

**TOWN OF SUPERIOR
MINUTES
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, March 12, 2020 at 7:00 p.m. in the Superior Town Hall Auditorium, 199 N. Lobb Ave., Superior, Pinal County, Arizona.

1. **CALL TO ORDER**

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

2. **ROLL CALL**

PRESENT:

Mayor Mila Besich

Council Members:

Vanessa Navarrette

Stephen Estatico

Olga Lopez

Bruce Armitage

Gilbert Aguilar (Telephonically Present)

ABSENT:

Vice-Mayor Michael Alonzo (Excused)

STAFF PRESENT:

Todd Pryor Town Manager

Stephen Cooper Town Attorney

Ruby Cervantes – Town Clerk

Lana Clark – Engineer Teck

Frank Alanis – Police Chief

3. **PLEDGE OF ALLEGIANCE**

Mayor Besich led everyone present in the Pledge of Allegiance.

4. **INVOCATION**

Chaplain Van Gorp gave the Invocation Psalm 91, verses 9 & 10.

5. **SPECIAL PRESENTATIONS**

NONE

6. **STAFF REPORTS**

Mayor – she issued this afternoon an Emergency Declaration 2020-01, Declaration of the Mayor and the Town of Superior. This is in light of the recent situation of the COVID-19 and means

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cancellation of the Apache Leap Mining Festival and any other event that happens on town property with an attendance of 100 people. We do not have any jurisdiction on people who host events on private property and this does not affect on Faith Based community. We have to take on a lot of sincere protective measures for our community. This decision came with a lot of great thought and a team decision. One of those reasons is the data behind our Police and Public Safety Responders. Should someone in our community become infected and our first responders treat them and transport them to a local hospital, those first responders would have to go into quarantine. We are not fortunate enough to have enough back up in our EMS staff to recover from that and this could have grave effects on our community because we don't have enough depth to our staff. This is precautionary. If you're not feeling well, please stay home. If you're feeling fine, continue to go out and support our local businesses. An ounce of prevention is worth a pound of cure. We're trying to be pro-active with our Governor and President.

The Mayor and Councilmember Aguilar returned from Washington DC late last night. We had a very productive trip. We attended the National League of City University and Congressional Conference. This was very educational and quite timely as one of the classes we attended was "Leading through Disruption" and that included things like acts of God which is what we are going through right now. We had some very good contacts with our Arizona Delegation along with the Army Corp of Engineers. We also met with the under secretary of the Dept of Interior. So these are all in relation to raising funds for the Mult-Gen Center as well as advocacy for our needs around Resolution Copper Draft EIS. These were very productive meetings. We had a lot of good networking connections in spite of the COVID-19 outbreak that's going on. A lot of precautions were taken. I want to thank our Staff for being pro-active. And keeping with the advise that was coming down from the state and federal government. We'll continue to watch this COVID situation. We'll evaluate again the closure of all events at the end of the month and see where things are going. But at this time mostly trying to flat line this particular situation. Mayor asked if Council Member Aguilar had anything to say about DC Trip.

Council Member Aguilar stated wanted to tell the Board and Staff we had all our information. Mayor did a fantastic job. Got the points across. Had all the facts. Mayor did a great job. We should be proud that our Mayor represents us well when it comes to speaking to all the people that were there.

Mayor thanked Mr. Aguilar.

Town Manager Todd Pryor – We are progressing with Besich Park. Has to be done by the end of the month. We had some money left over so we are getting some concrete game tables for the park and getting a shade structure to go over the new play ground at the Swimming Pool Park. It will be a 40' by 30' shade structure.

We have had some discussions with Resolution about the water. There have been some changes to the ADEQ rules (sent email to Council) that our creek may no longer be a jurisdictional water way. The discussions we've had trying to get our bridge built may be easier because the bridge on Panther Drive may no longer require a 404 permit. So it may be much easier to get it funded. Generally the legislature before they fund these want to make sure all permits are lined up and the biggest obstacle for that is the 404 Permit.

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.

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1. Approval of Minutes of Regular Council Meeting on February 13, 2020.
2. Approval of State Department of Liquor Licenses and Control Application for Extension of Premises/Patio Permit for Buckboard Restaurant (aka) Buckboard City Café located at 1111 W. Highway 60, Superior, Arizona 85173.
3. Retroactive Approval of Town of Superior Alcohol Permit for Sue Anderson for a Reception at the Magma Club on February 21, 2020 from 11:00 AM to 9:00 PM.
4. Approval of Town of Superior Alcohol Permit for Tiffany Denogean for a Birthday Party at the Magma Club on March 14, 2020 from 2:00 PM to 12 midnight.
5. Approval of Town of Superior Alcohol Permit for Trevor Babino for a wedding at the Magma Club on November 7, 2020 from 2:00 PM to 12:00 AM.
6. Approval of a Town of Superior Alcohol Permit for Olga Lopez/Social Club at the US 60 Park Horseshoe Area on March 21, 2020 from 10:00 AM to 10:00 PM. This is for a fund raiser for Ramon Denogean.
7. Approval of Employment Contract with the Student Leadership Council Advisor Valerie Garcia-Denogean.
8. Discussion/Possible Approval of Contract Renewal for Town Manager Todd Pryor.
9. Approval of Agreement between Sourcewell (formerly know as National Joint Powers Alliance) and the Town of Superior. Sourcewell, a public entity whose creation was authorized by Minn. Stat. § 123A.21, has followed procurement procedures for products and services offered by this Agreement in accordance with Minn. Stat. § 471.345. Sourcewell is permitted to engage in cooperative purchasing pursuant to Minn. Stat: § 123Z.21 Subd. 7(23).
10. Department Reports:
 - Fire
 - Police
 - Public Works
 - Library
 - Senior Center
 - Sanitation
 - Town Engineer

Motion to approve the Consent Agenda by Council Member Estatico, second by Council Member Navarrette, Motion Carries.

AYES - 6 Mayor Besich, Council Members: Navarrette, Estatico, Lopez, Armitage, Aguilar (telephonically)

NOES – 0
ABSENT – 1 Vice Mayor Michael Alonzo

8. NEW BUSINESS

- A. Public Hearing to consider the Alternative Expenditure Limitation Option. (Home Rule Extension)

Mayor Besich stated this our second Public Hearing. She opened the Public Hearing to the Public and Council.

Mr. Jim Shenck stated let's approve it.

Mayor Besich asked if anyone or if Council wanted to comment. No replies.

Mayor Besich closed the Public Hearing for the Alternative Expenditure Limitation Option (Home Rule Extension).

- B. Discussion/Possible Approval of Resolution No. 2020-620 Proposing an extension of the Alternative Expenditure Limitation. (Home Rule Extension).

This Resolution No. 2020-620 approves the Expenditure Limitation and allows it to be put on the ballot. A copy of the approved Resolution must accompany the Analysis and Summary when submitted to the State Auditor General's Office, and this must be in by April 6th. This allows the Town to adopt a budget that expends the available revenues. It does not eliminate the requirement to balance a budget, and it does not raise taxes.

Motion to approve Resolution No. 2020-620, a Resolution proposing an extension of the Alternative Expenditure Limitation made by Council Member Armitage, second by Council Member Lopez, Motion Carries.

AYES - 6 Mayor Besich, Council Members: Navarrette, Estatico, Lopez, Armitage, Aguilar (telephonically)

NOES – 0

ABSENT – 1 Vice Mayor Michael Alonzo

- C. Public Hearing to consider Planning and Zoning to consider the Planning and Zoning Commission's recommendation concerning the Adoption of the 2018 International Building Codes with Local Amendments, to be applied withing the Town of Superior, Arizona.

Mayor Besich asked Ms. Clark if she had anything she'd like to prepare Council for before we open the Public Hearing? Ms. Clark replied no.

Mayor Besich opened the Public Hearing . This is a chance for anyone in the Public to comment on the proposed International Building Codes with Local Amendments. Is their anyone from the Public that would like to address Council at this time?

Lana Clark stated that this was discussed in detail during the Planning and Zoning and we had a Public Hearing. The Public was satisfied.
Mayor Besich asked Council if they had any comments or concerns about this. No comments

Mayor Besich closed the Public Hearing.

D. Public Hearing regarding the use of CDBG Funds.

Mayor invited Mr. Urban to talk before the Public Hearing.

Alan Urban, was in attendance representing Central Arizona Governments (CAG). He explained that the foundational requirement for the CDBG program is the public process. This hearing is for public input regarding possible projects for consideration by Council for the 2020 CDBG grant cycle.

The Town is expected to receive an estimated \$223,627 in CDBG funds from the AZ Dept of Housing Regional Account in FY 2020.

ADOH released the exact amount for 2020 based on Congress' finalized budget just last week.

The Town can only select one project for the Regional Allocation.

The Regional Allocation is non-competitive, depends only on a complete application for an appropriate project under the JUD guidelines, and conducting the project within all federal, state and local laws and regulations.

All proposed Regional Allocations (RA) and State Special Project Projects (SSP) must meet 1 of 3 National Objectives. 1. Benefit low-income to moderate income persons in the area. 2. Alleviate Slum and Blight in the community. 3. Address an urgent need of the town (natural disaster or community health hazard). Failure of a system. The 1

The SSP projects are competitive and the town may only submit one application. Special provisions apply to the SSP program funding including:

Environmental Reviews – completed

Engineering and architectural planning to be used on the next project

Equipment Purchase

Housing Programs

General Projects that are ready to implement

Past project performance is reviewed as a qualifier for award. According to Mr. Urban the town has not applied for SSP funds in the almost 7 years he's been here. Very competitive.

WE also need to cover what types of projects the town has used CDBG Funds for recently. Most recently the Town has done the WWTP improvements and the Park System Plan and Improvement Projects.

It is required that the Town have a Grievance Procedure in place, meaning that anyone that needs assistance or has a complaint, can contact the Town Manager; Todd Pryor with any questions. Anyone needing technical assistance regarding proposed projects or general information can contact Mr. Urban at 480-474-9300.

CDBG activities likely to result in displacement of persons, families, businesses, non-profit organizations and farms require the local governments to minimize that displacement and have an Anti-Displacement Policy in place.

He stated that tonight we had to identify the town's current needs for potential project. Only projects identified and listed at tonight's public hearing are eligible to be submitted for consideration as a project during the next hearing when the Town Council will select the project you want to apply for. The list that you create tonight, is the only items you have to choose from at the next hearing.

We are open to suggestions and question from public at this time.

Mayor Besich opened the Public Hearing to the Public.

Mr. James Schenk stated the council has done a great job with these funds. The projects are great. Has a lot of faith with the Council going forward.

Mr. Pryor stated we need to have numerous options in case ADOH shoots down option one, we have option two and three. He suggested Blight fund to demolish 3 buildings on our abandoned building list and to clean up Triple xxx Bar. We can't get the money back, I believe because it's a CDBG. We can't put liens and get the money back. Another suggestion was Street Projects. Curb and gutter, just a street project from our list. We could do Sports Fields if we could find property.

Council Member Navarrette asked to put Sports Fields on the list we don't have to have a location yet?

Mr. Urban replied that would be correct. He also commented on the Blight Projects, not to get down to street addresses at this point; would put down on sited to be determined by a priority of your Planning and Zoning Committee. One of the things on the CDBG project is that its all or nothing on the expenditure. You don't want to send money back to ADOH and you don't to be caught in the corner where you can't spend it all.

Council Member Estatico asked if we still own the old swimming pool property. Mr. Pryor replied yes.

Mr. Pryor stated the Council is going to select the priority list. All we have to do is supply the options.

Mayor Besich stated we are not going to say what are priorities. We are going to put ideas out there.

Mr. Urban stated we can knock things off the list at next hearing.

Mayor Besich stated in order to put more signs on the highway, we need an engineering study done to manage that which is about \$30,000. Having signs made, installing them.

Mr. Pryor stated we could put this in the Water & Trail Project. Also improvement of Transfer Station.

Mr. Urban also stated with CDBG they want a finished product and benefit at the end of the expenditure.

Mr. Cooper suggested energy efficiency and retro bits on existing buildings. LED lighting; high efficiency.

The 10 projects suggested and identified were:

1. Blight
2. Base Ball fields – sport fields
3. Street Projects
4. Way Finding Signs/Water & Trails Capital Improvement Project
5. Airport Infrastructure
6. Multi-Gen Parking Lot
7. Energy Efficiency for Building
8. Transfer Station Improvement
9. Park per plan
10. Police Department Building Remodeling

Per Mr. Pryor we will have to develop a plan for the next council meeting. We want good options.

Mr. Urban stated as long as the concept is comfortable for you, you can finish the development for application .

Mr. Armitage asked about infrastructure of airport?

Mr. Pryor stated originally our thought was we needed water and a hydrant. But negotiations with Resolutions Copper progressing because they want water and sewer out at the Castleberry. And that main will run right by the airport and just dropping a hydrant on that line would solve that issue. So we might not need it for water. We are getting the sewer line from USDA. And we're getting power from the funding from the Highway Expansion. They already paid for that. So we can move on to the Heliport Facility which was \$140,000 and maybe the Terminal Building, T-Hangers. \$223,000 will not do all of that, but it will get us a little along. Right now it generated no revenue.

Mayor Besich asked for last call for Projects to be added for CDBG.

Mayor Besich closed the Public Hearing. We will see Mr. Urban back in April.

- E. Discussion/Possible Approval to appoint Council Member to a vacant seat on the Emergency Services Committee.

Vice-Mayor Micheal Alonzo submitted his resignation as Chairperson of the Emergency Services Committee. Due to his current work schedule he cannot commit to attending the

scheduled meetings. He recommended Council Member Stephen Estatico. This appointment is done by the Town Council.

Mayor Besich asked Mr. Estatico. He asked if anyone else was interested. She asked everyone present and they declined.

Motion to approve Council Member Estatico to fill the vacant seat on the Emergency Service Committee made by Council Member Navarrette, second by Council Member Lopez, Motion Carries.

AYES – 5 Mayor Besich, Council Members: Navarrette, Lopez, Armitage, Aguilar (telephonically)

NOES – 1 Council Member Estatico

ABSENT – 1 Vice-Mayor Alonzo

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 - none

A. Confidentiality Statement

B. 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. Section 38-431.03 (A)(3), (4) and (7).

11. REGULAR SESSION

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

13. SUMMARY OF CURRENT EVENTS

A. Council Members

Armitage – None

Lopez – Remind everyone about the 2020 Census. You can either mail or email your questionnaire. There will be flyers put into the sewer bills.

Navarrette – None

Estatico – None

- B. Mayor - Thanked Staff. Drop off sewer bills in drop box. Sr Center will have all meals go Home Delivery. We can have a phone tree to check on Seniors.

14. SCHEDULING OF MEETINGS AND EVENTS
All meetings are held at Town Hall.

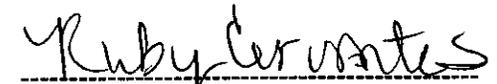
Emergency Services Committee	March 19, 2020	6:00 PM
Community Development Committee	March 26, 2020	6:00 PM
Planning & Zoning Committee	April 2, 2020	6:00 PM
Town Council Meeting	April 9, 2020	7:00 PM

15. ADJOURNMENT

Motion to adjourn the meeting made by Council Member Estatico, second by Council Member Lopez, Motion Carries. Meeting adjourns at 7:47 PM.

ATTEST:


MILA BESICH, MAYOR


RUBY CERVANTES, TOWN CLERK