

**MINUTES OF MEETING OF THE
THATCHER TOWN COUNCIL
April 12, 2011**

Present: Mayor Robert Rivera, Vice Mayor Bill Mulleneaux, Councilman, Eric Merriman, Ken Larson, Wayne Griffin

Absent: Councilman Innes, Charles Morris, Attorney Dudley Welker

Staff: Terry Hinton Town Manager, Heath Brown Engineer, Chief Mark Stevens Police, Lona Duncan Town Clerk

Visitors: Victor Soto, Dennis Delaney

AGENDA

Mayor Rivera welcomed everyone calling the meeting to order at 7:00pm stating there was a quorum. He said God Bless our Troops, God Bless their families and God Bless the United States of America

Pledge of Allegiance lead by Terry Hinton

Roll Call.

OPEN CALL TO THE PUBLIC:

None.

PUBLIC APPEARANCES:

A. Cars parking on sidewalks – Victor Soto

Mr. Soto said I called the police department on March 14th and talked to dispatcher and seven days later the car was still parked there. Mayor Rivera asked him where he lived and Mr. Soto said in Daley Estates on Golf Course Rd. I walk everyday that is why I know it has not moved. On the 21st of March I came and talked to Planning & Zoning and seven day later it is still on sidewalk. On March 28th I walked into Town Hall and asked to be on the Council Agenda as of this morning the car is still parked on the sidewalk. Terry asked if he had told them where the car was parked and he said yes. Terry said we have moved a number of cars and thought we had moved the one you were speaking of. Mayor Rivera asked him for the address and Mr. Soto said it is 3765 Brinkerhoff it is on Hoopes and Brinkerhoff where it divides. There is a car and some trucks at the house and today is the first day I have seen him parked off the sidewalk. I would also like to say that the American Disability Act signed 1992 include provisions to access ability standards and I believe I am being denied accessibility rights to the sidewalk. Mayor Rivera apologized to Mr. Soto. Chief Stevens said that since it had been reported we had at least 10 vehicles removed but this is the first time I have heard of this address we will make contact and ask them to remove it.

B. Fair Housing Proclamation

Terry said this is a requirement that needs to be done every year for a CDBG grant. Mayor Rivera read the proclamation.

CONSENT AGENDA:

Action Item

- A. Approve minutes of the March 8, 2011 Regular Council Meeting.
- B. Planning and Zoning Monthly Report.
- C. Police Monthly Report.
- D. Approval of Invoices.
- E. Financial Reports.

Councilman Griffin made motion to approve minutes and reports. Councilman Larson seconded the motion. The vote was unanimous Motion passed

OLD BUSINESS:

- A. 2011/2012 Budget.

Terry said I have put a budget together with as much information as I have. Since the last time we meet the State took another 40 thousand dollars in Hurf money and it is adjusted out and I added 6,780 hundred dollars which is a fee for AWR. This budget reflects the sales tax rate, the garbage and trash rate, and the small change in electrical system rate increase. This is showing no raises for employee's and the health and liability insurance is covered. I do not have final numbers from the County on the wide area network or animal control they think it will be in the 10 to 12 percent range and the land fill fee will stay the same. The one thing we haven't talked much about is the 10 year street budget. After two or three years it becomes a guess because things change so much. The years 2011 and 2012 will be the school project that will be sidewalks extra paving around the block across from the middle school, then possibly 2nd Street by the cafeteria. The big improvement will be across from Middle School there will be a pull out for the parents on the east side. We have been told that a fog seal will increase the life of a street by about 5 years. The City of Safford will do it for us for the cost of the employee and the materials that will be about 40 thousand this year and the same for next year. We should have enough time next year after the school project to do Allred Lane to widen the turn off and widen down to the old Allred place. There will be curbs and gutters on both sides and sidewalks on one side. The parks budget has 15 thousand for new bathrooms at the ball field. That is when we will try and move the entrance and make it a T stop, then use our CDBG grant money for the handicap accessible bathrooms. If we do the work our selves we might have enough to put in a water park. The following year we will do fog sealing maintenance and Church Street and 1st Ave and the overlay on Church Street to 1st Street. We still need to widen the bridge by Councilman Innes home. The next year on Valley View we plan to put in curb and gutters on the one side and widen it to a whole street. That will be in the same year we hope the Reay Lane walking path will go in. Also the State Retirement increased the employees' contribution by 3% of retirement wages but not the Town portion. I would like to reserve the ability that possibly later on in budget year if things turn out better than expected maybe ask for something for the employees like a one time bonus. I am asking that Council look at this and next month pass a tentative budget and the following month pass the final budget.

NEW BUSINESS:

Discussion, consideration and possible action

- A. **ORDINANCE NO. 163-2011:** AN ORDINANCE OF THE TOWN OF THATCHER, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; AMENDING THE TOWN TAX CODE BY INCREASING THE GENERAL RATE OF TAXATION FROM TWO PERCENT (2%) TO TWO AND ONE-HALF PERCENT (2.5%); PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; DESIGNATING AN EFFECTIVE DATE AND MAKING PROVISION FOR EXISTING CONTRACTS.

Terry said we need passed this meeting because it doesn't take effect for 60 days after passed. This will make us equal with the City of Safford and Town of Pima. Councilman Griffin asked what types of items get this tax. Terry said most general sells tax will not change things like rentals, bed tax, contracting, or large ticket items.

Councilman Larson made motion to pass Ordinance 163-2011. Vice Mayor Mulleneaux seconded the motion. The vote was unanimous. Motion passed

- B. **RESOLUTION NO. 585-2011:** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF THATCHER, GRAHAM COUNTY, ARIZONA, PERTAINING TO THE SUBMISSION OF PROJECTS FOR CONSIDERATION IN ARIZONA'S 2012 HIGHWAY SAFETY PLAN.

Terry explained this is a yearly item that allows us to put in for grants with the Governors Highway Safety.

Councilman Merriman made motion to approve Resolution No 585-2001. Councilman Larson seconded the motion. The vote was unanimous. Motion passed

- C. Bid Award for Reay Lane Street Improvements.

Terry said we received 2 bids for the street overlay. We have a base bid and alternate bid. The base bid would be to just to pave the shoulder between the existing payment and the curbs, the alternate would be to overlay the whole street. Staff would recommend we do the alternate bid the section of payment from Church Street to all most the Hwy it will also add pavement on both side of the railroad track and prepares us for when the walking path. Staff recommends the Alternate A bid, and low bid is CKC Construction of \$ 53,175.00. We have that money in the Hurf Fund in this years budget.

Councilman Griffin made motion to approve Alternate A Bid the low bid from CKC of \$ 53,175.00. Councilman Merriman seconded the motion. The motion was unanimous. Motion passed

- E. IGA with Thatcher Schools for roadway improvements.

Terry said the schools draft the IGA to satisfy the State and their expenditure of funds. They are paying for materials we are doing the work and Heath has designed the project. Vice Mayor Mulleneaux said the amount of 403 thousand needed to be corrected to 430 thousand a typo error. Councilman Griffin asked for record keeping do we need to have a project name. Terry said we could call it the Thatcher Middle School project.

Councilman Griffin made motion to approve the IGA with Thatcher School District # 4. Councilman Merriman seconded the motion. The vote was unanimous. Motion Passed

- F. **RESOLUTION NO. 586-2011:** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF THATCHER, GRAHAM COUNTY, ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT ACTION AUTHORITY OF ARIZONA INTERGOVERNMENTAL AGREEMENT AND APPOINTING A DIRECTOR AND ALTERNATE.

Councilman Merriman made motion to approve Resolution No 586-2011. Councilman Larson seconded the motion. The vote was unanimous Motion passed

EXECUTIVE SESSION: Pursuant to A.R.S. Section 38-431.03 (A)(1)(3)(7) the Council may go into Executive Session to discuss or consideration of employment, evaluation assignment or appointment, to give advise on negotiations and for legal advise from the Town Attorney.

Council went into executive session with Terry Hinton, Dennis Delaney and Lona Duncan at 8:20pm

Council went back into Regular session at 9:16pm

- A. Decision on Executive Session.

INFORMATIONAL ITEMS:

- A. Town Manager's Report:

Terry said we have 12th Street and 2nd Street that are dirt roads, 12th Street is not ours yet but we have asked the County if they would consider chip sealing roads for us. I will probably get 2nd Street done in this years and would like it to be a double chip seal. If Council thinks it is worth pursuing that might be something to offer owners on 12th Street and Hooper Lane to form an improvement district with a chip seal if they will give us the right- a- way. It would be cheaper for them. Mayor Rivera said he was in agreement if the owners are. Councilman Griffin asked because it is not public can we chip seal it. Terry said we would not chip seal until they are public. They would first have to give us the right away, form an improvement district, then chip seal and last place a lien on the property for the amount decided on. One thing Council needs to consider is, is a chip seal going to be good enough for an improvement district on a private road which is not a developer. Is that enough difference to allow a different standard? One problem we face is whether to issue building permits in that area because it is an unimproved road where there are more than three houses, remembering there were more than six when we annexed it. Councilman Griffin said that is why I say we have to do something about 12th. Terry said I think we might as well do the rest at the same time. I guess the question is when it is not an established developer doing a subdivision and they are all private homes do we allow a private road to be chip sealed. Mayor Rivera said I think this needs to be on agenda for next month. Terry said I just wanted you to be thinking about it because it is an issue.

Terry said just wanted to talk some about the Memorial for Police and Fireman and the cost of that. Heath had a unique idea, because we have to raise fees and rates this budget year might not be the best time, so he suggested a virtual memorial on the web site having pictures and dates of service. By getting all the

information together placing it on the web we will ready for the Memorial when it is the right time. Mayor Rivera said he was hoping for a plan for a tangible Memorial. Terry said they have been working on it and the cost will be around 20 thousand dollars and up. Mayor Rivera said but we have 19 million in the bank. Terry said the only concern I have is how it is going to look. Mayor Rivera said this is the history of this town why are we bucking it? Vice Mayor Mulleneaux said that sounds like a good idea but I think we do show appreciation to our police and firemen, why should policeman and fireman be honored any more than our Town Engineer or our office staff or anyone working for the Town. I served 40 years in Law Enforcement and I would not want something like that. Mayor Rivera said I believe they need to be recognized we can start with the web site and then keep working on the Memorial.

Terry said we are working on Reay Lane we have the permits back and once we finish that project should be ready for the walking path. We will then go to the school and work on it. We have a bid out for sewer and water repairs for the Cota Town Houses they should be ready for next council meeting that is about a 60 days project so it should be done by July. Then in the Aug meeting will have a bid for the grading and retaining walls, then we will see how much money will be left to put in curbing and paving. Mayor Rivera asked about the solar panel at the sewer ponds. Terry said it is completed we have a link so we can see what is being generated, it should save us a couple of thousand each month so about three years to pay back we have about 60 thousand dollars in it our labor and cost of materials. Terry said the swim team sign up will be the next week here at Town Hall.

B. Fire Department Report.

Terry said that Chief Payne was in charge of a drill procedure and could not attend.

C. Police Department Report.

Terry said in the Police Department they are working on getting the cars moved off the sidewalks. They do not want to have to write a ticket so they are talking with people first asking them to move it. The officers are working speeders on Church Street and 1st Street due to complaints. They try to respond to every complaint.

COMMITTEE REPORTS:

A. Safe House- Councilman Griffin said he attended the meeting and they talked about the successful fund raiser they held in Duncan which was a golf scramble. They are looking for flooring so you if know of anyone that has carpet take it to them. The next meeting will be the election of officers.

B. Chamber of Commerce- Councilman Merriman today was a short meeting. The 21st is when they will have the Circus in the Basha's parking lot if you buy tickets early they will be cheaper and the shows are at. 5:00pm and 7:30pm.

C. SEAGO- Mayor Rivera said he did not have a meeting. Terry said they had an Administrative Executive Meeting today by phone. We approved the work plan which is the same as it was last year and approved the auditor which is Colby & Company.

D. Arizona Foundation. Councilman Larson said this Saturday there will be a

training meeting where people from the Arizona Foundation come and train the new foundation so the will be people from Willcox and Sierra Vista. Mayor Rivera ask how many people in the Gila Valley Foundation. Councilman Larson thought about eight and Clifton and Morenci are going to be involved. Mayor asked if Apache Nation was involved, answer was no.

E. Library Committee.- None

Mayor Rivera said they would go into Executive Meeting for about 15 minutes with only Councilman Members. Council went in Executive meeting at 9:50pm

Councilman reconvened at 10:48pm Mayor said the item in the contract that Terry Hinton has with SmartWorksPlus would remain the same until July when Council would make changes to that contract.

ADJOURNMENT

Councilman Larson made motion to adjourn meeting a second by Councilman Griffin. Vote was unanimous. Meeting adjourned at 10:50 pm

ATTEST:

APPROVED:

Lona Duncan, Town Clerk

Robert Rivera, Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular/special meeting of the Town Council of the Town of Thatcher held on the 12th day of April, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Lona Duncan, Town Clerk