K will hold their Neighborhood Meeting on October 15, 2013, at the Superior Senior Center at 6:00 p.m. after that a Planning and Zoning Commission meeting will be held. Council will address the project hopefully in November. A Notice of Quorum will be posted for this meeting in case all the Council would like to attend. The Magma Hotel project is moving forward. It's been great to see workers there early in the morning working on the buildings. Activity is great for Main Street. Next week, the week of October 7th, the Town of Superior will be repairing a collection line in the alley at 299 Kellner Avenue. This should be a 1-2 day repair. The Alley will be blocked during the repair work. One of the complaints in town is the bulky pickup and that fact that the Town of Superior no longer provides that service, Republic Service does the bulky pickup for current customers. Sgt. Ramirez did some research on free dump days hosted by Pinal County, Pinal County Voucher Program, PO Box 700, Mammoth, Az. 85618. Town Hall will have the information for contacting that program. Kearny has free dump Days on the 2nd Saturday of each month just outside the city limits. If residents would Contact Pinal county customer information line they will get information for their dump days. Contact Town Hall for information.

EXECUTIVE SESSION

Mayor called for a motion to go into Executive Session. Motion by Councilmember Aguilar, second by Vice Mayor Lopez, motion carries.

Mayor Valenzuela called for a motion to return from Executive Session. Motion to return from Executive Session by Vice Mayor Lopez, second by Council-member Besich-Lira, motion carries.

POST EXECUTIVE SESSION

Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.

- B. Mayor entertaining any motions, Motion to direct out Town Manager to Negotiate with Johnson Appraisal Group, PLLC, for appraisal of Town Properties made by Councilmember Estatico, second by Councilmember Tameron, motion carries unanimously.

SCHEDULING OF MEETINGS AND EVENTS

October 12, 2013 Cemetery Clean Up invited the public to come out and participate. Bring your weed eaters, tools, there will be inmates from PCSO. Trash bags will be provided. Don't forget the Night of the Cowboy, October 19, 2013
Homecoming Parade October 18, 2013, at 4pm on Main Street
Head Start Open House on October 24, 2013, 8:00- 12:00 pm

ADJOURNMENT

Mayor called for a motion to adjourn, Motion to adjourn made by Vice Mayor Lopez, second by Councilmember Besich-Lira, motion carries. Meeting adjourned at 9:38 pm.

Mayor Jayme Valenzuela

Attest:

Town Manager/Margaret Gaston