

TOWN OF SUPERIOR
MINUTES
TOWN OF SUPERIOR TOWN COUNCIL MEETING

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, April 14, 2022 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona.

This Meeting was live-streamed on the Town's youtube channel.

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

1. **CALL TO ORDER**

Mayor Besich called the meeting to order at 7:00 PM.

2. **ROLL CALL**

PRESENT:

Mayor Mila Besich
Vice-Mayor Michael Alonzo
Council Member Gilbert Aguilar
Council Member Bruce Armitage
Council Member Olga Lopez
Council Member Stephen Estatico
Council Member Vanessa Navarrette

TOWN STAFF:

Todd Pryor, Town Manager
Ruby Cervantes Town Clerk – Excused
Stephen Cooper (Telephonically)
Karla Luedke – Admin Assistant
Frank Alanis- Police Chief
John P Perez – Fire Chief
Natalie Dana – Fire EMT
Lawrence Short – Fire EMT

PUBLIC ATTENDANCE:

Hank Gutierrez
Melissa Rabago
Thomas Freestone

3. PLEDGE OF ALLEGIANCE

Mayor Besich led everyone in the Pledge of Allegiance.

4. INVOCATION

Council Member Armitage gave the Invocation and Moment of Silence.

Mayor Besich stated our Moment of Silence was for our former Town Clerk Mellie Bribiescas. She worked for our Town for 30 years first as a dispatcher then clerk. Today her family gathered for a celebration of life. Flags will remain at half staff thru Saturday to honor her service to the town.

5. SPECIAL PRESENTATIONS – none

6. STAFF REPORTS

Mayor - Todd and I have a meeting this week with BHP and ADEQ regarding the voluntary remediation program that they will be doing to test this week to test for naturally occurring and non-naturally occurring arsenic in our area. On Tuesday the Phoenix Committee on Foreign Relations will be at the Boyce Thompson Arboretum for a Wandering of the World's Deserts from 5:00 PM to 8:00 PM. I am a member of the PCFR so this is a real honor to have this organization host an event in our community. I encourage all of you to attend. Please let me know if you plan to attend. Last week we had a visit from Congressman O'Hallerin. Appreciate Council Member Estatico, Governing Board President Mr. Gutierrez and Council Member Navarrette for attending. He wanted to have a tour of the MultiGen Center and an update on all things Superior. We had a very nice visit and several other community leaders joined in on the tour. Sen. Sinema's Staff will be coming sometime next month. We have been busy.

Manager – No comments.

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 March 10, 2022.
2. Approval of Public Safety Personnel Retirement System Pension Funding Policy. The intent of this policy is to clearly communicate the Council's pension funding objectives and its commitment to our employees and the sound financial management of the Town and to comply with new statutory requirements of Laws 2018, Chapter 112.
3. Approval of the IT Support Agreement between the Town of Superior and AZ TechNet, LLC. The flat monthly fee has been raised from a flat monthly fee of \$800 to \$1,000 for all services .

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4. Approval of IGA between the Town of Superior, a municipal corporation of the State of Arizona (“Town”) and the Superstition Fire and Medical District, an Arizona Fire District existing pursuant to the authority of Title 48, Chapter 5 of the Arizona State Revised Statutes (“SFMD”) and collectively referred to as Parties. Whereas, it is the desire of SFMD and the Town to jointly exercise their powers pursuant to A.R.S. Sec. 11-952 and 48-805(B) to enter into an Intergovernmental Agreement (IGA) for Fleet Maintenance Services to be provided by SFMD to Superior Fire Department upon the terms and conditions as set forth in this Agreement.
5. Approval of Town of Superior Alcohol Beverage Permit for Victoria Quiroz for a Birthday Party at US Highway 60 Park on March 26, 2022 from 2:00 PM to 6:00 PM.
6. Approval of Town of Superior Alcohol Beverage Permit for Merlinda Provencio for a Birthday Party at Besich Park located on Main Street on Saturday, April 30, 2022 from 2:00 PM to 9:00 PM.
7. Approval of Arizona Department of Liquor License and Control Special Event License Application for Emily Smolenski for an event at the Boyce Thompson Arboretum located at 37615 E. Arboretum Way, Superior, AZ 85173 on Sunday, May 8, 2022 from 10:30 AM to 1:00 PM.
8. Approval of Arizona Department of Liquor License and Control for Francisco Valenzuela Moreno /Red Bear Outfitters for an Event located at Rose’s Roses, 203 Main Street, Superior, AZ on Saturday, May 14, 2022 from 11:00 AM to 11:00 PM.
9. Approval of Town of Superior Alcohol Beverage Permit for Monica Ybarra for a Birthday Party at the Magma Club on Saturday, September 3, 2022 from 3:00 PM to 1:00 AM.
10. Approval of Town of Superior Alcohol Beverage Permit for Jeremy Turner for an event, The Superstition Radio Control Helicopter Association (SRCHA) Southwest Heli Rodeo, located at the Superior Airport, US Highway 60 and Airport Road, on November 11-13, 2022 from 6:00 AM to 12:00 AM.
11. Department Reports:
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation

Town Engineer

Motion to approved the Consent Agenda made by Council Member Estatico, second by Council Member, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Councilmembers: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT - 0

8. NEW BUSINESS

A. Work Session #1 to discuss the 2022-2023 Fiscal Year Budget.

Todd Pryor, Town Manager, presented a Power Point Presentation for the 2022-2023 Fiscal Year Budget Summary.

The Schedule for budget adoption is as follows: Work Session – April 14; Tentative Adoption May 12; Final Adoption June 9; Tax Levy July 14.

Revenue Projection:

- +Covid Stimulus to Provide large boost
- +Sales Tax revenue overperformed projections this year
- +Continued growth
- Lower Census Numbers effect State Share
- =Flat Overall Revenue Growth.

Hurf and Excise Revenues:

The Pinal Regional Transportation Authority Tax has been invalidated by court challenge.

Continue repayment of the HURF and Excise balances required. The estimated remaining balance will be \$.9 million.

Lower Census numbers will decrease collections.

Enterprise Revenues:

+The rate study has led to and increase in WasteWater Funding, but his will have to be maintained for debt service

-Refuse Service produces little revenue, even before covid, and fees have been waived.

-Ambulance collections continue to lag.

Enterprise funds are consistently requiring support from the General Fund but are vital town functions.

SPECIAL PROJECTS:

MultiGen Center: Some work will begin this year on the renovations to existing parts of the multi-gen center to accommodate the Entrepreneurial and Innovation Center and the Senior Center move. Design will be complete this year, and construction will start as funding is finalized.

Waste Water Treatment Plant:

The town will be taking on significant debt over the next two years. The largest loan will be for the upgrades to the Waste Water Treatment Plant. These improvements will be in the range of \$2.6 million, 55% of which will be paid by a grant from USDA, and the rest will be a loan. The debt service on the remaining \$1.1 million will be approximately \$35,000 per year. The rate increase has generated enough revenue to pay this debt. The USDA will allow the Town to pay only the interest on the debt during construction.

BUDGET YEAR TO YEAR CHANGES

- Raises will have to be determined by the minimum wage law, and take effect in January. This sets the increase based on the Consumer Price Index as of August 2021, which is 5.3%.
- PD will not be included in the across-the-board raise, as they received a very recent raise that is higher than this rate.
- PRTA Funding was removed from the budget.
- The Queen Creek Restoration project will be built out this year.
- Public Works staffing has been reworked to allow for the hiring of a Cemetery Supervisor.
- The cost of the Permit Program has been continued as a "Break Even" Revenue. Work will continue decrease the costs of these permits to our citizens.
- \$50,000 remains in the refuse budget to allow for continued free dumping for residents.

CASH FLOW

The net cashflow for the last year has been positive, but we will face new challenges next year, as low census counts will affect the state share funding significantly. Town sources continue to grow, and this growth will help us remain close to break-even.

As much focus as can be placed on HURF and Excise expenditures will be. We can not cut spending in this area, so using other town personnel for significant projects will allow the money to be spent appropriately.

There are large contingencies that will not be spent unless revenue supports it and the expense is necessary.

Heavy grant spending may require carrying reimbursement balances. This will need to be watched carefully.

- B. Discussion/Possible Approval of Resolution No. 2022-648, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SUPERIOR AUTHORIZING THE SETTING OF FEES FOR CEMETERY SERVICES.**

THE TOWN OF SUPERIOR pursuant to Article 9-15-1 of the Superior Town Code with the duty or authority to establish fees and regulations regarding the sale, use and maintenance of the cemetery lots in order to maintain administrative control and preserve said property

The Town of Superior periodically sets and adjusts fees for Town Cemetery pursuant to Section 9-15-1 of the Town Code.

SECTION 1: Suggested are the following new fees for sale and use of cemetery lots.

SCHEDULE OF FEES

Resident.....	\$1,000.....	O/C*.....	\$ 600
Nonresident.....	\$3,000.....	O/C*.....	\$1,800
Indigents.....	\$ 200.....	O/C*....	\$ 200
Cremation Resident..cost of a plot .	O/C*....	\$	200
Cremation N/R...cost of a plot....	O/C*.....	\$	600

ADDITIONAL FEES

Weekend Service Fee.....	\$	400
Weekend Cremation Fee.....	\$	200
Hand Digging Plot.....	\$1,000	

*O/C means Opening and Closing of a cemetery plot.

SECTION 2: The Town of Superior hereby sets the following additional rules and regulations for the sale and use of the cemetery lots as a condition of sale or use of cemetery lots requiring a purchaser to:

- a. Provide or Submit the copy of identification for each plot at the time of purchase or reservation to verify the resident or non-resident status.
- b. Any deeds issued to cemetery plots will be clearly marked Resident or Non-Resident.
- c. The name of the person to be interred must be on the title for each plot and an appropriate resident or non-resident fee paid for the plot.
- d. Non-residents interred in a resident plot must pay the cost of the non-resident plot purchase fee less any amount paid for the residential plot.
- e. No one can purchase more than one grave in their name

FISCAL IMPACT: To be determined.

Motion to approve Resolution NO. 2022-648, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SUPERIOR AUTHORIZING THE SETTING OF FEES FOR CEMETERY SERVICES made by Council Member Navarrette , second by Council Member Aguilar, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT – 0

C. Discussion/Possible Approval to accept bid for non-viable remanent property located in the 100 Block of Old Phoenix Road, Superior, AZ 85173.

DISCUSSION: The Town of Superior conducted an auctioning the following non-viable remanent property:

0.12 Acre Parcel containing Utility Easement

Pinal County Tax Parcel # 105-03-018T

100 Block Old Phoenix Road

Superior, AZ 85173

Legal Description: A PORTION OF HOMESTEAD ENTRY SURVEY #436 LOCATED IN SECTION 03, TOWNSHIP 02 SOUTH, RANGE 12 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA DESCRIBED AS FOLLOWS: COMMENCING AT CORNER #4 OF SAID SURVEY #436 THENCE NORTH 39 DEG EAST

The appeal and marketability of an uneconomic remnant is very limited

The real property in question is 5,227.2 square feet which is too small to develop under the Town's Zoning Code. A photo of the area in question is attached to this Request for Action. As you can see from the photo the terrain also makes undevelopable.

FISCAL IMPACT:

By disposing of the real property, the Town will be relieved of any property maintenance for weeds, litter and debris which cost would clearly exceed the value of the real property.

Motion to accept bid accept bid for non-viable remanent property located in the 100 Block of Old Phoenix Road, Superior, AZ 85173 made by Council Member Estatico , second by Council Member Lopez, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT - 0

D. Discussion/Possible Approval of Resolution No. 2022-646, RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF TOWN OF SUPERIOR, ARIZONA SUPPORTING RESOLUTION COPPER'S EQUALIZATION PAYMENT USE FOR ACQUISITION OF LAND FOR CONSERVATION AND/OR OPEN SPACE PURPOSES IN THE SUPERSTITION FOOTHILLS AREA

DISCUSSION: The Town of Superior is aware that there is support from various organizations, the Town of Superior, Pinal County, Pinal County cities and towns that Resolution Copper Mine's associated land exchange equalization payment (which will include the appraised value of the ore body) to the Southwest Regional National Forest (Region 3), be used for the acquisition of land located in the Superstition Area Land Plan to be utilized and dedicated for conservation and/or open space purposes.

The goal of preservation and conservation of portions of the Superstition Area Land Plan, adjacent to the southern border of the Superstition Wilderness Area, for use as open space, has long been of interest to various organizations such as the Superstition Area Land Trust, Pinal County, the Town of Superior and other cities, and towns.

Motion to approve Resolution No. 2022-646, RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF TOWN OF SUPERIOR, ARIZONA SUPPORTING RESOLUTION COPPER'S EQUALIZATION PAYMENT USE FOR ACQUISITION OF LAND FOR CONSERVATION AND/OR OPEN SPACE PURPOSES IN THE SUPERSTITION FOOTHILLS AREA made by Council Member Lopez, second by Vice-Mayor Alonzo, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT - 0

E. Discussion/Consideration of Acceptance of resignation of Frank Alanis as Chief of Police and set the Resignation date.

Motion to Accept resignation of Frank Alanis as Chief of Police and set the Resignation date made by Council Member Aguilar, second by Council Member Armitage, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT - 0

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- F. Discussion/Consideration of acceptance of contract with Strategic Government Resources (SGR) to supply a Chief of Police for the Town of Superior and set the date contract begins.

Motion to accept contract with Strategic Government Resources (SGR) to supply a Chief of Police for the Town of Superior and set the date contract begins made by Council Member Armitage, second by Council Member Lopez, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT – 0

MAYOR BESICH MOVED ITEM H AND CALL TO THE PUBLIC AND COUNCIL COMMENTS BEFORE ITEM G WHICH WILL BE AN EXECUTIVE SESSION ITEM.

- H. Discussion/Possible Approval of Resolution No. 2022-649 **A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, ADOPTING A FAIR HOUSING POLICY, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING**

This is a required resolution.

Motion to approve Resolution No. 2022-649 A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SUPERIOR, ARIZONA, ADOPTING A FAIR HOUSING POLICY, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING made by Council Member Aguilar, second by Council Member Armitage, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT - 0

CALL TO THE PUBLIC - NONE

SUMMARY OF CURRENT EVENTS

Council Members

Aguilar – No Comment

Armitage – No comment
Lopez – No Comment
Navarrette – Everyone have a great weekend.
Estatico – No Comment
Vice-Mayor Alonzo – No comment

Mayor Besich – Have a Happy and Safe Easter Weekend. There is a concert from noon to 3 at Besich Park.
Town Manager – No comment.

G. .Discussion/Possible Approval of Contract Renewal for Town Manager Todd Pryor.

The Town of Superior Employment Agreement between the Town of Superior, State of Arizona, a municipal corporation, hereinafter Employer, and Todd Pryor, hereinafter Employee. The term of the Agreement is from April 1, 2022 through April 1, 2024.

EXECUTIVE SESSION – Motion to move into Executive Session with Town Council, Town Attorney (Telephonically) and later with Town Manager Todd Pryor for his evaluation for not more than 35 minutes made by Council Member Navarrette, second by Council Member Lopez, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.
NOES – 0
ABSTINATIONS – 0
ABSENT – 0

Moves to Executive Session at 7:45 PM.

Motion to return to Regular session at 8:13 PM and Direct Town Manager, Town Attorney, Town Staff Counsel to Proceed as Directed in Executive Session made by Council Member Aguilar, second by Council Member Navarrette, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.
NOES – 0
ABSTINATIONS – 0
ABSENT – 0

Motion to approve Contract Renewal for Town Manger Todd Pryor made by Council Member Aguilar, Second by Council Member Armitage, Motion Carries.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.
NOES – 0

ABSTINATIONS – 0
ABSENT – 0

14. SCHEDULING OF MEETINGS AND EVENTS

All meetings are held at Town Hall.

Emergency Services Committee	04/21/2022	6:00 PM
Community Development Committee	04/28/2022	6:00 PM
Planning & Zoning Committee	05/05/2022	6:00 PM
Town Council Meeting	05/12/2022	7:00 PM

15. ADJOURNMENT

Motion to adjourn the Town Council Meeting made by Council Member Lopez, Second by Vice-Mayor Alonzo, Motion Carries. Meeting adjourns at 8:14 PM.

AYES – 7 Mayor Besich, Vice-Mayor Alonzo, Council Members: Estatico, Navarrette, Lopez, Armitage, Aguilar.

NOES – 0

ABSTINATIONS – 0

ABSENT - 0

ATTEST:



Mila Besich, Mayor



Ruby Cervantes, Town Clerk