

# CITY OF GLOBE

## REGULAR MEETING MINUTES

MUNICIPAL BUILDING 150 NORTH PINE STREET GLOBE, ARIZONA

March 10, 2015 6:00 P.M.

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

The Invocation was given by: Councilman Lerry Alderman

The Pledge of Allegiance was led by: City Manager Brent Billingsley

### ROLL CALL

#### **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

Councilman Alderman welcomes Mayor Wheeler back and is thankful that he is well. Councilman Alderman also recognizes Fire Marshall Joe Bracamonte for his tremendous effort in the Silver Alert rescue these past two days. He said if there were a badge of valor to hand to Mr. Bracamonte he would initiate it.

City Manager Billingsley informs the public that on March 9, 2015 a "Silver Alert" was issued after a resident of Havens of Globe wandered off after a fire drill was conducted. That individual was found around 1 p.m. today. Mr. Billingsley thanked the team effort with Globe Fire, Globe Police, San Carlos Police and Fire, Gila County Sheriff and Native Air Ambulance. The female resident was spotted from the air by Native Air in the creek area between Highland and Walliman Road. Mr. Billingsley said that Joe Bracamonte has organized, on an annual basis charity work at both of retirement homes here in Globe. He served as an ambassador between the City and the Tribe and went above and beyond duty in this rescue effort. The public joined City Staff in a round of applause for Joe Bracamonte.

Joe Bracamonte thanks everyone for the acknowledgement and thanked everyone in the team effort.

Mayor Wheeler also thanked Joe and said he wasn't surprised as this is how "Joe" works, like a dog with a bone he just keeps at it.

Councilman Haley thanked Mayor Wheeler for being at the meeting and is thankful for his recovery.

Councilwoman Johnson thanks the Public Works Department for their attention to weed control. She said that Apache and Fourth looks fantastic. She also stated that she had the opportunity to celebrate Dr. Seuss' birthday at the Globe Library and was happy to see 27 cars in the parking lot. Councilwoman thanks the Library Staff and the Friends of the Library for making this a very successful event. Lastly Councilwoman Johnson mentions that she had the opportunity to be a Judge at the Gila County Regional Science Fair and was pleased with all the participants. She says this is a very important event for this area.

Councilman Stapleton welcomes Mayor Wheeler back and said that he was missed, and that Vice Mayor Eric Mariscal did a fine job running this last meeting. Councilman Stapleton also mentioned the Pow Wow at the casino this weekend. The Chamber Mixer will be at McSpadden Ford this Thursday. Lastly Councilman Stapleton also wanted to thank Joe Bracamonte for an awesome job.

B. Mayor

Mayor Wheeler humbly describes his heart procedure; as a camp out in his heart for 5 hours and said it turned out well and thanks every one for good wishes and prayers. Mayor Wheeler thanked Vice Mayor Eric Mariscal for handling the meeting and all the staff for support and said he was very glad to be back on dais.

C. City Manager

City Manager Brent Billingsley wanted to clear up some miss reporting regarding the Public Hearing for Arizona Water Company. Mr. Billingsley announced that the meeting will be March 17, 2015 at 5:00 pm., in the City of Globe Council Chambers. Mr. Billingsley lastly announces that on March 12, 2015 from approximately 8:00 am.to 3:00 pm, staff will be closing South Street between Ash and Seventh Street for some utility work.

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

A. Presentation by Arizona Public Service for upcoming scheduled vegetation maintenance in the Globe area. (Andrew Rable; Section Leader Forestry and Special Programs APS)

Andrew Rable from APS presents the Fire Mitigation and Pole Clearing Project in the Globe Area. Arizona Public Service services the entire state of Arizona. The Globe area had the highest at risk area for fire in the State and the kick off for this project will be in the Globe area. The risk to the community is the possibility for permanent loss. Two thousand (2000) poles and two hundred (200) line miles will get some sort of prescription vegetation removal around the base of the pole. Obstacles that were not taken into consideration during the planning process that would serve as fuel ladders to poles are; stacked pallets, flammable material such as old tires and fuel storage containers. Community partners in this effort are Globe Fire, Gila County and Tri City Fire. Mr. Rable announced that APS crews will be moving into the area and starting this month.

Mayor Wheeler expresses concerns with the poles located on the Forest Service land. Mr. Rable told the Council that less than a dozen poles on forest service land.

Councilman Haley wanted the public to know how to contact APS with concerns and questions. Mr. Rable directed everyone to the APS website; [aps.com](http://aps.com) which would direct them to the right person.

B. Presentation of Empty to Awesome Award to Nurdberger Cafe. (Kip Culver)

Kip Culver said it's always his pleasure to get to announce yet another extra mile, above and beyond award. Mr. Culver applauds Nurdberger Café on Hill Street.

Taylor Harrison, Owner thanks the City Staff, Globe Public Works, Globe Fire and the Gila County Health Department for their guidance and help to open his new restaurant. Mr. Harrison said he didn't expect all the help especially from the City of Globe. He said it was scary going into business because he didn't know everything but the City did and appreciates all their help. Mr. Harrison told the Council that although "Nerd" was something looked down on or laughed at in the past it is now a positive thing actually meaning positive or focused on something. He closes by saying his establishment creates an atmosphere for opening up and conversation happens there.

Councilman Stapleton presents the Empty to Awesome Award to Mr. Taylor Harrison.

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: \$235,084.87

B. Consideration of Approval of Council Minutes:

1. Regular Meeting February 24, 2015.

C. Consideration of Calibration Service for Self-contained Breathing Apparatus for Fit Tester used by the Globe Fire Department and Wastewater Department.  
(Deputy Chief Gary Robinson)

D. Consideration of Purchase of Parcel #208-03-102B; one of the properties that the Active Adult Center is located on from Gila County. (Brent Billingsley)

E. Consideration of a Letter Agreement with Jack in the Box regarding grease trap installation and maintenance.  
(Brent Billingsley)

Councilman James Hales motions to pull item 3B (1) Regular Meeting Council Minutes of February 24, 2015 from the Consent Calendar.

**Motion:** Approve Consent Calendar Items: A(1), C, D and E. , **Action:** Approve, **Moved by** Councilman Lerry Alderman, **Seconded by** Councilman Mike Stapleton.  
Motion passed unanimously.

Item B 1) Regular Meeting Minutes February 24, 2015.

**Motion:** Table item; staff to correct some items that were identified at the last minute. , **Action:** Table, **Moved by** Councilman James Haley, **Seconded by** Councilman Lerry Alderman.  
Motion passed unanimously.

#### 4. NEW BUSINESS:

##### A. Presentation and update of the 2015 Legislative Agenda. (Brent Billingsley)

City Manager Brent Billingsley states that Council set a goal two years ago to adopt a Legislature Agenda to focus our legislative efforts as a Council in determining priorities. A proposed Legislative Agenda was proposed to Council for support with 8 items: 1) Protect Existing Revenue Sources, 2) Oppose Cost Shifting onto Cities and Towns, 3) Protect Local Control, 4) Adopt Positive Structural Reforms, 5) Create Economic Development Tools, 6) Enhance Tourism, 7) Public Services and 8) Do No Harm. Mr. Billingsley goes over implementation and staff involvement. The City Manager says that the focus was on the budget we will monitor legislative battles on HURF and pension bills. There is a projected \$500 million deficit this year despite increased revenues. Cities and Towns are very concerned with the arrears in sales tax collection. The State has stated that it is \$300 million behind on collections and is expected to implement an \$8.2 million assessment to Program Cities and Towns. As of 2016 there will be no more self-collecting sales tax by Cities and Towns. City Manager Billingsley goes on to report that the Arizona Supreme Court determined the State has failed to adequately fund education under Proposition 301. The Arizona Commerce Authority has been cut by \$100 million dollars. The hot bill this year is HB 2254 the Residential Lease Tax Exemption. This prohibits municipalities from imposing a residential rental tax. This could potentially cost most Cities and Towns over \$87 million annually. Mr. Billingsley goes over other Bills of interest. Concluding, Mr. Billingsley explains that adopting a legislative agenda allows the City of Globe to effectively focus our legislative efforts on Council priorities.

Councilman Haley thanks Brent for his hard work and says through the benefit of the media, constituents can develop their own thoughts on legislature issues. Councilman Haley says that everyone has a concern for public safety, and the health and welfare of our children. He continued to say that the Child Protective Services renamed as the Arizona Department of Child Safety is insufficient and that there is not enough being done in drug abuse prevention that is such a problem in our community.

Mayor Wheeler responds to the presentation and says that the Legislature can inadvertently pass legislature that can be harmful to the City and the only way we

can know is to stay on top of issues. Mayor Wheeler thanks City Manager Billingsley for his effort in bringing these issues to light.

- B. Discussion and consideration of Uncollectible Utility Debts. Presentation by (Jodi Martin).

**RESOLUTION No. 1722** – A Resolution of the Mayor and City Council of The City of Globe, County of Gila, State of Arizona, Providing for Treatment of Certain Debts Owed the City Which Have Been Deemed Potentially Uncollectible and removing same from the records as Assets of the City of Globe and Providing Directions for Future Treatment of Same.

City Manager Billingsley reads Resolution No. 1722 into the meeting by title only the Council is satisfied with the reading.

Water Office Supervisor Jodi Martin tells Council every attempt has been made to collect these accounts, including submitting the amounts to small claims court. Ms. Martin goes over the process to collect the uncollectible utility debts. The total loss of utility revenue is \$6,021.20 for FYE 2014, this is .3% of the City's Water Enterprise Fund Annual Revenues and this is less than 1% of the 3,735 accounts handled monthly. Ms. Martin goes on to say that of these 41 accounts, 30 were tenants and 11 were homeowners. In conclusion Ms. Martin says in the same 12 month period staff collected \$751.26 in debt that was previously written off which is 12 % of the amount for FYE 2014.

Mayor Wheeler advises Ms. Martin that this Resolution will be brought back at the next meeting for action.

- B. Discussion and consideration to purchase fire hydrants and related materials through WIFA funding from HD Supply. (Joseph Jarvis)

Finance Director Joseph Jarvis tells Council that last week the City of Globe finished the procurement process for the purchase of 40-60 fire hydrants. The City received 4 bids and selected the lowest responsible bid. Mr. Jarvis told Council that he received an email from that bidder who asked that their bid be removed due to an error in their calculations. The bid was then awarded to the next reasonable bidder. Mr. Jarvis asks that Council consider approving permission for the City Manager to negotiate with FWC at our next Council Meeting to purchase the fire hydrants. A total bid of \$5230 per fire hydrant was awarded. This project will be paid for with WIFA funding. Mr. Jarvis explained to Council that this price was for the fire hydrant itself the installation will be procured separately. The City will be accepting bids for the installation and look forward to some local bidders.

Councilman Hayley requests that Chief Gamos verify that the fire hydrants meet federal requirements.

In response to Councilwoman Johnson, Finance Director Joseph Jarvis explained that the cost of all fire hydrants will exceed the \$25,000 approval limit of the City Manager and that is why this item is brought before Council.

Mayor Wheeler asks Mr. Jarvis how this purchase will affect the procurement requirements for the WIFA funding. Mr. Jarvis reports to the Mayor that the City has until December 31, 2015 to spend \$3 million dollars and that staff has established a plan that will be effective in this effort and that this hydrant purchase is part of that plan.

Council request that this item be brought back for consideration.

5. **ACTION ITEMS:**

None.

6. **2015-2016 BUDGET OR CIP ITEMS:**

- A. Discussion and consideration of 2015-2016 Capital Improvement Plan and Budget. (Joseph Jarvis)

Finance Director Joseph Jarvis presents a draft CIP to the Council for consideration. He reports that the March 6, 2015 budget work session was successful and that staff plans to bring this item back for adoption at the April 14<sup>th</sup> Council meeting, this will give both staff and Council about a month to review comments and make any necessary changes in addition there will be a second budget work session March 27<sup>th</sup> from 9:00 am to 4:00 pm.

Finance Director walks the Council through what is being presented including the CDBG fund and match for a new Fire Truck. CDBG funding will be available October 1, 2015. He also mentioned as part of the CIP planning that Besh Ba Gowah has requested a \$30,000 donation from United Fund to help in a stabilization process that needs to be done at Besh. Mr. Jarvis reminds staff that money indicated for grant funding match would not be spent if we didn't get the grant. Contingency is based upon grant award.

Mr. Jarvis tells Council that HURF funding is dedicated to salaries for the Streets Department, lights and street projects. Mr. Jarvis touches on the half cent excise tax. This revenue will have spending restrictions. The City has committed these funds to preventative maintenance for roads. Mr. Jarvis presents all departments and their projected CIP and budgets, including the WIFA funding.

In conclusion Finance Director Jarvis says a lot of material has been presented and the CIP and budget will be back for adoption April 14, 2015 with another budget work session on March 27, 2015.

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.

**Greg Mathis**, the project Architect with MRW Design that was hired to complete the Holiday Inn Express addresses the Mayor and Council regarding complications with final FEMA compliance and requests from the City for a Temporary Certificate of Occupancy.

**Mary Helen Avalos**, acting City of Globe Library Director proposes a temporary schedule for the Library until a new Library Director and new staff is hired. The new proposed schedule would close the Library on Wednesdays.

**Motion:** Adjourn to executive session at 7:34 pm., **Action:** Adjourn, **Moved by** Councilman James Haley, **Seconded by** Councilman Lerry Alderman.  
Motion passed unanimously.

## 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. Legal advice and direction regarding Water Effluent Agreement with Inspiration Copper.
  - 4. 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, LOMR review and FEMA approval.
  - 5. Obtain legal advice on Contractual Agreement with Jack in the Box and potential claims filed against the City.
- 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. City Manager Contract 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.

10. **SCHEDULING OF MEETINGS:**

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

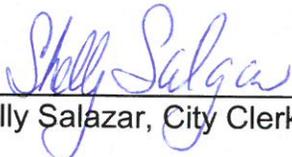
10. **ADJOURNMENT.**

Meeting reconvenes at 9:01 pm.

**Motion:** Adjourn regular meeting at 9:02pm., **Action:** Adjourn, **Moved by** Councilman C.M. Mike Humphrey, **Seconded by** Councilman Mike Stapleton.  
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 10th day of March, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

  
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Shelly Salazar, City Clerk