

**MINUTES OF MEETING OF THE
THATCHER TOWN COUNCIL
May 10, 2011**

Present: Mayor Bob Rivera, Vice Mayor Bill Mulleneaux, Councilman Charles Morris, Eric Merriman, Wayne Griffin, Ken Larson, Donald Innes

Staff Present: Terry Hinton Manager, Heath Brown Engineer, Chief Mark Stevens Police, Chief Mike Payne Fire Department, Lona Duncan Town Clerk

Absent: Attorney Dudley Welker

Visitors: Amiee Staten, Jeff Holt, Matthew Loch

AGENDA

Mayor Rivera welcomed everyone and called the meeting to order stating there was a quorum. Mayor said God bless our troops God Bless their families and God bless America. Mayor Rivera asked the Boy Scouts introduce themselves which they did. Derek Kartchner the Scout leader said they were from Troop # 5019 and were working on their Citizenship in the Community.

Pledge of Allegiance lead by Councilman Innes

Roll Call.

OPEN CALL TO THE PUBLIC:

None

PUBLIC APPEARANCES:

Mayor Rivera read the Proclamation of Older Americans for the Month of May.

CONSENT AGENDA:

- A. Approve minutes of the April 12, 2011 Regular Council Meeting.
- B. Planning and Zoning Monthly Report.
- C. Police Monthly Report.
- D. Approval of Invoices.
- E. Financial Reports.

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

OLD BUSINESS:

- A. 2011/2012 Budget.

Terry said I have more information but the budget has not changed. We have the IGA's from County that are within what I had budgeted. I am going to give you information on items you have asked about and if you want to change the ten year street plan then we can. One question was about Church Street and puddles. I asked Heath to give me estimates that would include curb, cutter, sidewalk and repaving it

would be three sections. The cost would be 740 thousand which covers only the materials with the Town doing the work. If we contracted it out the cost would double. Heath and I talked about since this is a pretty good project we would like to get it in what they call TIP (transportation improvement project) those were the funds we used to do the 20th Ave project through Seago. Each of these projects will be a phrase that would qualify for TIP however it is a long process. What we are proposing for year TIP would do the design and right a way acquisition, so the following year will have a set of plans so we can start phrasing it in. The thing to remember is we are in competition with other towns so we might not get it every year. Mayor Rivera said I think the pavement is in good shape and I think if we wait and get the right design and try for the TIP grant it would be a good way to go. Councilman Innes agreed. Terry said last month we talked about the Firefighter and Police Memorial and we have come up with some options we would like for Council to look at. I have given you three pages of examples that Tom Palmer's group helped draw these are only examples we can still continue to look if it is not what you are wanting. The last page is the cost estimate with us doing the ground work the cost would be around 40 thousand dollars that depends on what you are wanting. I think at this point we need Council to tell us what you want and in which budget period you want it to happen. Mayor Rivera said they would look at examples and discuss it at next Council meeting. Councilman Innes asked if it was in this years budget answer was no but if you want we could use the amount budgeted for the park improvement. Terry said if there were no more questions at this point we are ready to pass the tentative budget then we can pass budget in the June meeting. Councilman Griffin wanted to know about the ADWR charge. Terry said that is Arizona Department of Water Resources it is new this year that they are charging us seven thousand because we use water and they need it to pass their budget. Terry said I also received a cost estimate from Curtis Landscaping for the ball fields for putting grass on the fields. To do all four fields that would include leveling, sprinkler system and grass it would be \$250 thousand dollars. Terry said this might be a good grant project and you might also have to hire another person to keep up with that much grass.

Vice Mayor Mulleneaux made motion to pass the tentative 2011-2012 Budget. Councilman Innes seconded the motion. The vote was unanimous. Motion passed

B. 12th Street Building Permits.

We talked about this last month and staff is at a point where we need direction. There are two options don't issue building permits because the road is not improved, or continue to issue building permits and after time the people will come to us to form an improvement district to pave the road. My opinion is to continue to issue and as time goes by the people will make that decision because of the condition of the road. Terry said there were six or seven houses there when we annexed and there are about fifteen now. Mayor Rivera asked if someone applies for a permit are they aware the road is a private drive and the Town is not going to pave it, the answer was yes they know. Heath said he agreed we have issued permits since we annexed and I don't know how we draw a line and say we are not issuing any more and just stop. We inherited that and I don't think we can change. We have people that want to sell their land to someone else who want to build. Councilman Morris asked if there were fire hydrants and will our emergency services vehicles go in there, answer was yes. Mayor Rivera said I think if we allow more permits then the cost of to paving will go down for owners so maybe they will form the improvement district to pave.

Councilman Griffin asked if the zoning was a one acre lot, Heath said yes except the first 500 ft and that is commercial. Councilman Larson asked about how many spaces are

left and Terry said there is a lot of a room maybe 10 to 12 lot. Councilman Griffin said he was thinking about precedence as soon as you say yes. Terry said but when you annex you are pretty much stuck with the problem. Councilman Griffin said I guess that is my question when you annex at what point does the Town's Code kick in? Terry said any new road just not an existing road.

Councilman Morris made motion to allow permits. Councilman Merriman seconded it. The vote was 6 yes, Mayor Rivera, Councilman Innes, Larson, Morris, Merriman and Vice Mayor Mulleneaux and 1 No vote, Councilman Griffin. The motion passed.

C. Police/Fireman Memorial Plan Presentation.

This was talked about in the Budget Plan

NEW BUSINESS: Discussion, consideration and possible action

A. 2011 Concrete Bid award.

Terry said you have the bids for concrete and AB which are the next two item. We are recommending the low bid on concrete from CKC at 83.00 dollars a cubic square yard. The AB has a cost for processed and unprocessed we use the processed AB. The low bid for processed AB of \$8.00 per ton is from CKC.

Vice Mayor Mulleneaux made motion to accept low bid for concrete and AB from CKC. Councilman Innes seconded the motion. The vote was unanimous. Motion passed

B. 2011 AB Bid award.

Bid approved above.

C. Cota EAC Town House Sewer/Water line repairs bid award.

Terry said we received some funds from the infrastructure bond, this is the first part of using those funds. We paid to have a camera check the sewer lines and decided what needed to be fixed on the water and sewer line. Then we went out to bid. We had two bids one from Swabs of Arizona in the amount of 180 thousand dollars and the other was Surface Contracting of \$208,940.00. We checked on Swabs through the Arizona State Registrar of Contractor checked on their licenses, check with their subcontractors and received only good references. We have a 60 days time frame for this contract for completion once that is done we will bid out final grading. Then depending on how much money is left we will work on curbs and possibly paving.

Councilman Innes made motion to accept the low bid of 180,000 thousand from Swabs. Councilman Larson seconded the motion. The vote was unanimous. Motion passed

D. Electric Department Boom Truck Bid award.

Terry said we received several bids two were new trucks for 165 thousand dollars, a used for 89 thousand and another used from Empire at 41 thousand dollars. The used Empire truck is certified in the State of Washington. Jared Hancock and Rusty Noland feel confident that this is a good truck. Staff would recommend the low bid from Empire of 40,426.37 which includes delivery.

Councilman Morris made motion to accept low bid from Empire of 40,416.37. Councilman Merriman seconded the motion. The vote was unanimous Motion passed

E. SPPR Administrative and Scheduling Agreement with Sempra Generating.

Terry said last month we had an Executive session with Dennis Delaney from KR Saline. This is to get the approval of the final agreement. It is a purchase power agreement with Sempra Generating the plant being in Gila Bend. It is a 20 year contract and we are purchasing 7,000 kW.

Vice Mayor Mulleneaux made motion to approve agreement. Councilman Innes seconded the motion. The vote was unanimous. Motion passed

F. Springbok Development Plan - Discussion

Jeff Holt stood and thanked Council and Manager for listening to their ideas. We were commissioned by the City of Safford to find ways to make the golf course work. Our plans are pretty much the same only in smaller increments from 225 homes a year to 25 to 60 homes a year. We do have a builder who has worked in Arizona for 30 years and has a line of credit with his bank. At this point we have decided we need the help of an improvement district we are looking for your consensus on this. We want to keep the golf course open and we have a plan in place that we think will work. Matthew Loch is here to explain the process. Matthew stood and said he was a manger at Belman Planning and Financial Group. A Community Facility District is a separate political division of the State and there is no contingent liability to the Town. The obligation to repay any bonds related to that project falls on the responsible of the land owners within the district. The CFD designed too fiancé public infrastructure such as roads, parks, sewer, waste water treatment plants, and it utilizes tax exempt bonds. How it works is fifty percent or the majority of the acreage of the project as well as the assessed value of property submit a petition to the Town. You as a Council would vote to form the District and appoint yourselves as the Board, you would maintain control of the district as it relates to all bond financing. So anytime we wanted financing for an infrastructure you will look at that and decide if you wanted to do it. The goal is to only issue bonds as the project develops in phrases not all at one time. Mayor Rivera asked is your company managing this. Matthew said no. Mayor Rivera asked so the Town has to come up with the funds and then we are paid back. Matthew said most of the time the developer will cover those cost. Terry asked once the bonds are sold how do we know that the money is spent on the infrastructure. Matthew said the District can go out to bid on the improvements then those funds are held to be paid directly to the contractor. Terry said so Council will approve all disbursements as the District Board, the answer was yes. Jeff Holt said the ability for the golf course to continue to run and operator depends on this improvement district. Councilman Innes asked so as Board members of this District how many years or how long does it go. Matthew said it goes on as long as there are outstanding bonds and as the Council changes the District Board changes. Terry said so we could finance bonds for a completely different project with other developers, answer was yes. Mayor Rivera asked it we need a motion. Terry said I think what Mr. Holt needs is if the Town is willing to consider a CFD. I think at this point it is worth considering you are not committing to anything specifically because it is down the road a ways and they are going to have to present us with plans for that first forty acres or their master plan. If the Council is willing to consider a CFD as a funding mechanism than Mr. Holt can move forward. Mayor Rivera said I see some benefits for the Town as a whole.

Council agreed to explore and move forward with the process. Jeff said I would appreciate if a letter stating there was a consensus.

- G. **RESOLUTION NO. 587-2011:** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF THATCHER, GRAHAM COUNTY, ARIZONA, AUTHORIZING THE MAYOR AND MANAGER TO EXECUTE FOR AND ON BEHALF OF THE TOWN OF THATCHER, ARIZONA, IGA'S WITH GRAHAM COUNTY TO PROVIDE FOR DISPATCHING SERVICES, ANIMAL CONTROL SHELTER SERVICES AND WIDE AREA NETWORK COMMUNICATION SERVICES.

Terry said this is the yearly IGA with the County. There was an increase on dispatching of 2% on the animal shelter 15% wide area network went down by 2% they are all in the range of what I had budgeted.

Councilman Innes made motion to approve Resolution No 587-2011. Councilman Griffin seconded the motion. The vote was unanimous. Motion passed

- H. **RESOLUTION NO. 588-2011:**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF THATCHER, ARIZONA, STATING THE SALARY EQUIVALENCY AND THE NUMBER OF AUTHORIZED POSITIONS FOR VOLUNTEER FIRE-FIGHTERS AND VOLUNTEER RESERVE POLICE OFFICERS.

Terry said this is a yearly item to establish the cost of workers comp for volunteer fireman and police officers. The only change would be from 33 people to 35.

Councilman Morris made motion to approve Resolution No 58-2011. Councilman Merriman seconded the motion. The vote was unanimous. Motion passed

- I. **ORDINANCE NO. 164-2011:** AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF THATCHER, ARIZONA, AMENDING THE TOWN CODE; CHAPTER 3, SECTION 3-1-1 "OFFICERS.

Terry said this amends the Town Code to add to the officers created and reporting to the Town Council directly, Town Manger, Town Clerk, Chief of Police, Town Attorney and Fire Chief, Town Magistrate who shall be appoint and serve at the pleasure of the Council.

Councilman Innes made motion to approve Ordinance 164-2011. Councilman Morris 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.

- A. Decision on Executive Session.
None

INFORMATIONAL ITEMS:

- A. Town Manager's Report:

Terry said they were working on Reay Lane, will finish the radius on 4th Street and go back to the railroad tracks. We have a week of concrete work and a week of preparation then CKC will come in and pave. We will then move to the school and start with the grading first. We need to get the one street done while school is out. We have pot hole and we will try and work them. We are putting a new back stop on southeast corner of the park so the TBall games will be on the same side, hoping to help control parking on the highway and at Allen Pump Company we need to use our own parking. We also have some new bleachers for the TBall fields. We are in the planning process of the next CDBG grant this will be for 2012. We agreed to help the City of Safford with the repairs on the water tank and they did contact us. Our idea is to use that money for our new bathrooms at the ball park and make it ADA compliance and some intersections that need to be ADA compliant. We will use the money for those items and then give the rest to City of Safford I will have better figures for you later on. The grant should be around 300 to 350 thousand if we get it.

B. Fire Department Report.

Chief Payne said we are in the process of getting air put on the ladder truck that should be the 31st of this month. The truck has to have dedicated air packs that change is in the process. It should be full furnished by the end of month. We are going to do a lot of wet downs at the school this year every class wants to have. We helped with the Dump the Drug at Home Depot it was a good project. The BFFA conference is in June this year and it will be in Ft Thomas. The VFW had a dinner and we had two of our fire people receive the Fire Fighter of the year Rusty Noland and Sandra Upshaw we are real proud of them. Mayor Rivera asked if they both could attend the next council meeting so we can honor them.

C. Police Department Report.

Chief Stevens said last month Officer West was able to use the DPS's roll over simulator and teach 7 classes at the high school. It shows what happens when you don't wear seat belts. It made an impression on the kids. Officer Cauthen was our officer of the year at the VFW dinner. About 6 weeks ago DPS approached us on the Mary Ann Holmes case and wanted to take it as a cold case. They have some resources and detectives that can work it at this time. The owner of the big bill boards is going too donated one for about 6 weeks it is located by the JoBi Store. It will have a local phone number 432-HELP on it that will go to the DPS office and a detective will be working the calls. The Town has also posted a reward for any information leading to the arrest in the amount of 15 thousand dollars and we appreciate that. Homeland Security has said in order to get federal grants they require plain talk on the radio, no more 10-4 this is a county wide change this will take place May 9th. Chief Stevens said the reason for the change is during major disasters when they have multiply agencies respond no one can understand each other because all the codes are different. They are also required to wear ear pieces. Mayor Rivera asked to have Officer Cauthen attend next months meeting also.

COMMITTEE REPORTS:

- A. Safe House – Vice Mayor Mulleneaux said he could not attend but did get a copy of agenda. They are still asking for donations of clothes items. I think they might continue to have their meetings on Wednesday and if they do I will need to trade with someone because I can not attend on that day. I have also been appointed to the

Home Heath and Hospice Board and I attended that meeting. They give an overview of the services they provide. They put GPS units in the vehicles so they can keep track where they are for safety reason. It has cut down on the number of miles driven. It is a good program one of their goals is to break even.

- B. Chamber of Commerce- Councilman Merriman said they had a person from the Forest Service come saying they have 248.17 miles of roads in Graham County and are going to be adding roads for a total of 262 miles. They are also going to discontinue 14.3 miles of road that 4 wheeler have made. The Chamber also made a business plan and set the goals for the year for the local community to provide networking. Freeport reported doing 750 thousand tons a day and they are also talking about making a new mill. Before they do that they are going to do a feasibility study to see about building up the town of Morenci and make it look better. The sulfur plant is on line and working right now they have a train that is going from Morenci to Safford.
- C. SEAGO- Mayor Rivera said the meeting will be this Friday in Willcox and Councilman Merriman will attend for me.
- D. Arizona Foundation. Councilman Larson said there was a training meeting in April and I could not attend the last meeting. There will be a meeting next week.
- E. Library Committee- Councilman Morris said all presentations have been made to the boards and now they are working on public information to the people in the County and the Cities. After the first of year they will start on the petition to get it on the ballot.

ADJOURNMENT

Councilman Merriman made motion to adjourn meeting Councilman Innes seconded the motion meeting adjourned at 9:00pm

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 10th day of May, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Lona Duncan, Town Clerk