

# CITY OF GLOBE

## REGULAR MEETING MINUTES

MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA

December 16, 2014 6:00 P.M.

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

The Invocation was given by: Councilman Lerry Alderman

The Pledge of Allegiance was led by: Councilwoman Roberta Johnson

### ROLL CALL

**Present:** Mayor Terry Wheeler (Not voting), Councilman James Haley, Councilman C.M. Mike Humphrey, Councilwoman Roberta Lee Johnson, Councilman Mike Stapleton, Vice Mayor Eric Mariscal, Councilman Lerry Alderman.

#### 1. SUMMARY OF CURRENT EVENTS:

##### A. Council Members

Councilwoman Johnson reported on the Employee Holiday Appreciation Dinner and congratulated Chief Al Gameros for receiving the honor of Employee of the Year.

Councilmembers wished everyone Happy Holidays.

##### B. Mayor

Mayor Wheeler wish everyone Happy Holidays.

##### C. City Manager

No Report.

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

##### A. Presentation of the Boys and Girls Club of the East Valley Mayors Members of the month for November; Shilynn Skeet and Theodore Dakos. (Mayor Wheeler)

Amanda Mowrey the new Branch Executive of the Boys and Girls Club introduced the November members of the month. The children received backpacks full of goodies and pictures were taken with Vice Mayor Eric Marisacal.

##### B. Presentation of the 2013/2014 Council Strategic Plan Update. (Brent Billingsley)

City Manager Brent Billingsley presented the 2013/14 Council Strategic Plan Update. Economic Development and Prosperity, Infrastructure improvements to Sewer, Water and Streets, Quality of Life, Public Safety and Regional Partnerships were the topics presented. City Manager Billingsley proudly presented major accomplishments for this past year which included the General Plan Update and

completion of Franchise Agreement with APS, Arizona Water and Southwest Gas. Objectives that are ongoing were discussed to include additional parking and public restrooms downtown and a new fire truck.

The Council offered congratulations to Council and staff for the efforts and accomplishments and thanked Mr. Billingsley for his hard work and presentation.

C. Presentation of Downtown Parade Route and Special Events. (Kip Culver)

A very voice challenged Kip Culver presented in spite of a bad cold. Mr. Culver informed the Council that there are currently over 23 "Special Events" annually, including the Home & Building Tour, Festival of Lights and Parades. An overview was presented revealing that most events are in the fall and spring and benefit charity or community cases. The application and approval process is presented which discussed the venue selection and challenges of these special events. The annual Light Parade is talked about in particular the Route and the challenges in the "old route" to the end of Broad Street. In addition to safety concerns using the Yuma Bridge as the turnaround point, this parade is also held obviously in the dark. Mr. Culver did remind Council and the Public that this Parade does have a committee, in which Mr. Ed Gardea is the Chairman and the decision of the route was a group decision. The conclusion in consideration of the challenges presented was that the Light Parade would circle back around on Pine Street. Mr. Culver also stated that this issue certainly needs to be discussed again for future years by the community for resolution, keeping in mind safety.

Mr. Culver concluded his presentations with the recommendation that the City of Globe's current directive would be to choose 4 to 5 events that the City will sponsor and budget for. Mr. Culver also announced that there would be a public meeting Monday, January 12, 2015 from 5:30 to 6:30 to address all concerns regarding Special Events.

Councilman Haley through City Attorney Sims presented a question to Mr. Billingsley in regards to the requirements for Public Safety Officers assisting in special events. In response to the question of hiring Department of Public Safety Officers to assist with special events as to meet requirements of State Highways, Mr. Billingsley states that he has talked to Jesse Gutierrez with the Arizona Department of Public Safety and was told that the State would considered to approve US Highway 60 as part of a parade route. Included in this consideration would be insurance requirements, the requirement of hiring Arizona Department of Public Safety Officers at both ends of the highway to insure safety and block through traffic. Councilman Haley directs Mr. Billingsley that this conversation would better serve at a later discussion.

Councilman Haley thanked Ed Gardea and other concerned citizens for their work in these projects. Councilman Haley addresses the audience presence of Lisa Brazell; owner of business establishments at the south end of Broad Street, with the concern of public perception of a conflict of interest between Kip Culver and the proprietors at the south end of Broad Street, due to a personal relationship with a proprietor occupying space in the Cobre Valley Center of the Arts. Councilman Haley goes on to say that he would like these concerns addressed and special event decisions justified at the public hearing. Councilman Haley concludes his discussion reminding the public that the decision and responsibility of these events

is that of the Council. Councilman Haley states that through great people as Kip Culver he would like to enhance the quality of life instead of being contentious in this effort.

Mayor Wheeler thanked Mr. Culver for his work and looks forward to a group effort in this decision.

Councilwoman Johnson suggests after looking at Tri City Furniture's parking lot that the parade route be reversed starting at the south end of Broad Street.

Mr. Brent Billingsley informs Council that this is the third time that this has been presented to Council and that this will be Council decision.

The Council extends Kip a get well wish.

D. Presentation of the CDBG Grant Projects. (Alan Urban, CAG)

Mayor Wheeler introduces Alan Urban. Mr. Alan Urban is the Community Development Manager with Central Arizona Governments. Mr. Urban informs Council that this presentation is an informational prehearing presentation in consideration of new CDBG projects. Every three years the City of Globe has the opportunity to submit project requests to the ADOH for the upcoming CDBS funding cycle. Funding options according to the Action Plan could include basic planning and construction to the purchase of a fire truck. Public participation is critical to this process and must be done according to the State's Citizen Participation Plan or a community may become disqualified. The first public hearing will be in January.

Councilman Haley asks Mr. Urban how priority levels are determined. Mr. Urban explains to Council that priority levels are determined by a survey throughout the State as to how many projects are done or not done. More applications for certain projects would certainly impact the priority list. Councilman Haley was saddened in regards to child care on the priority list. Councilman Haley thanks Mr. Urban for his participation.

Mayor Wheeler thanks CAG and Mr. Urban.

E. Presentation of the Budget Preparation for FY2015-2016. (Joseph Jarvis)

Finance Director Joseph Jarvis advises Council that it is budget time again. He says that early preparation allows opportunity for democracy to work together. With that introduction Mr. Jarvis presents key items in the budget preparation. Strategic Planning Event that will be held in January, completion of the Audit and the Capital Improvement Plan (CIP) are crucial in budget preparation for FY 2015-2016. Mr. Jarvis discusses accomplishments that have been completed to include the purchase and installation of more than 2,000 new water meters, major capital projects at the Wastewater Treatment Plant, the purchase of a new Public Works vehicle, new dispatch consuls at the Police Department and new copy machines for City Hall, Public Works, Police Department, and Fire Department. Accomplishments still in progress are discussed to include continued capital projects with Water and Wastewater, signage and striping inventory and new kitchen equipment at the Active Adult Center.

The Mayor and Council thanked Joseph for his presentation.

**3. PUBLIC HEARING LIQUOR LICENSE APPLICATION:**

- A. Open Public Hearing.
- B. Open discussion and public comments regarding liquor license application of Class 12 (Restaurant) Liquor License for Gonzalo Anthony Reynoso Jr. dba J&R Fine Mexican Food Restaurant; 1901 East Ash Street, Globe, Arizona.
- C. Close Public Hearing.
- D. Possible action regarding approval of liquor license for Gonzalo Anthony Reynoso Jr. dba J&R Fine Mexican Food Restaurant.

**Motion:** Adjourn the Public Hearing, **Action:** Adjourn,  
**Moved by** Councilman James Haley, **Seconded by** Councilwoman Roberta Johnson.  
Motion passed unanimously.

**Motion:** Approve Liquor License application for Gonzalo Anthony Reynoso Jr. dba J&R Fine Mexican Food Restaurant., **Action:** Approve,  
**Moved by** Councilman James Haley, **Seconded by** Councilwoman Roberta Johnson.  
Motion passed unanimously.

**4. 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 in the amount of \$220,865.76.

B. Consideration of Approval of Council Minutes:

- 1. Special Meeting November 10, 2014
- 2. Regular Meeting November 18, 2014

C. Consideration of Purchase Order to hire Strategus as expert witness for the Arizona Corporation Commission hearing.  
(Joseph Jarvis)

D. Consideration of Purchase Order to utilize the existing contract with Tierra Right Away as expert witness for the Arizona Corporation Commission hearing. (Joseph Jarvis)

- E. Consideration of contract with Nicole Daily as Facilitator for the Council Retreat.  
(Joseph Jarvis)
- F. Consideration of contract with Arizona Water Company to provide water customer information to the City of Globe.  
(Joseph Jarvis)

**Motion:** Approve Consent Calendar, **Action:** Approve,  
**Moved by** Councilman Lerry Alderman, **Seconded by** Vice Mayor Eric Mariscal.  
Motion passed unanimously.

5. **NEW BUSINESS:**

- A. Discussion and consideration of the Intergovernmental Agreement between the City of Globe and Gila County for payment of city services.  
(Chris Collopy)

Development Services Director Chris Collopy explains to the Council that the County requested this Intergovernmental Agreement for payment of services as the services are needed, not to exceed \$50,000. This IGA is a “blanket” IGA to pay for services up to \$50,000.

The Council directs this item be brought back at the next meeting for approval.

- B. Discussion and consideration to authorize the City Manager to negotiate and sign a Cooperative Defense Agreement. (Joseph Jarvis)

City Manager Brent Billingsley explains to Council the need to negotiate a joint defense agreement with other municipalities for legal representation. A claim has been filed against the City of Globe and four other municipalities that our insurer, Southwest Risk will not represent. City Attorney Bill Sims suggested that the City of Globe contract with municipalities involved entering a joint defense agreement.

Councilman Haley confirms that staff is requesting an amount not to exceed \$15,000.00 and moves that Council waive the prior discussion rules to expedite negotiations in regards to this claim.

**Motion:** Waive the Prior Discussion Rule and authorize the City Manager to negotiate a joint defense agreement with other municipalities for legal representation.

**Action:** Approve,

**Moved by** Councilman James Haley, **Seconded by** Councilman Lerry Alderman.

Motion passed unanimously.

- C. Discussion and consideration to purchase new Fire Hydrants using dedicated WIFA Funding. (Joseph Jarvis and Jerry Barnes)

Finance Director Jarvis reports to Council that a portion of the WIFA funding has been dedicated to purchasing new fire hydrants. City staff is in the process of procuring the hydrants. When this item is brought back for approval the final cost and installation will be presented.

Councilman Haley asks the Finance Director what will happen to the old hydrants. Mr. Jarvis said that he's not sure of the fire hydrants however; the meters if in working condition would be recycled to other municipalities at a fair cost. Councilman Haley suggested rather than scrap the old meters and hydrants they be auctioned off, perhaps antique dealers would find them valuable.

This item will be brought back at a later meeting for approval.

**6. ACTION ITEMS:**

- A. Discussion and consideration of the Intergovernmental Agreement between the City of Globe and Gila County regarding the Meals on Wheels Program.  
(Joseph Jarvis)

Finance Director Joseph Jarvis request approval of agreement between Gila County and the City of Globe for the Meals on Wheels Program.

**Motion:** IGA with Gila County regarding the Meals on Wheels Program, **Action:** Approve, **Moved by** Councilwoman Roberta Johnson, **Seconded by** Councilman Mike Stapleton. Motion passed unanimously.

- B. Consideration to appoint Carmen Corso, Carl Williams, Charlene Giles, Stephen Ravenkamp, Kurtis L. Knauss and Rosalie Lamentola-Ayala by Mayor Wheeler to the Planning and Zoning Commission. (Chris Collopy)

Chris Collopy introduces with the exception of Kurtis L. Knauss; the applicants for the Planning and Zoning Commission to the Mayor and Council.

Mayor Wheeler presents the applicants with recommendation for approval of Council.

**Motion:** To approve the appointment the applicants presented to the Planning and Zoning Commission., **Action:** Approve, **Moved by** Councilman Lerry Alderman, **Seconded by** Councilman James Haley. Motion passed unanimously.

Councilman Lerry Alderman thanks the newly appointed Commissioners for their service to this community. Applauds were given.

- C. Consideration of the proposed changes to the City of Globe Personnel Code.  
(Joseph Jarvis)

Finance Director Joseph Jarvis request approval of the changes to the City of Globe Personnel Code to comply with the Federal Fair Labor Standard Act. The changes were made to Compensatory Time and Vacation Accrual and Use. Compensatory time may not be accrued beyond the maximum allowable amount of 480 hours for an emergency response employee and 240 hours for all other employees. Maximum accrual for vacation will be 240 as of the last day of the last pay period that begins in a calendar year.

**Motion:** Approve the Personnel Code as identified. **Action:** Approve,  
**Moved by** Councilman James Haley, **Seconded by** Councilman Lerry Alderman.  
Motion passed unanimously.

- D. Consideration of change to City Code to include Alternative Delivery Methods in the Procurement Policy. (Joseph Jarvis)

**ORDINANCE NO. 828** AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GLOBE, COUNTY OF GILA, STATE OF ARIZONA AMENDING SECTION 3-5-15 ARIZONA PROCUREMENT CODE OF GLOBE CITY CODE.

City Manager Brent Billingsley reads Ordinance No. 828 into the meeting for the final time, the Mayor and Council is satisfied with the reading.

**Motion:** Approve Ordinance No. 828 amending Section 3-5-15 of the Globe City Code.,  
**Action:** Approve,  
**Moved by** Councilman Mike Stapleton, **Seconded by** Councilman James Haley.  
Motion passed unanimously.

- E. Consideration to expand the existing contract with Caselle for \$25,000.00. (Joseph Jarvis)

Mayor Wheeler excuses himself from the meeting and Vice Mayor Eric Mariscal leads the meeting in this item.

Finance Director Joseph Jarvis reminds Council of the challenges that are presented with one of our current software programs. The City is now utilizing two financial software programs. Each program performs for different transactions. At this time staff is presenting to Council for funding to expand the existing contract with Caselle.

Councilman Haley addresses the City Attorney Bill Sims if this action is appropriate per legal counsel. Mr. Sims advises Councilman Haley that this item just prepares the existing software vendor for the transition. Springbrook is aware of the transition and this item is appropriate.

**Motion:** Approve the funding request of \$25,000 to expand the existing contract with Caselle., **Action:** Approve,  
**Moved by** Councilman Mike Stapleton, **Seconded by** Councilman Lerry Alderman.  
Motion passed unanimously.

- F. Consideration to form a Mayor's Task Force for Housing and Code Enforcement. (Mayor Wheeler)

Mayor Wheeler is still excused from the meeting, City Manager Brent Billingsley presents to the Council. Last meeting Mayor and Council formed a subcommittee of Council. Two members are Councilwoman Johnson and Councilman Stapleton. The Subcommittee has met twice and with respect to that, the Council

Subcommittee wants to include people outside Council as part of these discussions on Housing and Code Enforcement. Mr. Billingsley goes on to say that he received a request to dissolve the Council Subcommittee and for a Mayor's Task Force regarding Housing and Code Enforcement issues be formed.

Mayor Wheeler rejoins the meeting.

Mayor Wheeler requests the Council to dissolve the Council Subcommittee and for a Mayor's Task Force for Housing and Code Enforcement. Mayor Wheeler has requested that Councilwoman Johnson lead the Task Force.

Councilwoman Johnson accepts the lead position with Council support.

Councilman Haley wants to know who the members of this Task Force are and, what are the parameters of this Task Force?

City Manager Billingsley addresses Councilman Haley's question. Mr. Billingsley says according to code that the Mayor or designee would be chosen as head of that task force. Once created a list of potential members would be created. Decisions are made by Council; the task force would be an advisory role.

**Motion:** To dissolve the Council Subcommittee for Housing and Code Enforcement and create a Mayor's Task Force for Housing and Code Enforcement., **Action:** Approve, **Moved by** Councilman James Haley, **Seconded by** Councilman Lerry Alderman. Motion passed unanimously.

## 7. 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.

Rob Shepherd represents Westside Trailer Park 541 W. Hackney in Globe regarding an outstanding bill with the Water Office. Mr. Shepherd explains to Council that after numerous attempts he still wants to appear on the agenda. Mr. Shepherd wants empathy to resolve the balance. Mr. Shepherd states that he is asking for some protection from the City to prevent his water from being turned off.

**Motion:** Adjourn to Executive Session, **Action:** Adjourn, **Moved by** Councilman James Haley, **Seconded by** Councilman Stapleton.

Motion passed unanimously.

Regular meeting adjourns at 7:44 pm.

**8. 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) & (a) (7)
  - 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 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. Potential Property Acquisition of GILA COUNTY APN #205-26-003I for water tank.
  - 3. Legal advice and direction regarding Water Effluent Agreement with Inspiration Copper.
  - 4. Legal advice and direction regarding the Hagen tank report.
  - 5. Obtain legal advice on temporary Certificate of Occupancy regarding 44CFR and the City of Globe Floodplain Ordinance and Administrative Procedures for Floodplain Management and Regulation.
  - 6. Legal advice and direction to hire outside Counsel for representation in the Herrera Claim.
  - 7. Legal advice and direction regarding the Bilson Claim.
  - 8. Legal advice concerning possible improper land use and occupancy of 446 W. Jones Street, Globe Arizona and actions taken by or on behalf of the Council Subcommittee on Housing.
- 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

Fire Chief Review

**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.

The Council reconvenes at 9:00 pm to Regular Session and reports nothing is brought back.

10. **SCHEDULING OF MEETINGS:**

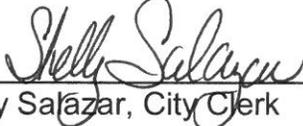
Scheduling of meetings, which may be brought up at this time.

10. **ADJOURNMENT.**

**Motion:** Adjourn Regular meeting at 9:02 pm., **Action:** Adjourn,  
**Moved by** Councilman James Haley, **Seconded by** Councilman C.M. "Mike" Humphrey.  
Motion passed unanimously.

**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 16th day of December, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

  
\_\_\_\_\_  
Shelly Salazar, City Clerk