

CITY OF GLOBE

REGULAR MEETING MINUTES

MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA

APRIL 12, 2010 6:00 P.M.

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

The Invocation was given by Councilwoman Thea Wilshire, followed by the Pledge of Allegiance led by Councilman Lerry Alderman.

ROLL CALL

Councilpersons present: Wheeler, Wilshire, Uhl, Baker, Casillas and Alderman

Councilpersons absent: All present

City Manager / Legal Counsel present: K. Kane Graves

1. SUMMARY OF CURRENT EVENTS

A. Council Members

1. Councilwoman Uhl announced that the Jeanie Uhl Scholarship Golf Tournament will be held this Saturday.
2. Councilman Baker stated that this past weekend an Organic gathering was held at the lower section of the Community Center. He stated that the City crews did an excellent job getting things done prior to this gathering. He stated that the group shopped in our community and this gathering was good for our community.
3. Councilwoman Wilshire expressed a positive report of seeing people walking downtown with their laptops touring the City utilizing the City's website.
4. Councilwoman Wilshire stated that there will be a dog park meeting on Wednesday. She expressed thanks to the individuals who put together the Boogie on Broad event, the Easter Parade and the Express Sunset Train Event. She commended their hard work.
5. Councilman Wheeler announced that the rodeo parade will be held downtown in 2 weeks.
6. Councilman Wheeler stated that he attended a funeral for his friend that was shot near Douglas. He stated that the turnout was large and was held in the Douglas School Gym. He stated that many people were there to support this family who wants control of their lives on the border.
7. Councilwoman Wilshire stated that there will be a Parks and Recreation Meeting on Thursday at 7:30 a.m. And a Dog Park meeting on Wednesday at 6:00 p.m.

B. Mayor

1. Mayor Shipley recognized that David Cook and Senator John Kyle visited Globe on Friday, meeting at the Copper Bistro and that this meeting turned out nice.

2. Mayor Shipley announced that Councilman Wheeler met with Mr. Gardeas from the USDA and there were good possibilities for our future discussed at this meeting.
3. Mayor Shipley stated that there will be a MOB meeting tomorrow at 6:00 p.m.

C. City Manager
None.

2. SPECIAL PRESENTATIONS

- A. Proclamation of April 18-24, 2010 as Arizona State Association of Emblem Clubs Week.

Mayor Shipley read and presented a Proclamation to members of the Emblem Club.

- B. Proclamation of April as Fair Housing Month.

Mayor Shipley read a proclamation designating the Month of April as Fair Housing Month.

- C. Proclamation of April 11-17 as National Library Week.

Mayor Shipley read a proclamation designating April 11 thru April 17th as Library Week.

3. CONSENT CALENDAR

Councilwoman Wilshire moved to approve the consent Calendar as presented. Motion died due to a lack of a second.

Councilman Wheeler moved to approve Items A, D, F and H and to discuss and possibly consider items B, C, E, G AND I. Seconded by Councilwoman Wilshire.

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. Consideration of Approval of the Rescission of Award of Contract to Red Arrow Homes and Award of Contract to Central Arizona Pipeline Contractor, Inc. for the Cutter Well No. 5 Pipeline in the Amount of \$67,734.91. (Kane Graves/ Teresa Williams)

City Manager Kane Graves explained that Red Arrow bid the project and did not enter into a contract as proposed. He asked the Council to consider the second low bidder as Central Arizona Pipeline Contractor, Inc in the amount of \$67,734.91.

Councilman Wheeler moved to rescind the award of the Cutter Well #5 Pipeline contract to Red Arrow Homes and Development and award the contract to Central Arizona Pipeline Contractor, Inc., the amount of \$67,734.91. Seconded by Vice Mayor Casillas.

Motion carried.

- C. **RESOLUTION NO. 1570** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE ENFORCEMENT OF THE TRAFFIC LAWS OF THE STATE OF ARIZONA AND RESCINDING RESOLUTION NO. 1565. (Kane Graves)

Mr. Graves explained that the IGA was approved several months ago through Resolution No. 1565. ADOT has refused to negotiate the IGA for photo enforcement. ADOT wants their contract approved which is and identical to the IGA passed for Redflex.

Councilwoman Uhl moved to approve Resolution No. 1570. Seconded by Vice Mayor Casillas.

Motion carried with District 1 voting Nay.

- D. Consideration of Approval of Council Meeting Minutes:

1. Regular Meeting of March 8, 2010
2. Regular Meeting of March 15, 2010
3. Regular Meeting of March 22, 2010

Passed.

- E. Consideration of Approval of the Renewal of the 2-Year Cooperative Fire Rate Agreement With the Arizona State Land Department for Wildland Services. (Al Gameros)

City Manager Graves stated that this is an agreement that is renewable every 2 years, there are no major changes.

Councilman Wheeler moved to approve the renewal of the 2-year cooperative fire rate agreement with the Arizona State Land Department. Seconded by Councilwoman Wilshire.

Motion carried.

- F. Accounts Payable (Teresa Williams)

Passed.

- G. Consideration of Approval and Acceptance of Special Project Grant from the U.S. Department of Housing and Urban Development in the amount of \$98,000.00 for Repairs at the Old Gila County Courthouse. (Teresa Williams / Kip Culver)

Mr. Kip Culver explained that this grant was awarded some time ago for the Center for the Arts Building and is being used to repair the remainder of the roof, second phase of central air and heat, electrical in 3 rooms, continual upgrades.

Mayor Shipley thanked Mr. Culver and his many volunteers for what they do.

Councilwoman Wilshire moved to approve and accept the Special Project Grant from the US Department of Housing in the amount of \$98,000.00. Seconded by Councilwoman Uhl.

Motion carried.

- H. Consideration of Approval of Cinco De Mayo Special Event Liquor License. (Kane Graves / Matt Jankowski)

Passed.

- I. Consideration of Approval of the Removal of the Traffic Light at Hill and Sycamore, the Placement of 4 Stop Signs at the Intersection, and the Removal of the Turn Arrows. (Larry Hansen)

Several Months ago the traffic light at Hill and Sycamore was hit by a Safeway Truck and has been out of order. A 4 way stop has been temporarily placed until it is determined what to do with this issue.

Councilman Wheeler mentioned that getting replacement parts was a problem for our traffic lights, he asked if we have given any thought to leaving a blinking light at this 4 way stop. Mr. Hansen, City Engineer recommended to the council to take the signals completely down. Mr. Hansen stated that the cost of a basic traffic light is \$150,000 to \$200,000.

Councilwoman Wilshire stated that the numerous people she's talked to are pleased at the removal of the lights. Councilman Baker reiterated Councilwoman Wilshire's comment stating that he too has received a lot of calls and would like to see a basic 4 way stop and to remove the turn arrows.

Resident Mary Ellen Messenger asked why remove the turn arrows and a red light should remain flashing..

Mr. Hansen stated that a flashing light is not necessary if you have a 4 way stop.

Councilman Alderman stated that we have given people a trial period already, they have had plenty of notification of a 4 way stop.

Councilman Alderman moved to remove the traffic lights at Hill and Sycamore and with the placement of 4 stop signs. Seconded by Councilman Baker.

Motion carried.

Item No. 4A, 4B, and 4C have been placed at the end of the agenda.

- D. **ORDINANCE NO. 780** - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, AMENDING THE GLOBE CITY CODE BY THE ADDITION OF A NEW SECTION 6-1-3 ENTITLED "COURT USER PROGRAM AND SERVICE FEE" THERETO; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF. (Kane Graves)

City Clerk Gina Paul read the caption of Ordinance NO. 780. The Council is in receipt of copies of the proposed Ordinance.

City Manager Kane Graves explained that the general fund has subsidized the cost of operation of the Magistrate Court over the years. He stated that this proposal with Resolution No. 1574 would impose a fee on persons convicted of traffic offenses in Magistrate Court through the use of Photo Enforcement. He stated that the proposed fee is \$40.00 per ticket. He stated that the general taxpayers should not have to pay for this, but rather those convicted should have to pay for this. He asked the Council to adopt Ordinance No. 780 and approve Resolution No. 1574.

The Council inquired if this fee can be charged for everything besides photo enforcement and Mr. Graves stated that this would be more complicated. He is only asking for Photo Enforcement be charged this fee at this time.

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

RESOLUTION NO. 1574 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE ADOPTING A COURT USER AND SERVICE FEE AS AUTHORIZED BY A.R.S. 22-404 (E) AND SECTION 6-1-3 OF THE GLOBE CITY CODE. (Kane Graves)

City Manager Kane Graves read a caption of Resolution No. 574. The Council is in receipt of copies of the proposed resolution.

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

- E. Discussion and Consideration of the State Grants in Aid Library Construction Grant in the amount of \$22,800.00 and Commit \$22,800.00 in City Match. (Chris Collopy / Teresa Williams)

Chris Collopy, Building Inspector addressed the Council explaining the 50/50 grant from the State Library of Archives. He stated that they have been awarded \$22,800 to upgrade the Rogue's Gallery, new roof, paint and electrical, and testing for asbestos of the tee-pee building. The City's match is \$22,800 and cannot be in-kind contributions.

Marion Steele, Library Director stated that the Library Board is in full support of the project details and this grant. The Rogue Building will be used as an extra meeting room, more room for staff and as a temporary Library while the proposed new library is being built.

Mr. Graves explained that next week the Council will see the library options for a new building as provided by an architect that has volunteered his time.

Councilman Wheeler stated that the USDA has library grant funds that could possibly help with a new library.

Teresa Williams, Finance Director stated that the Rogues Building needs a heating and cooling unit and if we wait, this would cost the city more.

Councilwoman Uhl moved to suspend the meeting rules to consider this item. Seconded by Councilwoman Wilshire.

Motion carried unanimously.

Councilwoman Uhl moved to accept the stated grant in the amount of \$22,800.00 with the City's match being \$22,800.00. Seconded by Councilman Alderman.

Motion carried unanimously.

F. **RESOLUTION NO. 1571** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA EXPRESSING ITS SUPPORT FOR THE LOCATION OF A PRIVATE CORRECTIONS FACILITY WITHIN THE CITY OF GLOBE, COUNTY OF GILA, STATE OF ARIZONA. (SGCEDC)

Melissa Woodall, Director of the Southern Gila County Economic Development Corporation, Mr. Chris Cuny, Architect for Emerald Corrections and Jerry McCreary, President of the SGCEDC addressed the Council asking them to sign a Resolution of Support for a Private Corrections Facility outside of the Globe City Limits. Corrections were asked for of the heading expressing that the proposed site is outside the limits of the City of Globe.

Ms. Woodall stated that the State of Arizona is planning to construct 5,000 new correctional facility beds in Arizona. She introduced Mr. Chris Cuny of Emerald Construction stating that this is a private entity that will be contracting with the State of Arizona to build and run the proposed facility. She stated that located outside of the Globe City Limits that they are looking at State land to construct a 1,000-bed facility and to have 300 new jobs created for this facility. She stated that there is a timeline they are following and they would like the City's support for this new project of this private corrections facility, this would be the initial phase to make application to the Department of Corrections. The deadline for application is May 9, 2010.

Mr. Cuny stated that his company will prepare the RFP's to build this minimum to medium security facility. He stated that they are not asking for City or County money, they would only like to know if our community would support this type of facility in our community.

Mr. Cuny stated that water is in close proximity of the proposed site, and Wastewater would be handled through an onsite treatment facility or the money allocated for the onsite treatment facility could be given to the City to connect to the City system.

Mr. Cuny stated that Emerald Corrections will build and run the facility. Stating that the proposed state land is not in the City of Globe.

Councilwoman Wilshire stated that this is hard to discuss this issue when we don't know where this site is, and she is receiving calls from her constituents stating that they don't want to look like Florence. She expressed her hesitancy in supporting something that is controversial with no information to share or think about.

Mr. Cuny stated that this site is far from school sites and neighborhoods. They plan to build their own ground storage tank on site and not provide burden to our water system. He stated that they will try to hire 70% of construction work force for a 60

to 100 million dollar project. They are operated privately and prefer buying locally, the site is 30 acres and will be a 2-story campus design; separate dining, education areas to keep the inmates busy. He stated that this is a minimum to medium security class.

Councilman Wheeler stated that he too shares councilwoman Wilshire's concerns of not knowing much about the location or project and approving support with little know knowledge of the plan.

Mayor Shipley stated that he has been involved in the community for a long time and if this brings in 300 new jobs at \$40,000 a year salary, it creates for economic development and is not even in the City.

Jerry McCreary, president of the Southern Gila County Economic Development Corporation addressed the Council stating that he agrees with the Mayor, this would bring jobs into our community. He would hate to see us pass this project up especially in our economic hard times.

Councilman Alderman, an ex officio member for SGCEDC stated that he is aware of this project and on the plus side is infrastructure outside the City Limits. He asked Mr. Cuny if they would consider going green and use waterless facilities to minimize the use of water, it is a win win project and we would be terribly remiss if we don't support this.

Ms. Woodall, can provide very preliminary site plan prior to next council meeting. It could ease concerns of what they are supporting.

Ms. Diana Wheeler expressed her knowledge that it is hard to get hired in the prison system, it is grueling and she wondered how many people work at the local prison now and are commuting in from out of town.

Mr. Cuny stated that there may be requirements established that they hire people living within a certain radius of town. This contract with the State is a 20 year guarantee.

Mr. Cuny (Chris) Heath, TX = FC Cuny Corporation.

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

- G. Ratification of Purchase Order #10-1168 to Spire Engineering for Jesse Hayes Road and Water Main Improvements Project in an Amount Not To Exceed \$85,000.00. (Larry Hansen)

Mr. Graves shared with the Council that this was an emergency work order amendment:

Councilman Alderman moved to suspend the rules. Seconded by Councilwoman Wilshire.

Motion carried unanimously.

Councilman Alderman moved to ratify the purchase order #10-1168 to Spire Engineering not to exceed \$85,000. Seconded by Councilwoman Wilshire.

Motion carried unanimously.

- H. **RESOLUTION NO. 1572** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, ARIZONA, APPROVING THE GILA COUNTY FIRE CHIEF'S ASSOCIATION INTERGOVERNMENTAL MUTUAL AID AGREEMENT PURSUANT TO A.R.S. 11-951 ET. SEQ. (Al Gameros / Kane Graves)

Mr. Graves stated that Fire Chief Gameros has been working on this IGA for many years. He stated that if we need their help they will come and if they need us we will go.

Chief Gameros stated that this agreement allows us to respond.

Next meeting for consideration

- I. **RESOLUTION NO. 1573** - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH GILA COUNTY FOR THE ACCEPTANCE OF A \$1,080,000.00 GRANT FOR THE PURCHASE OF THE OLD COUNTY COURTHOUSE AND JAIL. (Kane Graves / Kip Culver)

Mr. Graves addressed the Council stating that this was approved by the County at last Tuesday's Board of Supervisors Meeting, they agreed to give the quit claim deed for 20 years to the City and that all leases be honored. He commented that should the Council accept the Old Courthouse, as well as the Old Jail we will bare all maintenance costs, and repairs to this building by approving Resolution No. 1573.

Mayor Shipley stated that this was discussed a couple of times in open session and this ownership would safeguard our local landmarks.

Councilman Wheeler moved to adopt Resolution No. 1573. Seconded by Councilwoman Uhl.

Motion carried unanimously.

Councilwoman Wilshire expressed her concerns that if we didn't take this property that the County could sell this to an absentee landlord.

Motion carried.

4. ACTION ITEMS

- A. **PUBLIC HEARING** - Application of Walmart for a new Class 10 Beer and Wine License. (Gina A. Paul)

Open Public Hearing 8:19 p.m.

No public opposition.

Councilwoman Uhl moved to suspend the rules. Seconded by Councilman Wheeler.

Motion carried with Districts 2, 4 and 6 voting Nay. Mayor broke the tie by voting Yea.

Councilwoman Uhl moved to approve the liquor license application received from Walmart. Seconded by Councilman Wheeler.

Motion carried with Districts 2, 4, and 6 voting Nay. Mayor voted Yea.

- B. **PUBLIC HEARING** - Application for a person transfer of an existing Class 7 Beer and Wine Bar License from Samuel R. Blair to Francisco J. Curiel at Abell's Liquor. (Gina A. Paul)

No protests were received.

Councilman Wheeler moved to suspend the rules. Seconded by Councilman Baker.

Motion carried unanimously.

Councilman Baker moved to approve the liquor license transfer to Francisco J. Curiel of Abell's Liquor. Seconded by Councilwoman Casillas.

Motion carried unanimously.

The Public Hearing ended at 8:21 p.m.

6. **CALL TO THE PUBLIC:**

Edith Billingsly addressed the Council expressing her concerns with the new change for trash pickup. She asked the Council to reconsider changing this back to how it was, she stated that with Summer approaching, this will cause a health hazard for the garbage sitting longer in the heat. She stated that services were taken from her by not picking up on the last Thursday of the month because of the City's furlough and she is still paying for 8 pickups and this isn't fair.

Mary Ellen Messenger addressed the Council expressing her concerns too with the new garbage day changes stating that with 1 day in between garbage pickups, she doesn't have enough garbage for the 2nd pickup and this is a waste of gas.

8:41 p.m.

5. **NEW BUSINESS**

- A. Police Department Budget Presentation (Police Chief Dan Melvin)
- B. Fire Department Budget Presentation (Fire Chief Al Gameros)
- C. Magistrate, Legal, Administration Budget Presentation (Kane Graves / Teresa Williams)

Finance Director Teresa Williams presented the current financial condition of the city, stating that as of March 31, 2010 the expenditures have exceeded revenues by \$1,093,902.

- C. Ms. Williams presented the proposed budgets for Magistrate, Legal, and Administration and answered many questions from the Council.
- A. Police Chief Dan Melvin presented his proposed budget to the Council
- B. Fire Chief Al Gamos presented his proposed budget to the Council.

Items C, A, and B all presented their budgets to show cuts in their budgets with and without the City established furlough. Many cuts were made to their general budgets for FY 2011.

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.

7. SCHEDULING OF MEETINGS:

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

8. ADJOURNMENT.
10:21 p.m.

SCHEDULED MEETINGS/EVENTS:

REGULAR MEETING April 19, 2010 at 6:00 P.M.
REGULAR MEETING April 26, 2010 at 6:00 P.M.
REGULAR MEETING May 10, 2010 at 6:00 P.M.

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 12th day of April, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Gina A. Paul, CMC, City Clerk