

City of Globe  
Regula Council Meeting  
March 13, 2018

Call to Order by Vice Mayor; Mike Stapleton

**Roll Call.**

**Present:**, Councilman Freddy Rios; District 1, Councilwoman Roberta Johnson; District 3, Vice Mayor Mike Stapleton; District 4, Councilwoman Charlene Giles; District 5, Councilman Lerry Alderman; District 6.

**Absent/Excused:** Mayor Al Gameros and Councilman Mike Humphrey; District 2

Invocation; Councilman Lerry Alderman

Pledge of Allegiance; District 3 Gila County Supervisor; Woody Cline

1. **PUBLIC MEETING FOR THE ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL APPLICATION FOR MR. ANDERSON LLC dba BLOOM LOCATED AT 365 N BROAD STREET, GLOBE, ARIZONA.**

A. Open Public Meeting

B. Public Comments

No public comment.

C. Close Public Meeting

2. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Lerry Alderman had a wonderful time at the Miami Centennial Celebration and asks for prayers for former Mayor Terry Wheeler. Councilman Alderman recognizes quest; Gila County Supervisor; Woody Cline, Miami Town Manager; Joe Heatherly, Gila County Supervisor; Mike Pastor and Gila County Manager James Menlove.

Councilman Freddie Rios thanked Mayor Dalley and Staff for the Centennial Celebration, it was a nice event with Speakers that talked about history, Public Officials and Retired Congressman; Ed Pastor.

Councilman Robert Johnson thanked everyone for the birthday wishes.

Councilwoman Charlene Giles reported that 20 members of Globe staff attended the Miami Centennial which was very nice and also mentioned the success of the

"Walk for Hope" event which she and 200 other participants walked along with the Tarango Family. Councilwoman Giles also read at the Dr. Suess birthday celebration at the Globe Library where more than 200 people attended the event. On March 24<sup>th</sup> City of Globe and Globe Clean and Beautiful in conjunction with Miami will be having their Hwy 60 Corridor Clean-Up, Councilman Alderman will be cooking hot dogs and ADOT will be supplying the bags. Councilwoman Giles and Mayor Gameros attended the meeting between City Staff and Service First Realty; Debbie Cox, from that meeting it was decided to have a broader meeting to include business owners regarding public intoxication, which will be on April 18<sup>th</sup> at 6:00 here at City Hall. Lastly the Easter Parade will start at the Train Depot on March 31<sup>st</sup> at 9:00 am, also that day the Old Dominion Mine Park will be having volunteer day.

Vice Mayor Stapleton reminded everyone that the Globe Cemetery Tour will be on April 7<sup>th</sup> at 7:00 pm along with the Home Tour from 10:00 am to 4:00 pm both Saturday and Sunday. The ramp project at the Fire Station is going well and will be completed soon.

B. Mayor

C. City Manager

City Manager; Paul Jepson invited Interim Police Chief; Bob Folker to give Council an update on weekend service.

Chief Folker informed Council that Globe Police Department responded to a call that resulted in Officer Janice Powers and Squad making arrest that lead to the confession of other burglaries in the area.

Mr. Jepson also attended the Miami Centennial celebration and reported that it was a good turn out and to hear the impact that Miami had in this area. Mr. Jepson reported to Council that the Aquatic Center Bill has hit a snag in the legislative process in spite of the efforts of State Representative Frank Pratt and FreePort Mining Lobbyist; Richard Bark. The committee has had to rethink strategy and will be presenting the bill to a Study Committee which will hopefully provide some more education.

### 3. COMMUNITY 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.

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

A. Honeywell Infrastructure Renewal and Energy Saving Presentation. (Honeywell Representative; John Parker)

Honeywell Representative; John Parker is before Council with Infrastructure Solutions from Honeywell; helping small communities make big improvements. Mr. Parker presents the Honeywell facility infrastructure renewal program is a proven process tailored to meet operational objectives and improve the bottom line, implementing facility upgrades for states, counties, municipalities, schools and commercial businesses.

B. Presentation of the Gila County; Summer Youth Program. (Gila County Supervisor District 3; Woody Cline)

Gila County Supervisor Woody Cline introduces the Summer Youth Program that Gila County will be sponsoring this summer and a proposal to the City of Globe to partner. Recruitment will begin in early spring and will be available to young adults from 16 to 20 years of age. The program design will offer opportunity to participants to learn the importance of punctuality, attendance and assuming responsibilities involved in maintaining a job. Gila County challenges every city and town throughout the region to fund one or more young workers at a cost of \$2,520 each for six (6) weeks. Supervisor Cline proposes that the City of Globe recruit two workers participants that would be approximately \$6000.

Council is in support of the program and encourages Staff to find placement for the two recommended positions that will be reimbursed by the County and possible raise the funds to hire two more.

Mr. Jepson accepts the challenge and will bring back the IGA at the next meeting.

C. Addition of Pinal Creek (Connie's) Bridge as a project to be submitted for consideration for placement on the CAG Transportation Improvement Program (TIP). (Rick Powers; Project Manager Jacob Engineering)

Rick Powers of Jacob Engineering updates Council that the Connie's bridge has a 47.50 sufficiency rating and recommends replacement as the preferred alternative for this bridge. Mr. Powers informs Council that the

bridge replacement qualifies for the federal bridge replacement funds. Mr. Powers informs Council that one option is to reconfigure the intersection with Hill Street to make a 4-way signalized intersection. Also, with the study Mr. Powers stated that they are also looking at different bridge structures including a box culvert type bridge. When choosing options the engineers want to choose something that would cause the minimal disruption to current traffic and provide dependability as this is a key bridge to the canyon areas.

Another option is to relocate the intersection that would be less confusing and costly. Two locations were looked at, both up and down stream of the current bridge. The downstream option towards the train depot presents challenges of more asphalt and right-of-way issued, while the preferred option is the Hill Street intersection. This option would allow for signalization of the intersection. The bridge at this location would have to be wider to accommodate turning lanes which would be costlier.

Mr. Powers informs Council that a cost estimate has been put together that will be \$1.8 to \$2 M dollars and recommends consideration to move forward searching for funding.

Council directed Staff to move forward with the funding process.

D. Presentation on the legalities surrounding public intoxication. (Interim Police Chief Robert Folker)

Interim Chief Folker introduces Interim Lt. Keeling as presenter and in response to the concerns of local business owners. Arizona defines an intoxicated person as someone whose mental or physical functioning is impaired by alcohol. Lt. Keeling stated that Arizona Law does not contain any criminal or civil penalties for being intoxicated in public. According to Arizona Revised Statutes 36-2031; Criminal Law Limitations, "no county, municipality or other political subdivision may adopt or enforce any local law, ordinance, resolution or rule having the force of law that includes being a common drunkard or being found in an intoxicated condition as one of the elements of the offense giving rise to criminal or civil penalty or sanctions, but nothing in this article shall affect any laws, ordinances, resolutions or rules against drunken driving, driving under the influence of alcohol or other similar offenses involving the operation of vehicles, aircraft, boats, machinery or other equipment, or regarding the sale, purchase, dispensing, possessing or using of alcoholic beverages at states times and places or by particular classes of person". The City of Globe does not have an ordinance prohibiting public intoxication as it is illegal per the Criminal Laws Limitation. Consumption of alcohol in public is illegal, it is the consumption of alcohol in public place that is illegal not the act of being intoxicated in public. However, public intoxication may

cross into legal responsibility when that person engages in behavior such as; driving under the influence of alcohol. An Officer may charge you for other crimes while intoxicated for example; if you are disturbing the peace or disturbing a business, if a person feels threatened by an intoxicated person that would constitute a 911 call, however public intoxication calls are not a high-level call. The County Detention Center will not always accept intoxicated persons and currently Globe does not have an alcohol treatment facility.

Lt. Keeling addresses another issue; aggressive solicitation or panhandling. According to Arizona Revised Statute; 13-2914, "It is illegal for a person to solicit any money or other thing of value or solicit the sale of goods or services within fifteen feet of any bank entrance or exit or any automated teller machine if the person does not have permission to be there from the bank or the owner of the property on which the automated teller machine is located". A violation of this section is a petty offense and would result in a civil citation. Lt. Keeling also clarifies for Council if the person is blocking the flow of traffic or obstructing pedestrians in any way then the Police Department could address that.

Chief Folker responds to Council stating again these are petty offenses and it is very difficult to remove them. In some instances, a person would have to have permission from the business owner. Business owners need to be educated that this permission could lead to bigger problems. Chief Folker also addresses Council's concerns with the harassment that goes on at the Globe Safeway. People who are in fear and being harassed can call 911. Calls are prioritized through County Dispatch and data is entered into the Spillman system that could be compiled for court, however businesses and employees are sometimes reluctant to take time for Court.

Chief Folker informs Council that he intends to hold public meetings and meet with business owners to educate them as advocates on these issues. Chief Folker states that without this enforcement it is almost impossible to remove the trespass.

Mr. Jepson recognizes that panhandling is considered freedom of speech until it gets aggressive and asks Lt. Keeling to also address concerns regarding sleeping in public. Lt. Keeling informs Council that there is a City Ordinance that allows camping and this challenges the arrest of people sleeping in public in Globe.

Lt. Keeling further discusses future initiatives that Globe Police are working on regarding the public intoxication which include meeting with local law enforcement agencies to assist in problem solving public intoxication issues. Working with business owners to agree to aid in

prosecution efforts, moving the bus stop from the area of 1600 East Ash Street, and increased patrols of bridge areas that goes under the road. Lt. Keeling stated coordinating meetings with the City of Globe and local businesses regarding the sale of alcoholic beverages to obvious intoxicated people and suggesting better alcohol related trainings to businesses and their employees would further educate the public. Public Service Announcements regarding aggressive enforcement of alcohol related offenses, contacting the Arizona Homeless Initiative for assistance, having more police officers to assist on proactive policing efforts and contacting the Alcohol Board of Enforcement for initiatives are all options combating this issue.

Councilman Rios appreciates this comprehensive look that is a beginning.

City Manager; Jepson agrees that this is a complex issue and looking at the review of possible action will start moving the needle and improve the current condition.

Chief Folker informed Council that the Globe Police Department will be doing a high intensity patrol on the 29<sup>th</sup> of the month.

5. **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:
    2. Consideration of Approval of Parks and Recreation Minutes for the March 9, 2018 meeting.
  - C. Consideration of the Fleet Maintenance Report. (Brandon Gillum)
  - D. Discussion and Consideration of the building permits as of 3/7/2018. (Chris Collopy)

- E. Consideration to approve the reallocation of \$28,083 in contract funds contained in the original scope of work tasks for Contract No. GS-2017-0025-Pine Street Well Rehabilitation with Weber Water Resources, to assign it from deleted or reduced tasks to new tasks. (Jerry Barnes)
  
- F. Consideration to transfer budgeted CIP funds in the amount of \$10,000.00 from the designated CIP roof repair for the Wastewater Treatment Plan and \$4,405.95 from the budgeted CIP fund designated for the design of the oxidation ditch to purchase a needed camera video inspection device with GIS locator to inspect City sewer lines and storm drains. (Jerry Barnes)
  
- G. Consideration to approve Change Order No. 3 to WestLand Resources Contract No. GS-2017-0032, which will reallocate contract money contained in the original scope of work tasks, to assign it from deleted or reduced tasks to new tasks. (Jerry Barnes)
  
- H. Consideration of Arizona Department of Liquor Application for a Series 12 License for Mr. Anderson LLC dba Bloom located at 365 N. Broad Street, Globe, Arizona 85501. (Shelly Salazar)
  
- I. Consideration to approve the reallocation of \$6,055 in contract funds within Contract No. GS-2015-11-Well Services for Cutter #3, with Weber Water Resources, from the original scope of work to a revised scope of work, which will not increase the original contract amount. (Jerry Barnes)

**Motion: Approve the consent calendar as read. , Action: Approve, Moved by Councilwoman Roberta Johnson; District 3, Seconded by Councilman Freddy Rios; District 1.  
Motion passed unanimously.**

6. **NEW BUSINESS:**

- A. Discussion and Consideration of Ordinance 851 amending existing City Code 16-1-3 Location of Mobile Homes. (Chris Collopy)

**ORDINANCE NO. 851 - AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, AMENDING THE GLOBE CITY CODE SECTION 16-1-3 LOCATION OF MOBILE HOMES THERETO; REPEALING ANY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF;**

City Clerk; Shelly Salazar reads Ordinance No. 851 into the meeting and Council is satisfied with the reading.

Development Services Director; Chris Collopy explains to Council in an effort to support Code Enforcement with City Code Section 16-1-3; Location of Mobile Homes; prohibiting occupancy in motorhomes or travel trailers in a residential area, the Code needed more restrictive language to enforce. This is the result of a situation that was taken to Court where squatters were living in a RV and Code Enforcement issued a citation however the Judge ruled the Ordinance was not clear to prosecute. This code amendment through Ordinance No. 851 was reviewed by the City Attorney and will support any violation however is not so restrictive to prevent family visits.

**Motion:** Motion to bring back at the next meeting. , **Action:** Approve, **Moved by** Councilman Lerry Alderman; District 6, **Seconded by** Councilman Freddy Rios; District 1.  
Motion passed unanimously.

- B. Discussion and consideration to issue Invitation for Bids No. GS-2018-0014 for the Pine Street Waterline Replacement project, to be initially funded out of Account #50-80-52200 Water-Capital Outlay-Construction, with possible WIFA reimbursement. (Jerry Barnes)

Public Works Director; Jerry Barnes request Council to waive the prior discussion rule and approve the Invitation for Bids for the Pine Street Waterline Replacement project. Mr. Barnes informs Council that the documents have not been approved by the Finance Director and to please make a provision in the motion pending Finance approval. This item is time sensitive as the Oak/Hill Street Project is contingent on the completion of this project.

**Motion:** Waive the prior discussion rule and approve to issue the bid documents pending approval of the Finance Director., **Action:** Approve, **Moved by** Councilman Lerry Alderman; District 6, **Seconded by** Councilwoman Charlene Giles; District 5.  
Motion passed unanimously.

- C. Discussion and consideration to approve Contract Agreement Form #GS-2018-0015, with Interim Public Management (IPM) not to exceed \$40,000 for Police Information Technology support services to be funded from GL Account #10-57-51001-Police Salaries and Wages. (Paul Jepson)

**Motion:** Motion to table., **Action:** Table, **Moved by** Councilman Lerry Alderman; District 6, **Seconded by** Councilwoman Roberta Johnson; District 3.

Motion passed unanimously.

- D. Discussion and consideration to approve #GS-2018-0016; tentative Intergovernmental Agreement with the Town of Miami, pending conclusion with the Arizona Department of Revenue for reimbursement of City of Globe Transaction Privilege Taxes that were distributed to the Town of Miami in error. (Paul Jepson)

City Manager; Paul Jepson informs Council that Staff has been careful in negotiations not to talk about the private businesses or the tax amounts involved. Mr. Jepson also states that this is possible because of the close relationship with the Town of Miami. It has come to Globe's attention that approximately \$250K in transaction privilege tax has been inadvertently paid to the Town of Miami. A full payment would be an extreme hardship on the town, this agreement would provide for partial payments with 4% interest paid to Globe. This is preliminary read, and terms have been negotiated for a monthly payment for the first five (5) months of \$2000 and \$10,000 for the next six (6) months. If Council agrees with the preliminary agreement, Mr. Jepson request Council to move this forward, this commitment will help the Town of Miami to move forward with the Arizona Department of Revenue.

Council thanks both the Managers for their integrity as this is important for a sense of fairness between Globe and Miami.

**Motion:** Motion to approve to preliminary IGA with the Town of Miami and bring back a final document. , **Action:** Approve, **Moved by** Councilman Lerry Alderman; District 6, **Seconded by** .  
Motion passed unanimously.

## 7. **ACTION ITEMS:**

- A. Consideration to approve Resolution No. 1776; Un-collectible City of Globe Water Department Utility Accounts.  
(Jodi Martin)

**RESOLUTION NO. 1776 - A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GLOBE, GILA COUNTY, 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 Clerk; Shelly Salazar reads Resolution No. 1776 into the meeting for the final reading and Council is pleased with the reading.

Councilman Lerry Alderman thanked Office Water Supervisor; Jodi Martin for her efforts and appreciates her prudence in taking care of the financial affairs of the Water Office.

**Motion:** Motion to approve Resolution No. 1776; Uncollectible Water Account Debt. , **Action:** Approve, **Moved by** Councilwoman Charlene Giles; District 5, **Seconded by** Councilman Freddy Rios; District 1. Motion passed unanimously.

8. **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.

9. **SCHEDULING OF MEETINGS:**

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

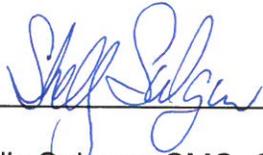
11. **ADJOURNMENT.**

**Motion:** Adjourn into Executive Session at 8:19 pm., **Action:** Adjourn, **Moved by** Councilman Freddy Rios; District 1, **Seconded by** Councilwoman Charlene Giles; District 5.

Motion passed unanimously.

**Motion:** Adjourn the meeting after executive session at 10:22 pm., **Action:** Adjourn, **Moved by** Councilwoman Charlene Giles; District 5, **Seconded by** Councilman Lerry Alderman; District 6. Motion passed unanimously.

I, Shelly Salazar hereby certify that the foregoing are a true and correct copy of the meeting minutes of the March 13, 2018 Regular Council Meeting and that the meeting was duly called and a quorum was present.



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Shelly Salazar, CMC, City Clerk