

CITY OF GLOBE

REGULAR MEETING MINUTES

MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA

FEBRUARY 28, 2011

6:00 P.M.

The meeting was called to order by Mayor Shipley at 6:00 p.m.

The Invocation was given by Councilwoman Mary Ann Uhl, followed by the Pledge of Allegiance led by Vice Mayor Thea Wilshire.

ROLL CALL

Councilpersons present: Wheeler, Wilshire, Uhl, and Casillas

Councilpersons absent: Baker and Alderman

City Manager / Legal Counsel present: K. Kane Graves

1. SUMMARY OF CURRENT EVENTS

A. Council Members

1. Councilwoman Casillas announced that the Boys and Girls Club reopened today.
2. Councilwoman Casillas thanked the Code Enforcement Team for their hard work, stating that Euclid is looking good.
3. Vice Mayor Wilshire announced that Readers Digest "We Hear You America" campaign will be in Globe on March 19, 2011.
4. Vice Mayor Wilshire recognized the folks from St. Pauls Methodist Church for their work in the "Taste of Globe" fundraiser.
5. Vice Mayor Wilshire stated that the Smithsonian exhibit is on display and people have said that Globe is the best kept secret of Arizona.
6. Vice Mayor Wilshire stated that the Home Tour will be held this weekend along with walking tours and a play at the Cobre Valley Center for the Arts.
7. Councilman Wheeler stated that a Coordination workshop will be held on March 21 and 22nd at the Gila County Fairgrounds. He stated that the Coordination would instruct individuals on how to work with the Federal Government as well as the Forest Service.
8. Vice Mayor Wilshire stated that at 2:00 a.m. today the State Senate voted to eliminate the Access Program. She stated that we need to speak up on this.

B. Mayor

1. Mayor Shipley thanked all the Volunteers that cleaned up this last weekend along the Globe to Miami Highway.
2. Mayor Shipley expressed his condolences to the family of former City Employee Jerry Slater who passed away earlier this week. Mr. Slater was a parks employee who also acted as Santa to our community during Christmas. Building Inspector Chris Collopy stated that the family of Mr. Slater asked that in lieu of flowers that Jerry would like everyone to do something nice for somebody else.

C. City Manager

1. City Manager Graves announced that SRP has invited the Council to a Centennial event of the Roosevelt Dam on March 18, 2011. He asked that the Council RSVP to the City Clerk by noon tomorrow.

2. SPECIAL PRESENTATIONS

A. Proclamation for Arbor Day – March 18, 2011

Mayor Shipley proclaimed March 18, 2011 as Arbor Day in the City of Globe. He read the proclamation in its entirety.

B. Proclamation for March for Babies Day - March 12, 2011

Mayor Shipley proclaimed March 12, 2011 as March for Babies Day in the City of Globe. He read the proclamation in its entirety.

3. CONSENT CALENDAR

Vice Mayor Wilshire moved to approve the Consent Calendar items A, B, D, F, and G. Seconded by Councilwoman Uhl.

Motion carried.

A. Consideration of waiver of Section 2-4-10 (A) [Prior Discussion Rule] to allow action on the balance of the Consent Agenda.

Passed.

B. Ratification of Accounts Payable for February 14, 2011 and Accounts Payable.

Passed.

C. Consideration of Approval for Extension of Liquor License Premises for Drift Inn Saloon for Arizona Bike Week Run April 1, 2011.

Vice Mayor Wilshire recognized the contributions made to the local economy by Lisa and Eileen at the Drift Inn through their special event.

City Manager Graves stated that this event was brought before the Special Event Committee to consider. This event last year brought in over 2200 motorcyclists into our City.

Councilman Wheeler moved to approve the Extension of Liquor License for the Drift Inn Saloon for April 1, 2011. Seconded by Vice Mayor Wilshire.

Motion carried.

D. Consideration of Approval of Budget Calendar

Passed.

E. CONSIDERATION OF AUTHORIZATION FOR CITY MANAGER TO ISSUE A PURCHASE ORDER TO RODRIGUEZ CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$49,500.00 FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT #146-09-003.

Councilman Wheeler had questions regarding the proposed purchase order for the CDBG project. He stated that he does not agree to fund individual homes vs. use of

money for the whole community. He is very happy that we are moving toward community enhancement.

Councilman Wheeler moved to not exceed the low bid amount. Motion died due to a lack of a second.

Councilwoman Casillas moved to approve Item 3E not to exceed \$49,500. Seconded by Councilwoman Uhl.

A roll call vote was called for by Councilman Wheeler.

District 1 = Nay, District 2 = Yea, District 3 = Yea, District 4 = Absent, District 5 = Yea and District 6 = Absent.

Motion carried.

F. Consideration of Approval of Council Minutes:

1. Council Retreat of January 8, 2011
2. Regular Meeting of January 10, 2011
3. Regular Meeting of January 24, 2011

Passed.

G. **RESOLUTION NO. 1605** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE EXPRESSING ITS SUPPORT FOR GILA COUNTY PROVISIONAL COMMUNITY COLLEGE DISTRICT AND FOR A LEGISLATIVE AVENUE FOR IT TO BECOME A FULLY ORGANIZED AND ACCREDITED COMMUNITY COLLEGE DISTRICT

Passed.

4. NEW BUSINESS

The Public Hearing began at 6:42 p.m.

A. PUBLIC HEARING

RESOLUTION NO. 1604 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "SECTION 14-5-19 MEDICAL MARIJUANA RELATED FACILITIES; CONDITIONAL USE PERMIT REQUIRED" FOR PURPOSES OF ADOPTION BY REFERENCE. (Kane Graves/Chris Collopy)

Clerk read the caption of Resolution No. 1604. The Council is in receipt of copies of the proposed resolution.

City Manager Kane Graves stated that this went to the Planning and Zoning Commission and they unanimously approved this recommendation to the Council. He stated that this reflects 3 types of facilities requirements for dispensary and cultivation and manufacturing divided up. He stated that this continues to speculate that we have not more than 1 medical marijuana dispensary within the city.

James Haley, Resident addressed the Council stating that the sale and distribution of marijuana violates federal law and that this is a liability to our community. He asked the Council to think about this responsibly.

Mickie Nye addressed the Council sharing his thoughts that this dispensary is in close proximity to the park, Jill Wilson's school, the Salvation Army and hopes that the Council could find a better site than the 2 that were proposed.

Dr. Glen Robison, Resident stated that there is a problem list of other drugs to use for pain. He refuses to prescribe marijuana to any of his patients. He is a podiatrist and he asked just how many doctors will prescribe this and the number of patients would be minimal.

Dr. Seigel, physician in Phoenix addressed the Council stating that he does prescribe all different types of medications, describe organ challenges for patients that are over prescribed on medications and marijuana would turn be less toxic to the system. Marijuana is used by patients that have cancer. He expressed the importance of educating the community of the many uses of marijuana and the many types of marijuana in pill form, liquid, tea, etc.. He stated that a medical director would be a referral source, those that don't qualify shouldn't have a referral from a physician. He stated that Globe Pharmacy will be safe, professional and the police and fire departments would be a welcomed observer.

Sarah Bernstein, parent, business owner addressed the Council stating her concerns with this business being in the City of Globe. She asked if there was a better place to put this facility and not in the downtown area.

- B. ORDINANCE NO. 799 - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA AMENDING THE GLOBE CITY CODE BY THE ADDITION A REVISED SECTION 14-5-19 ENTITLED "MEDICAL MARIJUANA RELATED FACILITIES; CONDITIONAL USE PERMIT REQUIRED" THERETO; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF. (Kane Graves/Chris Collopy)

Heard with Item A.

- C. Discussion and Consideration of the Approval of a Conditional Use Permit for Medical Marijuana Related Facilities to Globe Pharmacy for 200 W. Ash and 200 N. Broad Street, Globe Arizona. (Chris Collopy)

Building Inspector Chris Collopy stated that the Planning and Zoning voted to recommend this to the Council 4-1 in favor of the Conditional Use Permit.

Councilwoman Casillas moved to approve the Conditional Use Permit to Globe Pharmacy for Medical Marijuana Related Facilities as recommended by the Planning and Zoning Commission to include the Nine Conditions for approval. Seconded by Councilwoman Uhl.

Motion carried.

- D. **PUBLIC HEARING**

Discussion and Consideration of Approval of Application for Liquor Store (Series 9) Sampling Privileges for the Beverage Place Located at 2250 Hwy 60 and 70, Suite N, Globe, Arizona, Gila County. (Kane Graves)

Councilman Wheeler stated that this application is for sampling privileges and he feels that this is not warranted. Councilwoman Uhl agreed with Councilman Wheeler. Councilwoman Casillas stated that the business is taking responsibility for the sampling and wine tasting and this is not close to any schools. It was the consensus of the Council to place this item on the next meeting agenda for consideration.

Public Hearings for Items A, B, C and D adjourned at 8:37 p.m.

- E. **ORDINANCE NO. 787** - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, ADOPTING LOCAL OPTION V PROVIDED IN THE MODEL CITY TAX CODE WHICH IMPOSES A TWO LEVEL TAX STRUCTURE ON THE SALE/PURCHASE OF THE "BIG TICKET" ITEMS. (Kane Graves/Teresa Williams)

City Manager Kane Graves explained that this proposal is not a tax increase; it would impact the tax only on large ticket items over \$15,000. The car dealerships would be involved in this option V. Other businesses may benefit in the future (RV or Boat sales), this item was discussed at the Council retreat as an item to bring back to the Council for discussion.

It was the consensus of the Council to place this item on the next meeting agenda for consideration and to invite the car dealers in our community to the next meeting.

- F. **RESOLUTION NO. 1603** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "ARTICLE 9-14 WATER COMMITTEE" FOR PURPOSES OF ADOPTION BY REFERENCE. (Kane Graves)

Discussion was held and City Manager Graves explained that the existing water committee is not an official committee. He stated that the proposed resolution would call for an official water committee and he asked for council direction.

Councilman Wheeler stated that he serves as Chairman of the Committee. He stated that the water department staff is present as well as Tom Conto assisting in exploration, pumping, geology, permits, bond issue items for upgrading the water system and making sure that the city is adequately supplied with water.

The Council shared that this resolution would formalize the committee and would like to see directives.

The Council thanked Councilman Wheeler for serving on the water committee and would like to see water conservation put into place.

It was the consensus of the Council to place this item on the next meeting agenda for consideration.

- G. **ORDINANCE NO. 798** - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, AMENDING THE GLOBE CITY CODE BY THE ADDITION OF A NEW ARTICLE ENTITLED "ARTICLE 9-14 WATER COMMITTEE" THERETO; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT

THEREWITH; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.
(Kane Graves)

It was the consensus of the Council to place this item on the next meeting agenda for consideration.

- H. Discussion and Consideration of Authorizing the Mayor to Send a Letter to Roderick F. Lane P.E. ADOT District Engineer Regarding the Crosswalk at School and Requesting Safety Measures. (Kane Graves/Lee Kinnard)

City Manager Graves stated that he has met with the Globe Schools and they are asking for the City support to ask ADOT for a crossing mechanism on Hwy 60 and High Street for the school kids crossing. Mr. Graves stated that under the Uniform Traffic Control that we do qualify for stop lights via traffic counts, but what we are asking ADOT for are Flashing Lights to call attention to the individuals on the crosswalk.

Police Chief Lee Kinnard stated that ADOT has been given historical backup from the 90's that there have been injuries in this crosswalk.

The Globe School Board was present at tonight's meeting and encouraged the Council to send a letter to ADOT requesting safety measures on this crosswalk.

City Engineer Matt Rencher prepared and presented a power point presentation on the Uniform Traffic Control data of placing safety mechanisms on the Crosswalk of Hwy 60 and High Street.

Vice Mayor Wilshire moved to waive the meeting rules. Seconded by Councilman Wheeler.

Motion carried.

Vice Mayor Wilshire moved to direct the City Manager to send a letter to ADOT requesting safety measures on this crosswalk. Seconded by Councilwoman Casillas.

Motion carried.

- I. Discussion and Consideration of Accepting ADEQ Grant for Environmental Cleanup of Three (3) City-owned Buildings. (Chris Collopy)

Building Inspector Chris Collopy asked the Council to accept the ADEQ grant for Environmental Cleanup of the T-Pee Building, Library Building and the Rogues Gallery Building estimated at \$26,200.00.

Councilman Wheeler moved to waive the meeting rules. Seconded by Vice Mayor Wilshire.

Motion carried.

Vice Mayor Wilshire moved to accept the ADEQ grant. Seconded by Councilman Wheeler.

Motion carried.

5. ACTION ITEMS

- A. **RESOLUTION NO. 1601** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "ARTICLE 4-2 ALARM SYSTEM REGULATION," IN CHAPTER 4 POLICE DEPARTMENT, OF THE GLOBE CITY CODE. (Kane Graves / Lee Kinnard)

Police Chief Lee Kinnard stated that from 2008-2010 there have been 653 alarm calls and 90% of them have been false alarms.

Vice Mayor Wilshire moved to approve Resolution No. 1601. Seconded by Councilwoman Uhl.

Motion carried.

- B. **ORDINANCE NO. 797** - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, AMENDING CHAPTER 4, POLICE DEPARTMENT, OF THE GLOBE CITY CODE BY THE ADDITION OF ARTICLE 4-2, ALARM SYSTEM REGULATION, AND ADOPTING THAT DOCUMENT ENTITLED "ARTICLE 4-2, ALARM SYSTEM REGULATION," INTO CHAPTER 4, POLICE DEPARTMENT, OF THE GLOBE CITY CODE BY REFERENCE. (Kane Graves / Lee Kinnard)

Vice Mayor Wilshire moved to adopt Ordinance No. 797. Seconded by Councilwoman Uhl.

Motion carried.

- C. Discussion and Consideration of Grant of License Agreement - Medical Marijuana Related Facilities to Globe Farmacy. (Kane Graves)

City Manager Graves explained that the City received 6 RFP's and on January 24th the Council unanimously moved to recommend Globe Farmacy.

Councilwoman Wilshire moved to grant the License Agreement to Globe Farmacy for medical Marijuana Related Facilities and to include in the license agreement item 5E to read: "This License Agreement shall be non-assignable without the express written approval of the City, which will not be unreasonably refused". Seconded by Councilwoman Casillas.

Motion carried.

6. 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. Comments may be limited to three minutes per person and shall be addressed to the City Council as a whole, and not to any individual member. 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.

None.

7. SCHEDULING OF MEETINGS:

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

8. ADJOURNMENT.

9:21

SCHEDULED MEETINGS/EVENTS:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of the City of Globe held on the 28TH day of February 28, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Gina A. Paul, CMC, City Clerk