

Town of Superior
Regular Council Meeting
Thursday, February 21, 2013, 7:00 P.M.
Superior Senior Center
360 W. Main St., Superior, AZ 85173
MINUTES

CALL TO ORDER:

Mayor Jayme Valenzuela called the meeting to order at 7:10 p.m.

ROLL CALL:

Present: Council Members Irene Hansen, Chris Tomerlin, John Tameron, Gilbert Aguilar, Soyla “Kiki” Peralta (arrived late at 7:18 p.m.), Vice Mayor Olga Lopez and Mayor Jayme Valenzuela **Absent:** N/A

INVOCATION:

Council Member Chris Tomerlin led the Invocation.

PLEDGE OF ALLEGIANCE:

Mayor Valenzuela led the Pledge of Allegiance.

1. SUMMARY OF CURRENT EVENTS:

A. Council Members

Council Member Irene Hansen commented regarding the Superior Has Heart event and indicated that they made approximately \$13,000. She said that it was a lot of fun and she had a good time.

Vice Mayor Lopez agreed with Council Member Hansen. She indicated that the turnout was good and it was for a good cause. Lopez applauded the efforts of all involved. Additionally, Vice Mayor Lopez complimented the LOST event and indicated that there was a good turnout for this event as well.

B. Mayor

Mayor Jayme Valenzuela echoed Vice Mayor Lopez’s comments regarding the LOST event. Valenzuela indicated he participated in his first hike up Picket Post with his family. Mayor Valenzuela indicated that the Superior Has Heart event was well attended and a good effort. Valenzuela said that this is just what Superior is all about—people getting together to help one another and turn out in the time of need.

C. Town Manager

The Town Manager had no Current Events to report.

2. CEREMONIAL MATTERS: Presentations, Proclamations, Awards, Guest Introductions and Announcements.

There were no Ceremonial Matters.

3. **CONSENT CALENDAR:** 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. Consideration of Approval of Council Meeting Minutes:

1. Regular Meeting of February 7, 2013
2. Executive Sessions of November 15, 2012, January 17, 2013 and February 7, 2013

MOTION: Council Member Chris Tomerlin moved to approve the Consent Calendar. Council Member Irene Hansen seconded the motion. **VOTE:** The motion passed unanimously with Council Member Kiki Peralta absent for the vote.

4. **REPORTS:**

Town Manager Kane Graves commented that reports should be a part of Summary of Current Events and explained the protocol that would preclude discussion and dialogue under the Open Meeting Law.

POLICE DEPARTMENT

Chief Lou Digirolamo presented his report and indicated that there was another dispatcher resignation that is being filled so there should not be any decrease in service.

Mayor Jayme Valenzuela suggested that some of our vacancies could be ameliorated by use of the Pinal County Sheriff Department officers since the Board of Supervisors had approved funding for coverage in Superior. He suggested that the Chief work with the Pinal County Sheriff's Office to fill vacancies to ensure we have coverage 24/7.

Council Member Chris Tomerlin asked if the reserve would be able to step into the open officer position. Chief Lou Digirolamo said that the reserve will be able to work on a full-time basis and some others may be interested in stepping up as reserves.

FIRE DEPARTMENT

Operations Chief Todd Pryor presented his report and discussed code enforcement and the building vacancy rate in Superior in comparison to other communities—including Detroit.

Mayor Jayme Valenzuela asked who handles utility companies when they do street/sidewalk repairs and who oversees the clean-up? Operations Chief Pryor stated that the codes do not regulate public roadways. He further suggested that the Police Department should deal with these issues and provide citations.

Council Member Gilbert Aguilar described the way it used to be handled—a permit was required with before and after photos and a refundable deposit. Operations Chief Pryor suggested that it would be a subsurface permit.

Council directed the Town Manager to look into utility companies obtaining permits prior to digging any trenches to do repairs in the public right of way.

LIBRARY

Librarian Josie Campos provided her report statistics and announced that they would be having their annual book sale on March 8-9, 2013 from 9:00 a.m. to 5:00 p.m.

Council Member Gilbert Aguilar asked how people who bring their laptops to the Library access the internet. Campos stated that patrons have wireless accessibility both inside and outside the building.

SENIOR CENTER

Senior Center Director Debbie Casillas approached the podium; however, she had not provided a report in the past and asked Ms. Wentzel to do so this meeting. Finance Director Rita Wentzel reported the monthly Senior Center meal and transportation statistics.

FINANCE

Finance Director Rita Wentzel reviewed the December 31, 2013, 6-month budget vs. actual. Wentzel began with Schedule E, Expenses, and discussed each Department's high-level activity, detailing year-to-date percentages. Most departments were right at or under the 50 percent mark. She then went through Schedule C, Revenues, in much the same manner. Her overall comment was that we are right on target and we needed to stay the course. Ms. Wentzel commended staff, Council and the public for their hard work, patience and tolerance during these difficult times.

5. NEW BUSINESS:

There was no New Business to discuss.

6. ACTION ITEMS:

- A. Discussion and Consideration of entering into a CDBG Project 140-12 Contract Addendum for Engineering Services with Willdan Engineering, Inc. (Kane Graves/Grant Anderson)

Town Manager Kane Graves reviewed the background activities with this grant for the Wastewater Treatment Plant Improvements. He introduced Mr. Grant Anderson, Vice President, Willdan who also spoke regarding the project and answered questions regarding the contract amendment. Mr. Anderson indicated that CAG has held up several projects with which he is associated and that Kearny was getting money back for some of the problems created by CAG.

Mayor Valenzuela recommended that Manager Kane Graves get with CAG to get some reimbursement for them holding up the process.

MOTION: Council Member Chris Tomerlin moved to approve the CDBG Contract #140-12 Wastewater Treatment Plant Improvements Contract Addendum for Engineering Services with Willdan Engineering not to exceed the amount of \$48,345. Council Member John Tameron seconded the motion. **VOTE:** The motion passed unanimously.

- B. Discussion and Consideration of entering into an Intergovernmental Agreement with the Hayden Senior Center to provide meals for the Superior Senior Center. (Kane Graves/Rita M. Wentzel)

Finance Director Wentzel reviewed the monthly expenses for the Superior Senior Center from July 1, 2013 through January 31, 2013. Wentzel indicated that they began a trial partnership with the Hayden Senior Center providing the meals on November 13, 2013. This partnership was intended to reduce staff hours/salaries and food costs for Superior. Ms. Wentzel indicated that the program is working and recommended that we continue with the program and work through any issues that we have with the Hayden Senior Center.

Senior Center Director Debbie Casillas spoke regarding the problems that have been encountered with the program and showed the Council some frozen meals. Ms. Ruby Cervantes spoke on behalf of her parents. Ms. Elizabeth Magallanez provided comments from Ms. Bernice Whitney who had to leave prior to this action item. Finally, Mr. Jim Bojorquez spoke on behalf of him and his wife. Council members Soyla Peralta and John Tameron and Mayor Jayme Valenzuela also commented.

Council Member Tameron asked about the term of the IGA. Manager Graves indicated that he would make it easy for the Council to cancel on 30 days written notice.

MOTION: Mayor Valenzuela moved to terminate the contract with the Hayden Senior Center, go back to cooking in-house and develop a volunteer program. The motion died for lack of a second.

MOTION: Council Member Gilbert Aguilar moved to direct the Town Manager/Attorney to develop an Intergovernmental Agreement between the Town of Hayden and the Town of Superior to have the Hayden Senior Center provide fixed cost meals and continue to review and evaluate the program and budget for new Cambros for the hot food delivery. Vice Mayor Lopez seconded the motion. **VOTE:** The motion passed with six (6) yes votes and one (1) no vote (Mayor Valenzuela).

7. CALL TO THE PUBLIC:

Mr. Sonnie Sansom, 203 Main Street, questioned the Call To The Public. The Agenda indicates that the public can speak about matters NOT on the Agenda. He thought that the purpose of coming to the meetings was to speak and have discussion. Mr. Sansom also indicated that the microphones don't work so the public cannot hear what is being said. Finally, Mr. Sansom indicated that the Agendas and Minutes on the website are caught up and he appreciates that.

Mr. Michael Alonzo, 113 Sunset, indicated that he was very pleased to finally be running for Superior Town Council and provided information regarding his background and vision for the Town. Mr. Alonzo indicated he wants to contribute to the community and reminded everyone to vote on March 12, 2013.

Mr. Freddie Miramon, 101 Saguaro, asked about a back-up sound system that may help with the microphone problem and hoped that in the future something could be done about it.

MOTION: Council Member Tomerlin moved to go into Executive Session at 9:40pm. Vice Mayor Lopez seconded the motion. **VOTE:** The motion passed unanimously.

8. EXECUTIVE SESSION:

- A. Confidentiality Statement
- B. Discussion or consultation with the attorneys of the public body for legal advice and in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Section 38-431.03 (A) (3) & (4).
 - a. IGA with Pinal County
 - b. Economic Development Agreement

MOTION: Council Member Soyla Peralta moved to reconvene Regular Session at 10:36pm. Council Member Gilbert Aguilar seconded the motion. **VOTE:** The motion passed unanimously.

9. POST EXECUTIVE SESSION:

Mayor Jayme Valenzuela, Vice Mayor Olga Lopez and Council Member John Tameron declared their Conflicts of Interest and left the dais.

- a. IGA with Pinal County.

MOTION: Council Member Soyla Peralta moved to table this item. Council Member Tomerlin seconded the motion. **VOTE:** The motion passed unanimously.

- b. Economic Development Agreement

MOTION: Council Member Soyla Peralta moved to direct the Town Attorney to terminate the Economic Development Agreement with Resolution Copper Mining, sign the letter on behalf of the Council and issue a press release regarding this action. Council Member Chris Tomerlin seconded the motion. **VOTE:** The motion passed unanimously.

10. SCHEDULING OF MEETINGS:

There were no new meeting schedules brought up.

11. ADJOURNMENT.

MOTION: Council Member Soyla Peralta moved to adjourn the meeting. Council Member Irene Hansen seconded the motion. **VOTE:** Motion passed unanimously. The meeting was adjourned at 10:40 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 21st day of February, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Rita M. Wentzel, Town Clerk