

CITY OF GLOBE
REGULAR COUNCIL MEETING
OCTOBER 8, 2019

Call to Order.

Roll Call.

Roll Call.

Present: Mayor Al Gameros, Councilmember Freddy Rios; District 1, District 2-Vacant, Councilmember Jesse Leetham; District 3, Vice Mayor Mike Stapleton; District 4, Councilmember Charlene Giles; District 5, Councilmember Fernando Shipley; District 6.

Invocation by Fire Chief Gary Robinson

Pledge of Allegiance by Councilman Fernando Shipley

1. **Swearing in of newly appointed Councilmember Mike Pastor** to serve as District 2 Councilmember for the remaining term of the elected position which will expire at the November 5, 2020 General Election. (Honorable Judge John Perlman will administer the Loyalty Oath)

Honorable John Perlman administers the oath for appointed Councilman Mike Pastor and Mayor Gameros welcomes him as Councilmember for District 2 for the remainder of the term which will expire in November of 2020.

2. **SUMMARY OF CURRENT EVENTS:**

- A. Council Members

Councilman Shipley:

Cobre Valley Regional Medical Center will be hosting their Annual Wine and Art event at the Gila County Fair Grounds on October 25, 2019.

Councilman Rios:

Cobre Valley Center for the Arts will be hosting a fundraiser; Bats and Broomsticks Bash on October 19th.

Downtown Merchants will compete in a Fall Holiday decorating contest, decorating windows and sidewalks, judging will be on October 31st.

The Downtown Halloween event will also be on October 31st from Sycamore to Yuma Street, 5000 guests are anticipated.

Apache Jii will be on October 19th.

Councilwoman Giles:

On behalf of the Downtown Association asking for candy donation for the Halloween Event.

Homeless Connect Day at Maranatha Baptist Church on Friday, October 11th.

Miami Craft Fair will be this Saturday, October 12th.

Movie Night at the Globe Library will be Friday October 11th.

Thank you to Eastern Mechanical, a refrigerating and heating business that bought the old Hot Topic Printing building and have made a lot of improvements. Thank you to the Nob Hill Block Watch Group who had their yard and bake sale that was a fundraiser for the Police Explore Program.

Oktoberfest raised \$1100 that will benefit the Pinal Mountain Foundation for Scholarships. This was in conjunction with Farley's. Councilwoman thanked City Staff Richard Thomas, Ubaldo Ortiz and Chris Bejarano for their help on a Saturday.

The Huddle will be sponsoring the Cousins Crawl on October 19th with participation from Farley's and the Drift Inn.

Councilwoman Giles thanked Chief Walters and the Police Department on behalf of the Downtown Businesses for managing the vagrancy.

Councilman Pastor thanked Council for his appointment to District 2 as he looks forward to serving the constituents. Councilman Pastor and thanked Paul and Shelly for their help in this transition.

Councilman Leetham informed anyone wanting to volunteer to help with Apache Jii to reach out the Chamber of Commerce Director, Tiana Holder.

Vice Mayor Stapleton welcomed Mike Pastor to the Council.

Attended the Globe Home Coming game and parade.

Pine Street is under construction and Public Works Director will be giving an update later in the meeting.

Updates the meeting regarding the Pinto Valley Bridge and Highway 60 closure.

Meeting with Paul Jepson and Resolution Copper; Bryan Seppala and their update will be on the October 22nd agenda.

The Dylan Earven Foundation raised \$20,000 toward the fight against childhood cancer.

Councilman Rios thanked Jerry Barnes, Frank Baroldy and Vincent Mariscal for the tour of the Wastewater Treatment Plant improvements.

B. Mayor

Mayor Gamos welcomed members of the Iglesia Ni Cristo (Church of Christ).

On behalf of Commander AJ Castaneda, Mayor Gamos announces that the Miami Homecoming Game and Parade will be this Friday.

Census 2020 is very important to our community and will be starting in April.

Mayor Gamos and Michelle Yerkovich are working with the Complete Count Committee and work is already being done to confirm addresses.

C. City Manager

Resolution Mining is wrapping up their Environmental Impact Study (EIS) comment period and the Globe City Council will vote to enter their comment on behalf of the community on October 22nd. The Globe Rotary will present Judge Jordon Reardon at the Globe Active Adult Center on October 23rd.

3. **COMMUNITY CALL TO THE PUBLIC**

Any citizen desiring to speak on a matter that IS NOT scheduled on this agenda may do so at this time. This is a time for the public to comment to members of the City Council explicitly not to members of staff. Comments will be limited to **three minutes per person** and shall be addressed **explicitly** to the to the City Council and addressed to the City Council as a whole public body, and not to any individual member. **Please complete a "Request to Speak Card", located with the Agendas at the rear of the Council Chambers and turn it in to the City Clerk prior to the beginning of the meeting.** Issues raised shall be limited to those within the jurisdiction of the City Council. Pursuant to the Arizona Open Meeting Law, the City Council cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual City Council members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

4. **SPECIAL PRESENTATIONS AND CEREMONIAL MATTERS:** Presentations, Proclamations, Awards, Guest Introductions and Announcements

- A. Swearing in of new City of Globe Police Officers; Officer Jamie Schnapp and Officer Jeff Overton. (Chief Walters and Honorable John Perlman will administer the Loyalty Oath)

Presented.

- B. Recognition of new City of Globe Public Works Employees: Water Utility Clerk; Ginger Hurst, Wastewater Treatment Plant; William Heft, Public Works; Terry Harmon and Water Department Jeremy Johnson. (Jerry Barnes)

Presented.

- C. Public Service Announcement on road closures during pavement project funded through the Community Development Block Grant (CDBG). (Jerry Barnes)

Mr. Barnes informed Council that the paving is projected to start on October 7th. Various city streets will be included and there will be no traffic permitted in these areas during the process. Areas include Library and Old Dominion parking lots, Pine St. from Sycamore to Mesquite, South Street, Third St. from Maple to Hwy 60, Oak St. from Devereaux to Hill and Russell Rd. from Hwy 60 to Hospital Dr.

Councilwoman Giles suggested that detour signs be placed at more strategic places to avoid people getting lost in neighborhoods.

- D. Presentation of the FYM Foundation's Aid to Humanity Outreach Program Proclamation. (Mayor Gameros)

Presented.

- E. **Recognition of representatives of the** Iglesia Ni Cristo (Church of Christ) for sponsorship of the Aid to Humanity event held in San Carlos and expressions of appreciation by the City of Globe on the generous donations presented to the City by the Iglesia Ni Cristo and declaration of intended use. (Paul Jepson)

Presented.

- F. Council will hear an update on Open Meeting Law based on participation in an OML presentation, presented by the League of Cities and Towns to CAG (Central Arizona Governments). (Paul Jepson)

Based on Mr. Jepson's attendance at the League of Cities presentation on Open Meeting Law, Council is updated on important issues regarding:

Executive Session items; Agenda must state specific provision of law authorizing the session and specify the item. The provision must include a general description of matters to be considered.

Additional People/Staff in Executive Session; Only individuals whose presence is reasonably necessary should participate. Clerk will record who is in executive session and why.

Legal Advice Only; items agendaized on the regular agenda but not the executive session agenda can only be brought to executive session for legal advice.

Current Events; Presiding officer, chief administrator or a member of the public body may present a brief summary of current events. One-way communication only; no further discussion allowed.

Current Event topics must be current and relevant to the City.

Chain Communication; one-way communication by a member of the body to a quorum of members is considered a "Gathering".

Communication at the dais, whispering to fellow members or texting/communication with each other using modern technology is considered an Open Meeting law violation.

Mayor Gameron commented that the public's perception of Council is very important and that these issues address conduct that could be misconstrued.

- G. Water Attorney, Carlos D. Ronstadt will update Council on the 1999 Water Rights Settlement between City of Globe and San Carlos Apache Tribe.

Mr. Ronstadt presented the history that surrounds the Water Agreement between the City of Globe and the San Carlos Apache Tribe. The original draft Settlement Agreement that was presented to Congress in 1992 and included the City of Globe, however Globe was taken out of the agreement. Through support of the Central Arizona Project, the City of Globe was again included in the agreement through an amendment which granted Globe the right to use Central Arizona Project Water. Another amendment allowed Globe to give up that right to continue to use water from the Cutter Basin well field. Globe's use of the Cutter Basin is capped at 2500-acre feet. In 2004 there was another allocation process that would allow the City of Globe to use more of the Central Arizona Project Water if needed which is dependent on our relationship with SCAT.

5. **CONSENT CALENDAR:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Council and or staff may remove any item for separate consideration.

- A. Consideration of Waiver of Section 2-4-10 (A) [prior discussion rule] to allow action on the balance of the consent Agenda:

1. Accounts Payable: \$109,841.57
2. Consideration of Approval of Council Minutes:
 1. June 25, 2019 Council Meeting Minutes.
 2. September 27, 2019 Arts Advisory Commission Meeting Minutes.

- B. Consideration of agreements and purchases less than \$25,000. (Jeannie SgROI)

- C. Consideration of the Fleet Report. (Brandon Gillum)
- D. Council notification of approved Special Event Liquor License issued to the Cobre Valley Youth Club for the Globe High School Reunion that will take place on October 26th at 1400 N. Broad Street. (Paul Jepson)
- E. Council notification of approved Special Event Liquor License issued to the Cobre Valley Center for the Arts for the "Bats & Broomsticks Bash" that will take place on October 19th at the Train Depot, 230 S. Broad Street. (Paul Jepson)
- F. Consideration of License and Indemnity Agreement with Safeway Inc. for use of Store #1274 located at 2448 E. U.S. Highway 60 for Police training activities. (Chief Dale Walters)
- G. Consideration and Possible Direction to renew our Recreational and Public Purpose Act Lease AZA-26770(01) (Round Mountain Park) with the Bureau of Land Management (BLM) for use of Round Mountain Park, and direct the City Manager to sign all necessary documents (John Angulo).
- H. Consideration of the Non-Fee Facilities Use Agreement between Eastern Arizona College and the Globe Fire Department. (Chief Gary Robinson)
- I. Consideration of a Non-Fee Facility Use Agreement between Eastern Arizona College and the City of Globe Active Adult Center. (Paul Jepson)
- J. Ratification of Letter dated September 26, 2019 to Terry Rambler, Chairman of the San Carlos Apache Tribe regarding City of Globe's decision to waive first right of refusal to Central Arizona Project (CAP) water, superseding original waiver letter dated March 17, 2019. (Paul Jepson)
- K. Consideration of the Historic Preservation Advisory Commission recommendation of approval for the sign and awnings for Diamond Dental located at 198 W. Oak Street in Globe. (Michelle Yerkovich)
- L. Consideration of the Historic Preservation Advisory Commission recommendation of approval for the sign for Jackson Hewitt located at 240 N. Broad Street in Globe. (Michelle Yerkovich)
- M. Consideration of the Historic Preservation Advisory Commission recommendation of approval for the sign for Old Home Relics next to 392 N. Broad Street in Globe. (Michelle Yerkovich)

Mayor Gameros request that Item L be removed from the Consent agenda. This item was a maintenance repair and did not require a permit or Council approval. Motion to remove Item L. by Councilman Fernando Shipley, seconded by Councilman Rios, motion passes.

Motion: Motion to approve the Consent Agenda with the exception of item L that has been removed at the request of Mayor Gameros, **Action:** Approve, **Moved by** Councilmember Charlene Giles; District 5, **Seconded by** Councilmember Jesse Leetham; District 3.

Motion passed unanimously by Councilman Rios, Councilman Pastor, Councilman Leetham, Vice Mayor Stapleton, Councilwoman Giles, Councilman Shipley and Mayor Gameros.

6. **NEW BUSINESS:**

7. **ACTION ITEMS:**

- A. Consideration and possible Direction to move forward with the underground storage tank remediation at the Public Works yard and authorize the City Manager to sign the ADEQ "Access Agreement" and "Bilateral Agreement" committing ADEQ to spend up to \$1,000,000 for remediation under the LUST State Lead Project.

Mr. Barnes informs Council that there is some ground contamination from old fuel tanks that were pulled out of the City of Globe Maintenance yard. After meeting with ADEQ, Mr. Barnes was informed that the City was eligible for up to \$1M for remediation under the State Lead Project. The application was submitted on May 30th and was approved.

Motion: Motion to approve the ADEQ agreement committing ADEQ to spend up to \$1M for remediation under the LUST State Lead Project and authorize the City Manager to sign the agreement on behalf of the City of Globe., **Action:** Approve, **Moved by** Councilmember Freddy Rios; District 1, **Seconded by** Vice Mayor Mike Stapleton; District 4.

Motion passed unanimously by Councilman Rios, Councilman Pastor, Councilman Leetham, Vice Mayor Stapleton, Councilwoman Giles, Councilman Shipley and Mayor Gameros.

Councilman Shipley is excused at 8:04 pm.

- B. Consideration to approve Change Order #1 in the amount of \$14,312, to provide three DMA legal descriptions (City of Globe, Town of Miami, and Tri City Sanitation; and Change Order #2 in the amount of \$1,000, to

transfer Apache Street to the Tri-City DMA, to Contract Agreement No. CA-2018-0079 with the EPS Group. (Jerry Barnes, Paul Jepson)

Mr. Barnes informed Council that during the update of the Designated Management Area (DMA) the City needed to amend its current boundary to represent all areas of the City and service areas. This change order will pay for the legal descriptions.

Mayor Gameros commends Staff for the cooperation of Miami, Tri City and Globe and emphasizes the importance that the City of Globe secures all the boundaries that are served by the City. Mr. Barnes confirms that this will give the City of Globe the right to manage all areas with the DMA however not a right to serve all areas.

At the request of Councilman Pastor, Mr. Barnes updates Council on the Tri City Sanitation Board has elected to go forward with this process and is in the process of Public Hearings.

Mr. Jepson stated that the Town of Miami felt they had a claim to this DMA and relinquished the claim so that the City of Globe could have the boundary of their city limits. Tri city willingly gave up their claim to areas within the City of Globe also and they should be recognized, they did the best thing for Globe. Mr. Jepson informed Council that an IGA will be coming forward between the City of Globe and Tri City Sanitation.

Motion: Motion to approve Changer Order #1 in the amount of \$14,312 to provide legal descriptions and Changer Order #2 in the amount of \$1,000 to transfer Apache Street to the Tri-City DMA., **Action:** Approve, **Moved by** Councilmember Charlene Giles; District 5, **Seconded by** Councilmember Jesse Leetham; District 3.

Motion passed unanimously by Councilman Rios, Councilman Pastor, Councilman Leetham, Vice Mayor Stapleton, Councilwoman Giles, Councilman Shipley and Mayor Gameros.

8. **LATE AGENDA ITEMS:**

- A. Consideration of the Historic Preservation Advisory Commission recommendation of approval for sign, cornice and stucco color for the El Ranchito Restaurant located at 686 N. Broad Street, Globe. (Michelle Yerkovich)

Mayor Gameros explained that these items were put on the late because the Historical Preservation Committee met on Friday after the agenda was posted and the urgency is the work being scheduled for an anniversary event of the business.

Michelle Yerkovich is before Council to answer any questions regarding the upgrades.

Motion: Motion to approve the Historical Preservation Advisory Commission's recommendations for the El Ranchito Restaurant including the sign, cornice and stucco color located at 686 N. Broad Street. , **Action:** Approve, **Moved by** Councilmember Jesse Leetham; District 3, **Seconded by** Councilmember Mike Pastor; District 2.

Motion passed unanimously by Councilman Rios, Councilman Pastor, Councilman Leetham, Vice Mayor Stapleton, Councilwoman Giles, Councilman Shipley and Mayor Gameros.

- B. Consideration of the Historic Preservation Advisory Commission recommendation of approval for the redesign of facade and roof line and paint color for Talmage Hansen located at 145 S. Broad Street, Globe. (Michelle Yerkovich)

Michelle Yerkovich presents the recommendations for the Talmage Hansen Engineering building located at 145 S. Broad Street and advised Council that their plans fall within the City requirement per City Code.

Motion: Motion to approve the recommendations for approval for the redesign of facade and roof line and paint color for the Talmage Hansen Engineering building located at 145 S. Broad Street. , **Action:** Approve, **Moved by** Councilmember Charlene Giles; District 5, **Seconded by** Vice Mayor Mike Stapleton; District 4.

Motion passed unanimously by Councilman Rios, Councilman Pastor, Councilman Leetham, Vice Mayor Stapleton, Councilwoman Giles, Councilman Shipley and Mayor Gameros.

Mayor and Council were very pleased with the improvements that both businesses are doing and their contribution to downtown.

9. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that IS NOT scheduled on this agenda may do so at this time. This is a time for the public to comment to members of the City Council explicitly not to members of staff. Comments will be limited to **three minutes per person** and shall be addressed **explicitly** to the City Council and addressed to the City Council as a whole public body, and not to any individual member. **Please complete a "Request to Speak Card", located with the Agendas at the rear of the Council Chambers and turn it in to the City Clerk prior to the beginning of the meeting.** Issues raised shall be limited to those within the jurisdiction of the City Council.

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10. **SCHEDULING OF MEETINGS:**

Scheduling of meetings, which may be brought up at this time.

Reminder to Council that the November and December meetings have been scheduled as follows to accommodate Holidays.

November: November 5th and November 19th.

December: December 3rd and December 17th.

The Joint Council with the Town of Miami was postponed from October 2nd to sometime in November.

11. **FUTURE AGENDA ITEMS:**

Agenda topics that Council Members would like to see on the agenda may be brought up at this time.

Resolution Copper update with Bryan Seppala will be on October 22.

Councilwoman Charlene Giles requested Staff to follow up on the presentation by Carlos Ronstadt regarding the water agreement with the SCAT.

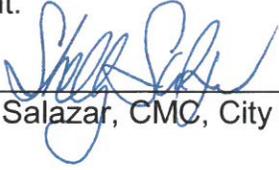
13. **ADJOURNMENT.**

Motion: Motion to adjourn the meeting at 8:24 pm., **Action:** Adjourn, **Moved by** Councilmember Jesse Leetham; District 3, **Seconded by** Councilmember Freddy Rios; District 1.

Motion passed unanimously by Councilman Rios, Councilman Pastor, Councilman Leetham, Vice Mayor Stapleton, Councilwoman Giles, Councilman Shipley and Mayor Gameros.

I, hereby certify that the foregoing is a true and correct copy of the October 8, 2019

Council Meeting Minutes and that the meeting was duly called and a quorum was present.



Shelly Salazar, CMC, City Clerk