

**TOWN OF SUPERIOR
MINUTES
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 will be held on Thursday, July 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> .

Public access to the Mayor and Council Chambers may 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.

1. **CALL TO ORDER**

Olga Lopez, Council Member, called the meeting to order at 7:00 PM.

2. **ROLL CALL**

PRESENT:

Council Member Gilbert Aguilar
Council Member Bruce Armitage
Council Member Stephen Estatico
Council Member Vanessa Navarrette -Telephonically
Council Member Olga Lopez

ABSENT:

Mayor Mila Besich – Excused
Vice-Mayor Michael Alonzo – Excused

STAFF PRESENT:

Todd Pryor – Town Manager
Stephen Cooper – Town Attorney
Ruby Cervantes – Town Clerk
Karla Luedke – Administrative Assistant
Lana Clark – Engineer Tech

PUBLIC PRESENT:

Natalie Bakke
Amy Byrd
Curtis Gassaway
James Schenck
Coy Lindstrom

3. PLEDGE OF ALLEGIANCE

Council Member Lopez led everyone in the Pledge of Allegiance.

4. INVOCATION

Council Member Armitage gave the Invocation.

5. SPECIAL PRESENTATIONS - NONE

6. STAFF REPORTS

Manager Todd Pryor – Seal Coating project will be taking off next week and will progress over the next month. The long delayed Church Avenue Project to fix the drainage and fix that road is on this Agenda. The USDA we have all the last pieces to get started on our Waste Water Treatment Plant is on this Agenda. Moving forward on the construction of the high school project. We are about done with the scoping on the Queen Creek Restoration Project and the GSA report is in the final review.

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 June 9, 2022.
2. Approval of Funding Agreement between Resolution Copper Mining LLC and the Town of Superior. Resolution pledges and commits to give Town of Superior \$5,000.00 to sponsor the Annual 4th of July event.
3. Approval of Lease Agreement between Town of Superior and Medassure Inc. to lease one room known as Classroom 5 and shared use of the common space located in Superior Town Hall located at 199 N. Lobb Avenue, Superior, AZ 85173. Term of lease is month to month. Lessee agrees to provide a housing stipend of \$250.00 per month for an initial term not to exceed one (1) year. Thereafter the Lease terms shall be subject of review by the Superior Town Council.
4. Approval of Brownfields Assessment Coalition Memorandum of Agreement between the following Parties: Gila County, Pinal County, City of Globe, Town of Superior, Town of

Miami, and Town of Winkelman. This MOA is entered into for the purpose of documenting the roles and responsibilities of the various parties involved in the Assessment Coalition, with regard to EPA Cooperative Agreement No: 98T22801.

5. Approval of Agreement between Town of Superior and Town of Miami for Public Service Activities. The Miami Senior Center will prepare the congregate and homebound meals for the Superior Senior Center. Superior agrees to pay \$6.00 per congregate meal and \$6.50 per homebound meal. This amount will automatically increase by 5 percent (5%) each fiscal year beginning on July 1, 2023.
6. Approval of Proposal between Ellison-Mills Construction and the Town of Superior for the Belmont and US 60 reconstruction and repaving at intersections. The proposed cost is \$66,245.40.
7. Approval of Memorandum of Understanding (MOU) between the Town of Superior and Town of Mammoth for Police Background Checking Services.
8. Approval of Construction Contract for the Town of Superior (“hereinafter called the TOWN”) and Viking Specialty (“hereby called the “CONTRACTOR”) contracting. The TOWN desires to engage the CONTRACTOR to render construction services for the MULTIPLE PROPERTY ABATEMENT & DEMOLITION, CDBG Contract 134-21. The maximum amount of compensation and reimbursement to be paid not to exceed: \$136,526.50.
9. Approval of Town of Superior Alcohol Beverage Permit for Andrea Robles for a Graduation Party at the Magma Club on Saturday July 16, 2022 from 1:00 PM to 11:00 PM.
10. Approval of Town of Superior Alcohol Beverage Permit for Marissa Montgomery for a Birthday Party at the Magma Club on Saturday, July 23, 2022 from 2:00 PM to 12 midnight.
11. Approval of Town of Superior Alcohol Beverage Permit for Olga Lopez/Social Club de Damas for Horseshoe Tournament – Peligroso Car Club located at US Highway 60 Park on Saturday, September 3, 2022 from 2:00 PM to 10:00 PM.
12. Approval of Town of Superior Alcohol Beverage Permit for Robert Cervantes/Adelantes Juntos/Rebuild Superior for a Multi-Cultural Event/Tardiada (Community Entertainment) on Friday September 16, 2022 from 4:00 PM to 10:00 PM.
13. Approval of Town of Superior Alcohol Beverage Permit for Jocelyn “Penny) Ruiz Castillo for an Anniversary Party at the Magma Club on Saturday, November 5, 2022 from 1:00 PM to 11:00 PM.

14. Department Reports:

Fire
Police
Public Works
Library
Senior Center
Sanitation
Town Engineer

Council Member Lopez announced that Item 12 had been pulled applicant from the Agenda.

Motion to approve the Consent Agenda removing Item 12 made by Council Member Aguilar, second by Council Member Armitage, Motion Carries.

AYES – Council Members: Lopez, Aguilar, Armitage, Estatico, Navarrette
(telephonically)

NOES – 0

ABSENT – 2 Mayor Mila Besich, Vice-Mayor Michael Alonzo

ABSTAIN - 0

8. NEW BUSINESS

A. Public Hearing/Discussion/Possible Approval of Ordinance 2022- 176 , an Ordinance of the Superior Town Council adopting a Property Tax Levy sufficient to raise the sum of \$633,827.00 for the FY 22-23.

RECOMMENDATION: Staff recommends approving Ordinance 2022-176.

DISCUSSION: This Adopts the final Tax Levy discussed in the Public Hearing.

FISCAL IMPACT: This Ordinance sets the Property Tax Rate for the 2022-2023 Fiscal Year.

Council Member Lopez opened the Public Hearing at 7:07 PM.

Coy Lindstrom – asked if this was to be raised in one year.

Todd Pryor – That’s the total amount is the yearly amount for the property tax. Commercial. Residential. All properties. Was asked how this affects the property owners. Our Tax Levy for the last 6 years, every year we lowered the tax rate. Individual assessment for that property owner doesn’t go up on a percentage basis. Unless your house value has gone way up, the tax should be the same because we are lowering the percentage rate. Increase in this year to last is increase in new construction. Last year’s tax rate was 6.2386. This year it is 5.6914.

Tax assessments are limited by law. Can only go up 10% per year.

Council Member Aguilar stated values go up. If you are going to buy, appraisals have sky rocketed.

Mr. Coy – Is this amount of money for general fund expenditures? Not designated for any specific project?

Mr Pryor answered no. This is not for any special project. This is general fund revenue. It's not a special tax adopted for a special purpose.

Council Member Lopez closed the Public Hearing at 7:11 PM.

Motion to approve Ordinance 2022- 176, an Ordinance of the Superior Town Council adopting a Property Tax Levy sufficient to raise the sum of \$633,827.00 for the FY 22-23 made by Council Member Estatico, second by Council Member Aguilar, Motion Carries.

AYES – Council Members: Lopez, Aguilar, Armitage, Estatico, Navarrette (telephonically)

NOES – 0

ABSENT – 2 Mayor Mila Besich, Vice-Mayor Michael Alonzo

ABSTAIN - 0

- B. Discussion/Possible Approval to authorize removal of Council Member Stephen Estatico as Check Signer on the JP Morgan/Chase Bank and Bank of the West Accounts and authorize a new signer.

RECOMMENDATION: This is a Town Council Decision.

DISCUSSION: Council Member Stephen Estatico's term on the Council will be ending and he is not running for re-election. He will need to be replaced as a check signer on the JP Morgan/Chase Bank and Bank of the West Accounts and we need to authorize a new signer.

Council Member Estatico asked if this was effective tonight. Mr. Pryor stated as soon as we change signers.

Motion to Authorized Bruce Armitage as the new signer on the JP Morgan/Chase Bank and Bank of the West Accounts made by Council Member Lopez, second by Council Member Aguilar, Motion Carries. Council Member Armitage abstained from voting.

AYES – Council Members: Lopez, Aguilar, Estatico, Navarrette (telephonically)

NOES – 0

ABSENT – 2 Mayor Mila Besich, Vice-Mayor Michael Alonzo

ABSTAIN – 1 Council Member Bruce Armitage

- C. Discussion/Consideration/Possible Approval of Intergovernmental Agreement between the Town of Superior and Pinal County Flood Control District for Design, Operation and Maintenance of Church Avenue Flood Mitigation Project with a Public Expenditure not to exceed \$250,000.00.

Staff recommends approving this IGA.

DISCUSSION: The purpose of this Agreement is to identify and define the responsibilities of the DISTRICT and the TOWN, hereinafter the PROJECT PARTNERS, for the design, construction, and operation and maintenance of the PROJECT.\

FISCAL IMPACT: Reimburse 100 percent (100%) of the PROJECT cost incurred up to the actual cost of the certified bid (estimated to be \$217,000) plus up to ten percent (10%) in change orders as approved by DISTRICT. DISTRICT funds will be from the DISTRICT's secondary tax levy revenues and DISTRICT funding shall be contingent upon the availability of DISTRICT Capital Improvement Program budget funding and in no circumstance shall reimbursement to the TOWN exceed \$250,000 for this project.

Motion to approve Intergovernmental Agreement between the Town of Superior and Pinal County Flood Control District for Design, Operation and Maintenance of Church Avenue Flood Mitigation Project with a Public Expenditure not to exceed \$250,000.00 made by Council Member Estatico, second by Council Member Armitage, Motion Carries.

AYES – Council Members: Lopez, Aguilar, Armitage, Estatico, Navarrette
(telephonically)

NOES – 0

ABSENT – 2 Mayor Mila Besich, Vice-Mayor Michael Alonzo

ABSTAIN - 0

D. MEETING OF TOWN OF SUPERIOR MUNICIPAL PROPERTY CORPORATION

1) Call to Order

MPC Director Olga Lopez called the meeting of the MPC to order at 7:15 PM.

2) Roll Call

PRESENT:

Director Gilbert Aguilar

Director Bruce Armitage

Director Stephen Estatico

Director Vanessa Lopez – Telephonically

Director Olga Lopez

ABSENT:

Chairperson Mila Besich

Vice-Chairperson Michael Alonzo

3) New Business

- a. **Discussion and Possible Approval entering into contracts and agreements with the United States Department of Agriculture-Rural Development and Resolution of Municipal Property Corporation approving and Authorizing:**
- i. **Loan for Wastewater Improvements in the amount of \$1,750,000.**
 - ii. **Grant for wastewater improvements in the amount of \$2,350,000.**

Motion to approve Item A made by Director Aguilar, second by Director Armitage, motion carries.

AYES – 5 Directors: Aguilar, Armitage, Estatico, Navarrette (telephonically), Lopez
NOES – 0
ABSENT- 2 Chairperson Mila Besich, Vice-Chairperson Michael Alonzo
ABSTINATION - 0

- b. **Discussion and possible ratification and approval of Town of Superior MPC entering into contract with ARS Construction Group, LLC for improvements to Town’s Wastewater System in the amount of \$3,293,729.**

Motion to approve Item B made by Director Estatico, second by Director Navarrette, Motion Carries.

AYES – 5 Directors: Aguilar, Armitage, Estatico, Navarrette (telephonically), Lopez
NOES – 0
ABSENT- 2 Chairperson Mila Besich, Vice-Chairperson Michael Alonzo
ABSTINATION - 0

**4) Adjournment of Meeting of Municipal Property Corporation
MPC Meeting adjourned at 7:19 PM.**

RETURN TO REGULAR SESSION at 7:19 PM.

9. CALL TO THE PUBLIC

Natalie Bakkee – Fireworks in Highlands at night. No PD patrol at night, only 9 – 11 AM daily. Doesn’t know what to do. Very concerned. Happening more and more. Speeders around town and Highlands. Construction trucks going 55 miles per hour. Has offered to buy speed bumps. Its not just cars. ATV’s running around all night. Something has to stop. Neighbors finding people standing in their yards. Homeless people living in park behind houses. Another problem has trouble with weeds. Weeds along US 60 and Main. Public works says its ADOT’s responsibility. ADOT says it s Public Works problem.

Council Member Lopez – We will have Todd talk to Police Chief about speeders and fireworks problems. Do we have your phone number? She will give phone number to clerk.

Mr. Pryor – on the weeds. ADOT’s right away. You spray but the weeds grow fast. Will discuss with Public Works. Its an ongoing problem. There is a spring in that embankment. Water constantly coming out of that embankment.

Mrs. Bakke – We need to keep Police Officers here. We need to have project to keep them here. We have a good Police Dept.

Jim Schenck – Rebuild Superior, Legends of Superior Trails. Town has achieved a lot and there is a lot going on. Queen Creek Restoration Project and the DRAFT GSA. Major impact both on tourism, quality of life and economic development. This is going to be a big topic. This is all going to come to an end in the next few weeks.

Mr. Pryor – Final report due in 2 weeks.

EXECUTIVE SESSION - NONE

SUMMARY OF CURRENT EVENTS

A. Council Members:

Estatico – School starts August 3rd. On Sunday, July 31, 2022, Prestige Haircuts will be available to give boys haircuts. Pam Peck will be available to give girl’s haircuts. Will also be giving away back packs, prizes and raffles.

Mr. Aguilar – Great program. Really appreciates it.

Mr. Armitage – Badosa’s Bistro is opening up on the highway again.

Ms. Navarrette – None

Ms. Lopez – Thanked Staff.

C. Town Manager

SCHEDULING OF MEETINGS AND EVENTS

All meetings are held at Town Hall. No Committee Meetings in the month of August.

Emergency Services Committee	07/21/2022	6:00 PM
Community Development Committee	07/28/2022	6:00 PM
Planning & Zoning Committee	09-01/2022	6:00 PM
Town Council Meeting	08/ /2022	7:00 PM

ADJOURNMENT

Motion to adjourn the Town Council Meeting made by Council Member Estatico, second by Council Member Aguilar, Motion Carries. Meeting adjourns at 7:31 PM.

AYES – Council Members: Lopez, Aguilar, Armitage, Estatico, Navarrette (telephonically)

NOES – 0

ABSENT – 2 Mayor Mila Besich, Vice-Mayor Michael Alonzo

ABSTAIN - 0

ATTEST:

Mila Besich, Mayor

Ruby Cervantes, Town Clerk