

CITY OF GLOBE

REGULAR MEETING MINUTES

MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA

August 12, 2014 6:00 P.M.

The meeting was called to order by Vice Mayor Eric Mariscal at: 6:00

The Invocation was given by: Joseph Jarvis

The Pledge of Allegiance was led by: Marc Marin

ROLL CALL

Present: Councilman C.M. Mike Humphrey, Councilwoman Roberta Lee Johnson, Councilman Mike Stapleton, Vice Mayor Eric Mariscal.

Absent/Excused: Mayor Terry Wheeler, Councilman James Haley, Councilman Lerry Alderman.

1. SUMMARY OF CURRENT EVENTS:

A. Council Members

Councilwoman Johnson states that she attended the annual High Desert Humane Society event and that it was well attended. She commented on how well Dr. Jeff Eubanks did as auctioneer. Councilwoman also mentioned that she was fortunate to attend the Rural Policy Forum that was hosted at Bullion Plaza in Miami. She said it was an excellent 2 day conference and that it was great for the local economy.

Councilman Stapleton informed every one of the fire in Miami last Friday. Two families lost homes. Councilman thanked the Globe Fire Department, Canyon Fire and Tri City Fire. It was a large fire and Chief Gameros and 2 other fire fighters had to have fluids at the scene.

B. Mayor

None

C. City Manager

The floor is opened to City Manager Billingsley. Mrs. Billingsley reads an email from Richard Rosales, Public Coordinator with Arizona Public Service. He announced that there is monsoon storm damage in the Central Heights area and about 2100 customers are without electricity.

Mr. Billingsley reads a thank you note from Wilma and Wendell Beauchamp. The Beauchamp's wanted to thank the City of Globe for responding so quickly to repair asphalt damage near their drive way. It was so much easier to drive into their drive way now.

Mr. Billingsley reads a letter written by Deputy Chief Gary Robinson to Henry Bejarano with Merles Automotive, thanking him for the donation of lighting equipment for the Type III Wild land Engine that the City of Globe recently obtained.

Mr. Billingsley lastly reads an email from an employee recognizing Tony Valenzuela. The email tells how dependable and compassionate Tony has been over the years to families at the Cemetery.

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

A. Presentation of the Globe Library Summer Reading Program Volunteers. (Marion Steele and Vanessa Angeles)

Vanessa Angeles presented a collage of pictures from the summer reading program. Vanessa informed the Council that eighty five (85) children registered for the Summer Reading Program and fifty four (54) completed the program. A total of two hundred thirty eight (238) volunteer hours were spent 238 working with the children at different weekly events. Certificates were awarded to all the volunteers. Marion Steele, Librarian thanked Vanessa for all her hard work.

B. Presentation of Special Event Permit. (Kip Culver)

Kip Culver presents to Council the general process and the evaluation by staff of special events. Currently there are over twenty three (23) special events or reviews annually. The Special Events Committee consists of the Public Works Dept., Fire, Police and the Parks and Recreation Dept. The application process is presented to the public and Council. Event venues are usually held at the location of the event of the sponsor or organizer. Many events are held at City Locations. Challenges are presented to the Council. Currently the Special Events Committee has been asked to do an overall review of the City assisted events in general. City staffing demands on weekend's in particular the Public Works Dept. Increased insurance requirement by City assisted events are a concern. Mr. Culver presents the current parade route and the practicality of this route. Improvements to the special event process are discussed. Mr. Culver told the council that there would be public hearing regarding the process of this evaluation.

C. Presentation of Vacancies and Application Process for Boards, Committees and Commissions. (Chris Collopy)

Mr. Collopy reviews with Council, how committees are seated according to the new policy and ordinance. Appointments are Mayor recommended with Council ratification. There are a total of six different boards, committees and commission that were included in the ordinance and policy changes; Planning and Zoning Commission, Library Committee and Board of Adjustments are committees that need

the priority of attention. Other committees that need to be filled are the Water Advisory Committee, Parks and Recreation Committee and the Tree Committee.

Mr. Collopy says staff will advertise for thirty (30) days and application would be available on the web site and also in the Clerk's office.

Brent Billingsley warranted the importance of these committees to our organization. He informed the Council and public that the City Clerk could answer any questions.

3. **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
 - B. Consideration of Approval of Council Minutes:
 1. Regular Meeting of July 22, 2014
 - C. Consideration of Resolution No. 1712 – EPA 's Proposed "Waters of the U.S." Rule. (Brent Billingsley)

RESOLUTION NO. 1712- A RESOLUTION SETTING FORTH THE GLOBE CITY COUNCIL COMMENTS ON THE PROPOSED DEFINITION OF "WATERS OF THE UNITED STATES", AS PROPOSED BY THE DEPARTMENT OF DEFENSE, U.S. ARMY CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY AND AS PUBLISHED IN THE FEDERAL REGISTER, VOLUME 79, NO. 76, DATED APRIL 21, 2014 AND TO VOICE THE CITY'S FIRM OPOSITION TO SAID PROPOSED DEFINITION.
 - D. Consideration of account managers for Great Western Bank accounts. (Joe Jarvis)
 - E. Consideration of Intergovernmental Agreement the City of Globe and the Town of Miami for Use of a City Garbage Truck. (Joe Jarvis)
 - F. Consideration of purchase of a vehicle for the Public Works Department. (Joe Jarvis)
 - G. Consideration of request to Senator Jeff Flake advocating for security fencing to water wells. (Brent Billingsley)
 - H. Consideration of letter to Tri City Sanitary District in response to letter dated July 17, 2014 regarding regional wastewater treatment in the Cobre Valley Region.

Councilwoman Robert Johnson moves to remove the council minutes of July 22, 2014

from the consent calendar for corrections to the grant value of the commerce grant.

Motion: To approve the consent calendar with the amended accounts payable in the amount of \$390,420.40, **Action:** Approve,

Moved by Councilwoman Roberta Lee Johnson, **Seconded by** Councilman Mike Stapleton.

Motion passed unanimously.

4. NEW BUSINESS:

B1. Regular Meeting Minutes of July 22, 2014.

Councilwomen Johnson request the minutes of July 22, 2014 be amended to reflect the correct amount the Commerce Grant of \$400,000.00; \$360,000.00 grant with the in kind match of \$40,000.00.

A. Discussion and consideration of the appointing of a Task Force to assist with the Regional Aquatic Facility project. (Mayor Terry Wheeler)

City Manager Brent Billingsley presents this item in the Mayor's absence. Mr. Billingsley informs the Council that this item will be brought back at the next meeting; August 25th due to the County Elections August 26th. Mayor Wheeler will then request of Council to appoint the Aquatic Facility Project Task Force. Mr. Billingsley stated that 6 out of 10 people that had been contacted accepted the request to serve on this committee.

Mr. Billingsley explains to Council that the scope of work "Aquatic Outreach and Facility Programing" was included in the packets inadvertently and that this would not be part of the task force. This will be a separate effort working with a consultant in the next step outreach with this project.

Councilwoman Roberta Johnson was happy with the list of people that had been contacted and asks the City Manager what City staff and Council representation would be working with this task force. Mr. Billingsley directs that question to Mayor Wheeler at a future meeting.

B. Discussion and consideration for adjustment to Public Safety Retirement percentages. (Joe Jarvis)

Finance Director Joe Jarvis reports to Council that this item had recently come to the Finance Department's attention that the retirement percentages paid by employers for the Firefighters and Police Officers had changed for FY2015. The Finance Department is now aware of the notification process going forward. Percentages were over budgeted for Firefighters (\$6,471) and under budgeted for Police (\$59,033) In addition, through the assistance of APS, staff has learned that we over budgeted for the anticipated increase in our electric bills. The anticipated increase was budgeted at 4.48% increase; a more conservative rate of 2% is the factor of increase for FY 2015.

City Manager Brent Billingsley advises the Council that during the budget process, a letter from the League of Cities was presented to Council that informed the City, Public Safety Retirement along with the Government Retirement system would not be seeing any increases this year. This is new information that came from Public Safety Retirement. Mr. Billingsley confirms in record that the City was not at fault in this miscalculation, the City nor the League was aware of this increase.

Finance Director Joe Jarvis presents to Council staff recommendation for a transfer from Council contingency fund. This amount could then be adjusted by the \$62,000 that was budgeted for grant matching funds for communications services in the Police Department. The Police Department was able to receive some infrastructure from other agencies free of charge to fill the need of anticipated purchases. Mr. Jarvis said the Police Department was in support of this recommendation.

This item will be brought back at a future meeting.

C. Discussion and consideration for Budget Transfer within Departments for Cell Phone Expenses. (Joseph Jarvis)

Mr. Jarvis informs the Council of the present cell phone policy and changes that will be made constituting a budget transfer. During the City Council's budget meetings, staff presented a policy change that had been approved internally by City Administration. Currently the City provides employees cell phones due to the nature of their responsibilities. Those employees who choose to use their personal cell phones will be given a stipend equal to or less than the cost of a City issued phone. This change will not require additional funds, but will require a transfer within budgets. Mr. Jarvis expressed to Council that this item does not require action but was brought before Council for informational purposes.

D. Discussion of service area dispute with Arizona Water Company and potential filing with the Arizona Corporation Commission. (Brent Billingsley)

City Manager Brent Billingsley addresses the Council with a few talking points in regards to this item. Mr. Billingsley advises the Council and public that there has been a dispute between Arizona Water Co. (AWC) and the City of Globe for the past two years. This dispute is over service boundaries; where AWC service boundaries stop and the City of Globe service boundaries begin. The City of Globe has hired special counsel who is well versed in this field to advise us on the matter, this was done about a year ago. Mr. Billingsley goes on to say that the City of Globe has had several meetings with Arizona Water regarding this matter. The City of Globe has also had meetings with the Arizona Corporation Commission (ACC); this agency oversees private utilities services.

Mr. Billingsley advises Council and the public that City Staff and represented Counsel will continue to meet with AWC and the ACC to either resolve the matter or to file proper documentation with the ACC to ask them to resolve it. Staff will continue to keep the City Council and the public informed on this matter with the understanding that there will be needs to have executive session for Council to give direction to our attorneys and for our lawyers to provide staff and Council with legal advice.

5. **ACTION ITEMS:**

- A. Discussion and consideration of Intergovernmental Agreement between Gila County Library District and the City of Globe. (Marion Steele)

Motion: Approve, **Action:** Approve.

Moved by Councilwoman Roberta Lee Johnson, **Seconded by** Councilman Mike Stapleton.

Motion passed unanimously.

- B. Discussion and consideration to approve Task Order #2 with Carollo Engineering. (Joe Jarvis)

Motion: Approve , **Action:** Approve.

Moved by Councilman C.M. Mike Humphrey, **Seconded by** Councilman Mike Stapleton.

Motion passed unanimously.

- C. Discussion on Westland Resources Inc. Submittal of Scope and Fees for Project Technical Support of Northeast Sewer Line Project. (Joseph Jarvis)

Motion: Approve, **Action:** Approve.

Moved by Councilwoman Roberta Lee Johnson, **Seconded by** Councilman Mike Stapleton.

Motion passed unanimously.

- D. Discussion and consideration of Elevator Project bid from TSC Constructors, and Resolution No. 1713, declaring additional funding availability. (Kip Culver)

RESOLUTION NO. 1713- A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE COMMITTING LOCAL FUNDS AS LEVERAGE FOR A FY 2013-2015 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

City Manager Billingsley reads Resolution No. 1713 into the minutes for the final time. Council is pleased with the reading.

Motion: Approve, **Action:** Approve.

Moved by Councilman Mike Stapleton, **Seconded by** Councilman C.M. Mike Humphrey.

Motion passed unanimously.

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 will be limited to **three minutes per person** and shall be addressed to the City Council as a whole, 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.

No calls to the public.

Scheduled meeting August 26 will move to Monday August 25 due to Gila County elections.

Motion: Adjourn to executive session., **Action:** Adjourn.

Moved by Councilwoman Roberta Lee Johnson, **Seconded by** Councilman Mike Stapleton.

Motion passed unanimously.

Regular meeting adjourned 6:54 pm

7. **EXECUTIVE SESSION:**

A. Confidentiality Statement.

B. Discussion or consultation with the attorneys of the public body for legal advice and in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Section 38-431.03 (a) (3) & (4)

1. Arizona Water; receive legal advice from the City Attorney and outside counsel and to give the City Attorney and outside counsel direction in connection with Resolution No. 1714 and the dispute with Arizona Water Company regarding water service provided to customers in the Globe area. Following the executive session the Council may take action in open session to give the City Attorney direction regarding such dispute.

2. Water Effluent Agreement with Inspiration Copper

3. Legal advice on City Property leased for use as dog pound, Gila County APN # 207-26-002.

4. Springbrook contract dispute

5. Crestline Tank condition report as provided by Wilson Engineering regarding potential claims.

C. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee pursuant to A.R.S. 38-431.03(A)1

1. Police Chief 6 month review

2. City Clerk 6 month review

8. POST EXECUTIVE SESSION

Councilman James Haley arrived during executive session at 8:05pm.

Councilman Mike Stapleton moved to reconvene into Regular Session. Seconded by Councilman James Haley.

Motion carried.

The Council reconvened at 8:49 pm.

Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.

Councilman Haley moved to direct legal counsel to negotiation with Arizona Water Co. to resolve any disputes that we may have with them at this time and if unable to resolve dispute by Thursday midnight, then direct counsel to take whatever action is necessary at the Arizona Corporation Commission to protect our constituents.

Motion: Approve motion, **Action:** Approve.

Moved by Vice Mayor Eric Mariscal, **Seconded by** Councilman C.M. Mike Humphrey.

Motion passed unanimously.

9. SCHEDULING OF MEETINGS:

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

10. ADJOURNMENT.

Regular meeting adjourned 8:55 pm

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 12th day of August, 2014. I further certify that the meeting was duly called and held and that a quorum was present.



Shelly Salazar, City Clerk