

TOWN OF SUPERIOR
LEGAL STATEMENT
NOTICE OF REGULAR MEETING OF THE
TOWN OF SUPERIOR TOWN COUNCIL

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the Superior Town Council and to the public, that a Regular Meeting of the Superior Town Council was held on Thursday, May 13, 2021 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona. The agenda for this meeting is as follows:

Due to the impacts of the COVID-19 pandemic, which have prompted declarations of a public health emergency at both the state and federal levels, this meeting will be conducted using measures to protect public health. Members of the public are encouraged NOT TO ATTEND THE MEETING IN PERSON but instead to attend and listen to the meeting remotely by telephone.

To participate in the meeting telephonically follow the instructions below:

Tele-Conference Participant:

1. At the specified time, dial the Access Number **712-451-0644**.
2. When prompted, enter your Participant Code followed by #.
3. Your Participant Code is **127483** #.

Participant Star Commands:

- *4-Volume - Pressing *4 will increase/decrease the volume.
- *6-Mute - Participants can mute/unmute their own lines by pressing *6.

We will also be live-streamed on the Town's youtube channel.

<https://www.youtube.com/channel/UCd2f5D2dfTkaazjwNyhAXRA> .

Public access to the Mayor and Council Chambers will be restricted in order to prevent a large or close gathering of the members of the public and to promote social distancing. Additionally, some items on the agenda may be shortened, continued to a future meeting or taken out of order. These steps are part of the effort to limit the number of people who must be physically present, or who might desire to be physically present, at the meeting, and to limit the time of the public meeting.

This meeting will be held remotely through technological means, as permitted under Arizona law.

1. CALL TO ORDER
2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. INVOCATION

5. SPECIAL PRESENTATIONS

- A. Proclamation proclaiming May 2 – May 8, 2021 52nd Annual Professional Municipal Clerks Week.

6. STAFF REPORTS

Mayor
Manager

7. 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.

1. Approval of Minutes of Regular Town Council Meeting on April 8, 2021.
2. Approval of Town of Superior Alcohol Permit for Robert A. Lopez for a Horseshoe Tournament Fundraiser to be held at the US 60 Park on May 22, 2021 from 10:00 AM to 10:00 PM.
3. Approval of Town of Superior Alcohol Permit for Janeen Duarte for a Graduation Celebration to be held at the Magma Club located at 38 Kumpke Ct, Superior, AZ on June 5, 2021 from 1:00 PM to 11:00 PM.
4. Approval of Town of Superior Alcohol Permit for Joaquin Mancinas Torres for a Graduation Celebration to be held at the Magma Club located at 38 Kumpke Ct, Superior, AZ on June 19, 2021 from 2:00 PM to 12:00 Midnight.
5. Approval of Town of Superior Alcohol Permit for Maxine Wheeler for a Wedding Reception to be held at the Magma Club located at 38 Kumpke Ct, Superior, AZ on November 20, 2021 from 2 PM to 12:00 Midnight.
6. Approval of Town of Superior Alcohol Permit for Olga Lopez – Social Club de Damas for a fundraiser to be held at the US 60 Park lower level on August 7, 2021 from 10:00 AM to 10:00 PM.

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7. Approval of AZ Dept of Liquor License and Control Application for a Special Event License for Regenerating Sonora for the 10th Annual Prickly Pear Festival to be held on August 14, 2021 from 7:00 AM to 10:00 PM located at Town Hall Building, 199 N. Lobb Avenue, Superior, AZ. Applicant is Pete J. Casillas.
8. Approval of Town of Superior Alcohol Permit for Regenerating Sonora/Pete J. Casillas for the 10th Annual Prickly Pear Festival to be held on August 14, 2021 from 7:00 AM to 10:00 PM located at the Town Hall Building.
9. Approval of Lease Agreement for between Imagine Technology Group for a 60- month Lease Agreement for Toshiba Color Multifunction Printer for Town Hall and the Fire Department.
10. Approval of RFP for Sale and Development Agreement for the Coleman Alley Lot. The Town of Superior (Town) is requesting sealed proposals from qualified firms or individuals to purchase the Coleman Alley Lot for the development of a business in the Town Center. The Property is located on the North West corner of Main Street and Coleman Alley.
11. Approval of Intergovernmental Agreement (IGA) between Pinal County and the Town of Superior for Detention of Municipal-Charge Inmates. This IGA sets forth the terms and conditions under which TOWN'S inmates shall be incarcerated in the PCSO ADC. TOWN inmates are adults arrested, charged or sentenced under the authority of TOWN. (ie criminal charges within TOWN'S municipal court jurisdiction)
12. Approval of Contract No. 019-6655 Amendment No. 4 (3/21) between Pinal Gila Council for Senior Citizens and the Town of Superior. Increasing the contract reimbursement ceiling for Congregate Meals to \$67,264 and increasing the contract reimbursement ceiling for Homebound Meals to \$134,317.
13. Approval of CORPORATION FOR NATIONAL SERVICE AmeriCorps*VISTA Grant # 20VSWAZ001 Memorandum of Agreement (MOU) between SPONSOR Alliance of Arizona Nonprofits and HOST SITE Town of Superior.
14. Approval of Lease Agreement between Ray Roakes and the Town of Superior. Mr. Roakes is a Superior Town Vista Volunteer and will lease one room from the Town of Superior known as Northwest Classroom and shared use of the common space located in Superior Town Hall located at 199 N. Lobb Avenue, Superior AZ 85173.
15. Approval of Funding Agreement between the Arizona Department of Housing and Town of Superior for Blight Abatement. The Agreement Number is 134-21 and the

Termination Date is September 1, 2022. ADOH agrees to provide \$223,627.00 in CDBG Funds.

16. Approval of Amendment to the Services Agreement by and between SEED SPOT and the Town of Superior made effective June 1, 2021. The amendment is to extend services for an additional three months. "Renewal Term" is revised to mean the three-month period from June 1, 2021 through August 31, 2021.

17. Department Reports:

Fire
Police
Public Works
Library
Senior Center
Sanitation
Town Engineer

COUNCIL APPROVED ITEMS 1-6, 9, 11-17. ITEMS 7, 8 & 10 WERE TABLED.
AYES – 7 NOES – 0 ABSENT- 0 ABSTINATIONS - 0

8. NEW BUSINESS

A. Discussion/Possible Approval of Resolution 2021- 638, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR, PINAL COUNTY, ADOPTING THE FISCAL YEAR 21-22 TENTATIVE BUDGET.

ACTION ITEM NO. 1 **APPROVED**

B. Discussion/Possible Approval of Resolution 2021-639, A RESOLUTION OF THE TOWN OF SUPERIOR, ARIZONA DESIGNATING THE CHIEF FISCAL OFFICER FOR OFFICIALLY SUBMITTING THE 20-21 FISCAL YEAR EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL.

ACTION ITEM NO. 2 **APPROVED**

C. Public Hearing/Discussion/Possible Approval of Recommendation of Approval of AZ Dept of Liquor License and Control Application for Silver King Smokehouse and Saloon located at 404 W. Main Street, Superior, AZ. Applicant is Justin Evans.

ACTION ITEM NO. 3

APPROVED

D. Discussion/Possible Approval of Ordinance 2021-171, AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, RENUMBERING ORDINANCE No. 2021-170, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUPERIOR AMENDING THE TOWN ZONING CODE ARTICLE 11, MANUFACTURED HOUSING OVERLAY DISTRICTS, PARAGRAPH 11.2 PERMITTED

USES; PARAGRAPH 11.3 PLANNING REVIEW PROCESS; PARAGRAPH 11.4, REVIEW CRITERIA; PARAGRAPH 11.5, DESIGN AND CONSTRUCTION STANDARDS; PARAGRAPH 11.7, DENSITY, AREA, BUILDING & YARD REGULATIONS; AS IT RELATES TO MANUFACTURED HOUSING, AND DECLARING AN EFFECTIVE DATE AND RENUMBERING THIS ORDINANCE AS 2021-171

ACTION ITEM NO. 4 **APPROVED**

- E. Discussion/Possible Approval of the Pinal Regional Transportation Authority (PRTA) annual five year plan.

ACTION ITEM NO. 5 **APPROVED**

- F. Discussion/Possible Approval of Donation Agreement between David Korak and the Town of Superior for approximately 1 acre of land located in the Town designated as APN 106-12-2210 and 106-12-2220.

ACTION ITEM NO. 6 **APPROVED**

- G. Discussion/Possible Approval on whether Council would like to move forward with a Laser Show for the 4th of July Celebration.

ACTION ITEM 7 **APPROVED FOR THIS YEAR**

- H. Public Hearing/Possible Action of the Superior Town Council Serving as it's Board of Adjustment as a public meeting pursuant to Section 2.4 of the Town Zoning Ordinance considering: An appeal of the Planning and Zoning decision to deny the Conditional Use Permit (CUP) on behalf of Tiffany Rowell to allow the assisted living home for Eight (8) residents at the address 422 Moffatt Street, Superior, AZ.

TABLED TO JUNE 2021 MEETING

MEETING OF THE TOWN OF SUPERIOR BOARD OF ADJUSTMENT

- i. Call to Order
- ii. Roll Call

Tiffany Rowell for a residence located at 422 W. Moffatt Street, Superior, AZ

- 1. Opening Public Hearing
- 2. Staff Report and Recommendation
- 3. Presentation by Applicant if requested and Public Comment
- 4. Closing of Public Hearing
- 5. Discussion and Action by Town Council acting as Board of Adjustment.
- 6. Adjourn Board of Adjustment Meeting.

RETURN TO REGULAR SESSION OF TOWN COUNCIL

9. **CALL TO THE PUBLIC**

A. 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.

B. At the conclusion of the call to the public, individual Town Council members may (1) respond to criticism made by those who have spoken; (2) ask staff to review a matter; or (3) ask that a matter be put on a future agenda.

10. **EXECUTIVE SESSION**

A. Confidentiality Statement

B. Discussion of legal matters/consultation with Town Attorney, Town Staff and/or the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, pursuant to A.R.S. '38-431.03 (A) (3) and (4).

C. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. '38-431.03 (A) (3), (4) and (7).

D. Possible executive session for discussion/consultation for legal advice with the Town Attorney and/or Town Staff concerning any of the agenda items, pursuant to A.R.S. '38-431.03 (A) (3) and (4).

11. **REGULAR SESSION**

12. **A. Direct Town Manager, Town Attorney, Town Staff Counsel to Proceed as Directed in Executive Session.**

13. **SUMMARY OF CURRENT EVENTS**

- A. Council Members
- B. Mayor
- C. Town Manager

14. **SCHEDULING OF MEETINGS AND EVENTS**

All meetings are held at Town Hall.

Emergency Services Committee	05/20/2021	6:00 PM
Community Development Committee	05/27/2021	6:00 PM
Planning & Zoning Committee	06/03/2021	6:00 PM
Town Council Meeting	06/10/2021	7:00 PM

15. ADJOURNMENT

Approved by: Mayor Besich

Posted by: _____

Date: _____ Time: _____

THE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION WHEN NEEDED FOR LEGAL CONSULTATION OF THE ABOVE SHOWN ITEMS A.R.S. SEC. 38-431-03 (A)(3) AND (A)(4).

HANDICAPPED INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT THE TOWN OF SUPERIOR AT 520-689-5752 AT LEAST 72 HOURS IN ADVANCE.