

TOWN OF SUPERIOR
Regular Council Meeting
Thursday, May 2, 2013, 7:00 P.M.
Superior Senior Center
360 W. Main Street, Superior, AZ 85173
MINUTES

CALL TO ORDER:

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

ROLL CALL:

Present: Council Members Irene Hansen, Chris Tomerlin, John Tameron, Gilbert Aguilar, Soyla “Kiki” Peralta, Vice Mayor Olga Lopez (from 7:10 p.m., following roll call) 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 Gilbert Aguilar said they needed to start the cemetery cleanup before it gets hot. Mayor Valenzuela said they would let them know when scheduled, hopefully quickly.

Vice Mayor Lopez indicated she had been approached by several residents wondering if there would be a work shop regarding the police department. Mayor Valenzuela said the police would have the same time allotted as the county did. They would work with the Chief in the coming week or two to see what is a good day and agendize it as a work shop session and advertise it to the public.

Prior to Adjournment (Item 11), Council Member Peralta asked to return to the Summary of Current Events as she had a comment. She referenced a letter she had received regarding the recall election that gave her the option to resign within five days. She was not resigning.

B. Mayor

Mayor Valenzuela invited everyone to attend the Cinco de Mayo event in the coming weekend that the Substance Abuse Coalition is holding at the Magma Club. He also referenced the Pinal County Peace Officers Memorial to be held in Florence.

C. Town Manager

Town Manager/Attorney Kane Graves discussed the removal of the Iberri Building, the construction of the proposed medical marijuana dispensary, potholes, positions for a planning & zoning commissioner and a recreation coordinator.

2. SPECIAL PRESENTATIONS: Presentations, Proclamations, Awards, Guest Introductions and Announcements.

There were no special presentations.

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 April 18, 2013 and Work Sessions of April 24 and 30, 2013
2. Executive Session Meeting of April 18, 2013

B. Consideration and Approval of Alcohol Beverage Permit for Christine Rubal to host a Horseshoe Tournament at the U.S. 60 Park to raise money to help daughter travel to Europe on May 11, 2013 from 10 a.m. to 3 p.m.

C. Consideration and Approval of Acceptance of the Assistance to Firefighters Grant Program in the amount of \$12,873.00 with a cash match from the Town of Superior in the amount of \$677.00 (5%) for wild lands equipment.

MOTION: Council Member Tomerlin moved to approve the consent agenda. Vice Mayor Lopez asked a question and received an answer regarding Item 3B. She then seconded the motion. **VOTE:** The motion passed unanimously.

4. NEW BUSINESS:

N/A

5. ACTION ITEMS:

- A. Resolution No. 543 – A Resolution of the Mayor and Council of the Town of Superior, Arizona Pursuant to A.R.S. 9-802 Declaring as a Public Record for Purposes of Adoption by Reference that Certain Document Entitled the “Superior Town Code,” Three (3) Copies of Which are on File With the Town Clerk

- B. Ordinance No. 115 – An Ordinance of the Mayor and Council of the Town of Superior, Arizona Adopting the Superior Town Code Which was made a Public Record by and Through the Adoption of Resolution No. 543; Repealing any and all Other Ordinances and Parts of Ordinances in Conflict Therewith; and Providing for Penalties for the Violation Thereof; and Requiring the Posting and Publishing of this Ordinance as Required by Law

Town Manager/Attorney Kane Graves indicated Items 5A and 5B were not going to be acted upon that night. He continued to review and respond to questions regarding the draft town code with respect to proposed changes.

Mayor Valenzuela indicated that he would like the draft proposal to be online for the public. Mr. Graves discussed the current lack of web site room for this with the mayor and indicated when it would be possible. The mayor suggested also the making of extra hard copies to be kept at Town Hall for public view. The extras could be checked out by members of the public for reading.

- C. Discussion and Consideration of Fees for Use of the Town of Superior Parks and Buildings. (To be provided at the meeting.)

Staff provided numbers pertinent to a fee schedule for use of town buildings and parks and responded to questions from council. Council provided direction to staff.

MOTION: Council Member Tomerlin moved to table Item 5C. Council Member Tameron seconded.

VOTE: The motion passed unanimously.

6. CALL TO THE PUBLIC

Ms. Aja DeZeeuw, 320 S. Magma Flats, Superior, indicated that council had already addressed what she wanted to say and thanked them. The first was giving the police department the opportunity to speak. She would like to hear from the finance department. She was still concerned about the increase in price, especially after two years if they did go with the Sheriff's Department. She wondered if there was another revenue that would be covering that at that point or if another service would have to be cut. The other thing was the posting of the town code. She thought it was a great idea to post it online and have some copies for the residents to check out. Also, on behalf of the Superior Copper Alliance, she would like to urge the community to vote yes in the upcoming Home Rule Election.

Mr. Sonnie Sansom, business man, 302 Main Street, Superior, read a statement indicating that anyone could come by his store and read a copy of the code at their leisure. They would copy pages for them if they wanted also.

Sue Anderson, 78 Sunset Drive, indicated that on behalf of the Chamber of Commerce, and clarified the work being done on their Main Street building. Apparently some people had complained that they were doing work without permits. Nothing had been done in that building that required a permit at that point. For questions, please call her.

Mayor Valenzuela asked if anyone else wished to address the council. There being none he said he would like to respond to a couple of the comments made. Mr. Graves indicated to the mayor that the council could respond to criticism or ask staff to put it on the agenda for review and it will come up

later. The mayor said he was not going to criticize anyone who spoke. He just wished the newspaper would put "Home Rule" in bigger letters because it is very important to the community. He asked for any other comments. There being none he requested for a motion for executive session.

7. EXECUTIVE SESSION:

- A. Confidentiality Statement
- B. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee pursuant to A.R.S. Section 38-531.03 (A) (1).
 - a. Town Manager/Town Attorney
- C. 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. Medical Marijuana Dispensary/Ordinance
 - b. Request for Public Records

MOTION: Council Member Chris Tomerlin moved to recess the Regular Meeting and go into Executive Session. Vice Mayor Olga Lopez seconded. **VOTE:** The motion passed unanimously. Council entered Executive Session at 8:36 p.m.

D. POST EXECUTIVE SESSION:

Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.

MOTION: Council Member Tomerlin moved to return to Regular Session. Council Member Tameron seconded. **VOTE:** The motion passed unanimously. Council returned to Regular Session at 9:32 p.m.

E. SCHEDULING OF MEETINGS:

Mayor Valenzuela stated that there were no meetings to be scheduled. The only one possible was the work shop meeting with the Chief of Police, so they could work that out for within the next two weeks.

Council Member Peralta indicated she would like to know when council was going to do their presentation. Mayor Valenzuela said afterwards. They needed to get all the information and get together on it. They would direct staff to put something together for that meeting.

There was further discussion regarding the scheduling of the work shop for the police department.

(No items were agendized as No. 8, 9 or 10. Prior to adjournment, Council Member Peralta asked to go back to Item 1, Summary of Current Events, as she had a comment.)

11. ADJOURNMENT:

MOTION: Council Member Peralta moved for adjournment. Council Member Tomerlin seconded. **VOTE:** The motion passed unanimously.

Mayor Valenzuela adjourned the meeting at 9:35 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 2nd day of May, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

/s/ _____
Rita M. Wentzel, Town Clerk

These minutes were compiled & transcribed by Cindy Tracy, an independent contractor.
Final editing of these minutes & their content was completed & verified by Town of Superior staff.