

# CITY OF GLOBE

## REGULAR MEETING MINUTES

MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA

JANUARY 10, 2011 6:00 P.M.

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

The Invocation was given by Councilman Lerry Alderman and a moment of silence was called for to remember those involved in the shooting in Tucson on Saturday. Congresswoman Gabrielle Giffords was shot and seriously injured.

The Pledge of Allegiance was led by Councilwoman Casillas.

### ROLL CALL

Councilpersons present: Wheeler, Baker, Casillas and Alderman

Councilpersons absent: Uhl, Wilshire

City Manager / Legal Counsel present: K. Kane Graves

#### 1. SUMMARY OF CURRENT EVENTS

A. Council Members  
None

B. Mayor  
Mayor stated that the Council had a productive Retreat on Saturday.

C. City Manager  
None.

#### 2. SPECIAL PRESENTATIONS

A. Annual Report of Chamber of Commerce (Ellen Kretsch)

Ellen Kretsch presented the Globe-Miami regional Chamber of Commerce annual report to the Council. She stated that over 5,000 visitors came through their doors, they responded by mail to more than 2,000 requests for information, their conference room was used by over 2,500 persons, more than 500 street maps were distributed and more than 133,400 hits were made to their website.

Ms. Kretsch explained the cost of marketing, special events including the Apache Jii and Home Tour. She stated that the Chamber works well with others including the Old Dominion Mine Park Committee, CAAG Tourism Summit, Gila County Fair Committee, Christmas Mixer at the Center for the Arts, City of Globe Parks and Recreation Commission, Cooperative advertising to promote Copper Spike Railway and Light Parade, and a partner with Superior and Copper Corridor for the Arizona Highways Travel show.

The Council thanked Ms. Kretsch for her 15-minute power point presentation and for the great Customer Service to our community and their hard work.

3. CONSENT CALENDAR

Councilman Alderman moved to approve the Consent Calendar items A, C, and F. Seconded by Councilman Wheeler.

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. Accounts Payable and Ratification of Accounts Payable

Councilman Alderman moved to approve the Accounts Payable and Ratification with the addendum presented. Seconded by Councilwoman Casillas.

Motion carried.

- C. Consideration of Approval of Application for Extension of Premises Permit for The Huddle on February 18, 19 & 20, 2010 for 3rd Annual Globe Stock Event. (Tracy Quick)

Passed.

- D. Consideration of Approval of Consulting City Engineer Contract With Larry Hansen. (Kane Graves)

Councilman Wheeler asked Mr. Graves what the additional cost estimate would be? Mr. Graves stated that Mr. Hansen has a history with the City and this agreement would be for on call services, which Mr. Hansen will work with our new City Engineer and the hours worked will 1<sup>st</sup> be approved by Mr. Graves.

Councilman Wheeler moved to approve the consulting agreement with Mr. Larry Hansen. Seconded by Councilman Alderman.

Motion carried.

- E. Consideration of Approval of Authorization For The City Manager to Issue a Purchase Order to Speedie and Associates in the Amount of \$79,285.51 for Fiscal Year 2011 Remediation at Globe Public Works Maintenance Facility. (Kane Graves / Teresa Williams)

Councilman Wheeler asked if this is the well at the Public Works Yard? Tim from Speedie and Associates explained that there are monitor wells at the City's maintenance facility. He stated that testing is showing benzene levels at a decrease since August. He stated that in the 1980's when Hagan owned this property the old fuel tanks were pulled in the 1990's from this site, there have been 11 monitor wells on this property since then, now there is a financial crunch, they

will be shutting the system down. There are no drinking water wells in this area and they have found that the contaminants are not moving, they are staying contained to this site.

Tim stated that microbial migration is a good tool, groundwater stagnant, not moving, remediate around this well. He stated that the aquifer is tight and can't get into formation.

Councilman Alderman moved to authorize the City Manager to issue a purchase order to Speedie and Associates in the amount of \$79,285.51 for the Remediation project at the Globe Public Works Maintenance Facility. Seconded by Councilman Wheeler.

Motion carried.

F. Consideration of Approval of Council Minutes:

1. Regular Meeting of December 13, 2010
2. Regular Meeting of December 20, 2010

Passed.

4. NEW BUSINESS

- A. **RESOLUTION NO. 1597** - 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 8-6, LICENSING OF MEDICAL MARIJUANA RELATED FACILITIES, IN CHAPTER 8, BUSINESS REGULATIONS, OF THE GLOBE CITY CODE. (Kane Graves)

City Clerk Gina Paul read a caption of Resolution No. 1597

City Manager Graves stated that the proposed resolution sets the Licensing and Business regulations for the Medical Marijuana related facilities.

Mr. Graves recommended this item for Council approval.

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

- B. **ORDINANCE NO. 796** - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, AMENDING CHAPTER 8, BUSINESS REGULATIONS, OF THE GLOBE CITY CODE BY ADDING ARTICLE 8-6, LICENSING OF MEDICAL MARIJUANA-RELATED FACILITIES, AND ADOPTING THAT DOCUMENT ENTITLED "ARTICLE 8-6, LICENSING OF MEDICAL MARIJUANA RELATED FACILITIES, IN CHAPTER 8, BUSINESS REGULATIONS, OF THE GLOBE CITY CODE" BY REFERENCE. (Kane Graves)

City Clerk Gina Paul read a caption of Ordinance No. 796.

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

- C. **RESOLUTION NO. 1599** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, ADOPTING A REVISED GENERAL FEE SCHEDULE FOR THE CITY OF GLOBE (Teresa Williams)

City Clerk Gina Paul read a caption of Resolution No. 1599. City Manager Graves explained that some fees have changed and the proposed changes will be published on the website.

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

- D. **RESOLUTION NO. 1598** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, AMENDING CERTAIN SECTIONS OF THE CITY OF GLOBE PERSONNEL RULES AND REGULATIONS 2010, RESCINDING RESOLUTIONS IN CONFLICT THEREWITH AND DECLARING AN EFFECTIVE DATE. (Kane Graves)

City Clerk Gina Paul read the caption of Resolution No. 1598. The Council is in receipt of copies of the proposed resolution.

City Manager Graves proposed Resolution No. 1598 with changes limiting the paid hours to 240 upon separation of employment.

Dr. Jamie Redwing commended the City Manager / City Attorney for an excellent job on the medical review for Medical Marijuana. She stated that she is a fellowship expert for pain control.

- E. **RESOLUTION NO. 1600** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE ENCOURAGING COLLABORATION BETWEEN ARIZONA'S CITIES AND TOWNS, THE GOVERNOR AND STATE LEGISLATURE IN DEALING WITH BUDGET ISSUES IN THE 2011 LEGISLATIVE SESSION. (Mayor Shipley / Kane Graves)

Mayor Shipley stated that he serves on the Executive Committee for the League of Cities and Towns and this group is encouraging all cities and towns to ask the Governor and the legislature to not take state shared revenues from Municipalities.

Next meeting for consideration.

5. ACTION ITEMS

- A. **ORDINANCE NO. 794** - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, AMENDING THE GLOBE CITY CODE BY THE REVISION OF SECTION 8-3-6 ENTITLED "SPECIAL EVENT PERMITS - STANDARD CONDITIONS OF APPROVAL" THERETO; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH. (Kane Graves / Lee Kinnard)

City Clerk Gina Paul read a caption of Ordinance No. 794. This item was discussed at last week's Councilmeeting.

Councilwoman Casillas moved to adopt Ordinance No. 794. Seconded by Councilman Baker.

Motion carried.

- B. **ORDINANCE NO. 795** - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, AMENDING THE GLOBE CITY CODE SECTION 9-2-1 ENTITLED "APPLICATION FOR WATER OR SEWER SERVICE" BY THE ADDITION OF A REVISED SUBSECTION B THERETO RELATING TO OUT OF CITY AND OTHER USERS; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF AND DECLARING AN IMMEDIATE EFFECTIVE DATE. (Kane Graves / Matt Rencher)

City Clerk Gina Paul read the caption of Ordinance No. 795. This item was discussed at last week's Councilmeeting.

Councilman Alderman moved to adopt Ordinance No. 795. Seconded by Councilman Baker.

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.

1. Mrs. Kelly Moss, Globe Business Owner addressed the Council asking them to pass a Resolution acknowledging the opposition to a private prison project in our community and asks that the Economic Development Corporation cease their pursuit for a private prison. She stated that they have over 2,500 signatures on a petition in opposition to a for profit prison.
2. Cecil Barton, Business Owner and Resident on Hill St. stated that he has been in Arizona for 29 years. He picked Globe to live because he loves the character of Globe, a private prison would change the character of our little town and he asked the Council to pass a resolution to prevent a prison from coming to our area.
3. Greg Gotto, Citizen of Globe stated that he and his wife differ on this issue, his feelings are that he grew up in Michigan City in Indiana and he has always had to defend his town because it was perceived as a prison town. He also shares his opposition to private prisons and the stigma of a prison town.

4. Sherry Rice stated that this would drive away economic development and she too urges the council to submit a Resolution in Opposition to a private prison.
5. Pat Swolvin (name inaudible) Resident of Globe opposed to a private prison in our community.
6. Bonnie Lewis addressed the Council asking how would the public know if an anesthesiologist is under the influence of a drug, what is the public's protection to this marijuana law. City Manager Kane Graves stated that the voters of Arizona passed the new law legalizing marijuana. He stated that the City is prohibiting workers from being impaired on the job.
7. Pam Yerkovich stated that a concern is education of students, truancy is a problem, single parents, burden to schools, housing, pvt land owners, federal monies out the door, state defunct, locally default. Stating that Marijuana issues puzzles her, who is going to be honest about this. Sr. Citizen's wants to feel safe when they are out and about. She came from a Midwest City, a private prison city it was burdensome with access insurance, Globe and County are unreal to these issues.
8. Alex Day addressed the Council stating that he visited Florence and he does not want Globe to turn into Florence, spare us from the prison.
9. Leslee Parker, business owner asked the Council to put the Private prison to rest. This is not a positive outcome for Globe.
10. Dan Guerena addressed the Council stating opposition to prisons, they bring dangerous persons here, low wages, high turnovers, is negative and the City can do better.
11. Brandon Parker addressed the Council asking them to pass a resolution in opposition to a private prison, Globe can do better.
12. Angela Ladorick (name inaudible) new resident of Globe, moved here 8 months ago and asked the Council to drop this issue.
13. Cindy Sullivan, business owner asked the Council to pass a resolution in opposition to a private prison. She suggests that the Council review EDC funding and put a freeze to their funding and direct them to put funding to use in a more productive manner.
14. Dr. Jamie Redwing moved here in July, expert in pain management to help out apache people. American physicians part of board of medical examiners and treats impaired physicians, report practitioner, hospitals responsible, treatment, monitoring for minimum of 5 years. She stated that the prisons she worked at in Florida were State prisons, and this is not the case for this proposed prison, she see's grim conditions and doesn't want to live in a town that has a private for profit entity.
15. James Barter, resident of Globe, asked the Council to put the for profit prison to rest. No to private prison. Reason = Government looked to privatization by passing the buck. We do not want privatization.
16. Darren Lowry, Resident in Globe stated that he loves this town. He is concerned about this ongoing issue and asked the Council to pass the resolution in opposition to

a private prison. He stated that they have over 2,500 signatures, if more signatures are needed, he will get them, he asked the Council to put this issue to rest.

17. Robert Davison 1554 E. Maple, against the prison.
18. Nancy McKay, lived here for over 30 years now, stated that people have a hard time finding jobs, can't pass drug tests, we need better jobs in the community.
19. Dana Browlin stated that she has lived in Globe for 7 years. She plans to live here for the rest of her life, she lives in constant fear for having a prison in our community. She urged the passage of the resolution in opposition to a private prison.
20. Danisha Lier, lives here, loves town, grandchildren are being raised here, come up with better ideas than prison.
21. Mike Sawyer, lives in Globe, do not need another private prison. Pass resolution, prisons for profit are a sad economic development.
22. Charlie Anderson, resident stating that if the Council thinks this is good business, they need to talk to Hardin Montana which was developed by Emerald., their own workers don't even want to live there.
23. Linda Gross, Resident and owner of the Globe Miami Times stated that she has a DVD and over the last 6 months they have collected over 2,000 signatures, emails, she asked the Council "how can you move forward and overlook what people are trying to tell you?"
24. Hesler (name inaudible) 11 year resident asked the Council to come up with a better and more creative way for our community.
25. Karen Gotto stated that she has taught in this community for 32 years, every day 2<sup>nd</sup> graders hold truths to be self-evident all men created equal. We do not consent to you to give us a private prison.
26. Sara Bernstein resident in this community stated that she is a business owner; she is impressed and proud to be among these people here tonight. She asked the Council to listen to what the people want, we are good people. The Council needs to listen to protect the integrity of our community. She stated that there is good proof that a private prison outweighs in negative, she does not support a private prison and wants the council to put this to rest and support a Resolution opposing a private prison in our community.
27. Mary O'Donnell a business owner in Globe stated that she looked at the historical perspectives; there is a complete disregard to limited resources of water and sewer. She stated that people make money off of controlling and maintaining other people, we have so much knowledge, she asked that EDC funding be considered to give incentives for people to come up with more sustainable projects.
28. Jim Moss, Globe resident and business owner addressed the Council stating that there are a handful of leaders committed to for profit prison. He asked why the elected officials support this when citizens are opposed to private prisons. He asked the Council to pass a resolution acknowledging the substantial opposition to private

prisons in our community and recommends the council cease funding \$25,000 per year to EDC.

29. Jim Brockert a resident since 1952 and owner of a plumbing business. He stated that he remembers that the Job Corps was the biggest sore thing that came to Globe. He attends church and notices how many kids in church that don't have fathers. He stated that he knows that prisoners have helped city workers; they helped his wife when she was the Director of the Globe Senior Center for 15 years. He asked the City to weigh what is good for the City. He hopes that they pick the right way. He wants the City to stay the way we are and not be a prison City.
30. Gerry McCreary the current president of EDC addressed the Council stating that he is impressed by what he has heard tonight in not wanting a prison in Globe. He stated that he would like everyone to go back and look seriously at the information that they are making their judgment on. EDC has met with the public continuously, he referred to a brief titled "Private Prisons, a Sensible Solution" by Eric Monteaux.
31. Mr. Jim Moss stated that all the information that has been disseminated over last 6 months he stands behind.

7. SCHEDULING OF MEETINGS:

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

**8. EXECUTIVE SESSION.**

Councilman Wheeler moved to hold an Executive Session. Seconded by Councilman Alderman.

Motion carried.

The Council adjourned into Executive Session at 8:25 p.m.

A. Confidentiality Statement.

B. Discussion or consultation with the attorney or attorneys of the public body for legal advice or to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, pursuant to A.R.S. Sections 38-431.03(A)(3) and (A)(4)

- (1) Discussion of Intergovernmental Agreement with the Gila County Regarding City Magistrate Court

Councilman Baker moved to reconvene into Regular Session. Seconded by Councilwoman Casillas.

Motion carried.

**9 . 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.

**10. ADJOURNMENT.**

8:55 p.m.

**SCHEDULED MEETINGS / EVENTS:**

NO REGULAR MEETING January 17, 2011 (Martin Luther King Day)

REGULAR MEETING January 24, 2011

REGULAR MEETING February 14, 2011

REGULAR MEETING February 28, 2011.

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 10<sup>th</sup> day of January, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

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Gina A. Paul, CMC, City Clerk