

**Town of Superior
Special Council Meeting
Thursday, January 10, 2013 6:30 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173
MINUTES**

A. CALL TO ORDER

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

B. SALUTE TO THE FLAG

Mayor Valenzuela led the Salute to the Flag.

C. OPENING PRAYER

Council Member Chris Tomerlin led the opening prayer.

D. ROLL CALL

Present: Council Members Irene Hansen, Chris Tomerlin, John Tameron, Gilbert Aguilar, Soyla "Kiki" Peralta, Vice Mayor Olga Lopez and Mayor Jayme Valenzuela; **Absent:** N/A

E. CALL TO THE PUBLIC

Mr. Sonnie Sansom, 203 Main Street, Superior, Arizona stepped forward to discuss the minutes. For the last two (2) years he has had problems with the sound system in the Senior Center and the fact that people do not speak into the microphones. He decided he needs to record the meetings and then he would have a tape available of the meetings in the event anyone wanted to listen to it. Mr. Sansom that there were minutes that had not been approved since last November, so if we have to wait for the approved minutes, we are in big trouble. He placed his recorder on the dais alongside the Town's.

Mr. Sansom wanted to comment on the postings and held up the legal notice from the newspaper. He asked how many people read it in The Superior Times (meant Sun). He indicated that he did and did a survey. The survey results were as follows. Do you read the Public Notices in the newspapers = 82% read them. Do you want to continue to publish them in the newspaper = 62% want to have them in there. But how do you read something small like that. The meeting tonight is supposed to be the third Thursday of the month—this is the second Thursday of the month and not the right night. You have a Council member who shows up late because she did not know the meeting was at 6:30pm. It's easy to put it on the website. I think on the website there should be a comment area where people can talk to you about this. Thank you for listening.

F. BUSINESS, POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

1. Discuss/Approve/Reject: Resolution #540: A Resolution of the Town of Superior Proposing an Extension of the Alternative Expenditure Limitation

Ms. Wentzel indicated we conducted two (2) Public Hearings regarding Alternative Expenditure Limitation as required by law on January 3, 2013 and January 10, 2013. This is the time to approve a resolution accepting Annual Expenditure Limitation and move it forward to the voters on May 21, 2013.

MOTION: Council Member Tomerlin moved to approve Resolution #540 and read the heading. Vice Mayor Lopez seconded. **VOTE:** The motion passed unanimously.

Ms. Wentzel asked if the Mayor and Council desired to move on to Business Item #2 or hold an Executive Session at this time.

MOTION: Council Member Peralta moved to table items 2, 3, 4 and 5 until after Executive Session. Seconded by Council Member Tomerlin. **VOTE:** The motion passed unanimously. Mayor Valenzuela indicated that they would be moving into Executive Session at 7:08pm.

Attorney Wencker reminded the Mayor and Council that they needed to make a motion to move into Executive Session.

MOTION: Council Member Tomerlin moved to go into Executive Session at 7:12pm. Council Member Tameron seconded. **VOTE:** Motion passed unanimously.

MOTION: Council Member Peralta moved to return to regular session at 8:25pm. Council Member Aguilar seconded. **VOTE:** Motion passed unanimously.

2. Discuss/Approve/Reject: Contract for Attorney Services – Christopher Wencker, Dimalanta Clark, LLP

MOTION: Vice Mayor Lopez moved to give Mr. Christopher Wencker, Dimalanta Clark, LLP, a 30-day notice. Council Member Peralta seconded. **VOTE:** The motion passed unanimously.

3. Discuss/Approve/Reject: Contract for Attorney Services – Chad Niven, Law Offices of Chad Niven

MOTION: Council Member Peralta moved to give Mr. Chad Niven, Law Offices of Chad Niven a 30-day notice. Council Member Aguilar seconded. **VOTE:** The motion passed unanimously.

4. Discuss/Approve/Reject: Contract for Attorney Services – K. Kane Graves

MOTION: Vice Mayor Lopez moved to table this item and direct staff to seek employment of an attorney/town manager immediately. Council Member Tomerlin seconded. **VOTE:** The motion passed unanimously.

5. Discuss/Approve/Reject: Personnel Matters – Rita M. Wentzel, Interim Town Manager/Clerk

MOTION: Council Member Peralta moved to move Ms. Wentzel from Interim Town Manager to Finance Director/Clerk pending the hiring of a Town Manager/Attorney. Vice Mayor Lopez seconded the motion. **VOTE:** The motion passed unanimously.

Council Member Tomerlin clarified the motion for the audience and indicated that until we hire a new town manager, Rita is still in charge. But, the minute we hire a new manager she moves into her new position and the new manager assumes control.

G. 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: The Town Council may or may not go into executive session pursuant to A.R.S. Section 38-431.03(A)(1) for discussion of personnel matters or consideration of employment, assignment, appointment, promotion, dismissal, salary, disciplining or resignation of Interim Town Manager/Clerk Rita M. Wentzel.

A-1—PERSONNEL: The Town Council may or may not go into executive session pursuant to A.R.S. Section 38-431.03(A)(1) for discussion of personnel matters or consideration of employment, assignment, appointment, promotion, dismissal, salary, disciplining or resignation of Town Attorney Christopher Wencker.

A-1—PERSONNEL: The Town Council may or may not go into executive session pursuant to A.R.S. Section 38-431.03(A)(1) for discussion of personnel matters or consideration of employment, assignment, appointment, promotion, dismissal, salary, disciplining or resignation of Interim Town Attorney Chad Niven.

A-3—LEGAL ADVICE WITH ATTORNEY:

A-7—LEGAL ADVICE WITH ATTORNEY REGARDING SALE, LEASE OR PURCHASE OF REAL PROPERTY:

H. COUNCIL COMMENTS

Ms. Peralta indicated that everyone has probably figured out we are having quite a few problems in the Town right now, so we are making these moves to help relieve part of them but

we probably aren't done. We are probably going to have more work to do. It's a new year, so welcome to 2013!

Mr. Aguilar first of all thanked Chris and Chad for the work they have done for us. It's been difficult for us. Just being on this Council is difficult. The decisions we have to make are for the best of the Town. When we look at things and we go over them, you have to do your research, you have to do this, you have people calling you all the time, e-mails and we hated to say good-bye to anybody. I guess that is the nature of the beast. I want to thank you guys very much for the work you have done.

Ms. Hansen also thanked the attorneys for the work they have done for the Town. She indicated it will take the town working together and pulling together and making it better for all of us. Ms. Hansen indicated that yes, it is a ride. Mayor Valenzuela was right!

Mr. Tomerlin told Ms. Irene that he said good luck to her for a reason. He expressed his thanks to the attorneys who have worked really hard for us. He indicated this was not an easy decision for him and has been thinking about it and lost sleep over it. It was a very hard decision. He said he hated to see you guys (attorneys) go. He thinks we need to move in a new direction and hopefully this will get us closer to where we need to go. He thanked the attorneys for all their hard work.

Mr. Tameron also wanted to thank Chris and Chad for their work and like Chris and all the council said, it's a very hard decision. But I think it is a conclusion that we will try to move forward with this decision and thanks for all your help.

Vice Mayor Lopez said ditto to what everybody else has said. Chad and Chris, we really appreciate all your hard work and everything you have done for the Town. But starting a new year we've got to make changes, and hopefully it will be changes that will improve on and get a better direction of where we are going to get some leverage. Thank you.

Mayor Valenzuela also thanked the attorneys for the work they have done. I have gotten to know you over the last year and you have done some good stuff for us. It's nothing that you have done, we just decided to go in a new direction. That's all it is. We appreciate the work you have done, we appreciate you guys working with Planning and Zoning and things. Right now we decided to go a different direction and it's the nature of the business. No hard feelings, I hope. It's just something that happens.

I know everybody else wanted to but it probably slipped their mind, and I want to thank Rita for her work that she's done. For being the Manager, on the overload that we put on her, because she took on a lot when she became the manager/finance/town clerk/all those hats she was wearing. She wore many hats and one person can't do it all. I want to thank you for the service that you have done and I know you are going to do great things as our Town Clerk and as our Finance Manager.

This is a new year, like everyone said. We still have a whole bunch of hurdles to overcome. Lots of hurdles. And everybody needs to get on the same page—from the Town staff to the Town's people. We all need to work together for the common goal, and that's to make Superior better so we can proceed forward. We have some major hurdles to do in the next few months.

I wish everyone a Happy New Year! It's great to see the work being done on the hotel at the top of the street. I don't see Billy in here tonight getting mad at us. . .there he is! It's happening. More things are going to happen.

I. ADJOURNMENT

MOTION: Council Member Tomerlin moved to adjourn. Vice Mayor Lopez seconded. **VOTE:** The motion passed unanimously. Mayor Valenzuela adjourned the meeting at 9:19 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the Town Council of the Town of Superior held on the 10th day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Rita M. Wentzel, Interim Town Manager/Clerk