

**MINUTES OF MEETING AND PUBLIC HEARING OF THE
THATCHER TOWN COUNCIL
March 12, 2013**

Present: Mayor Bob Rivera, Vice Mayor Bill Mulleneaux, Council Members: Wayne Griffin, Don Innes, Ken Larson, Joy Martin, Aaron Allen

Staff: Terry Hinton Manger, Heath Brown Engineer, Matt Clifford Attorney, Chief Woods Police Department, Chief Payne Fire Department, Lona Duncan Town Clerk

Visitors: Tom Belshi, Raymond Lonser, Kathy Grimes, Krista Olmstead, Michael Curtis, Scott Lee, Steve Allen, Derek Larsen, Cristian Farley, Javan Montoya/Ajeman

AGENDA

Mayor Rivera welcomed everyone and called the meeting to order stating there was a quorum. He asked the Boys Scouts to stand and introduce themselves. Christian Farley, Javan Montoya, Jaron Tillman, Derek Larson, Samuel and Michael Curtis said they were Troop # 736 working on Citizenship in the Community.

Pledge of Allegiance. Boy Scouts

Roll Call.

OPEN CALL TO THE PUBLIC:

Kathy Grimes said she is the Coordinator for the Graham County Substance Abuse Coalition. Graham County was chosen to be part of a pilot program with the State of Arizona. In November of 2011 the CDC reported that deaths from Rx Pain Relievers have reached epidemic proportions. Pain reliever deaths have surpassed motor vehicle deaths. We have a lot of work to do. I would like to invite you to the Annual Substance Abuse Conference on April 24th at Eastern Arizona College. We added a youth group called SADD and they are addressing bullying, making good choices, marijuana and under age drinking so the youth are invited this year. Dump the Drugs day in April 27th at Home Depot, so clean out your medicine cabinets. If you can't go to Home Depot, Thatcher Police Department and the Sheriff Department has a green box in the lobby where you place them. Councilman Innes asked what happen to the drugs collected. Kathy said DEA picks them up or they are taken to a lab in Tucson where they are destroyed. Mayor Rivera thanked Kathy for all the hard work you do.

PUBLIC APPEARANCES:

- A. League Update – Tom Belshi

Tom Belshi introduced himself as the Deputy Director of the League of Cities & Towns. We give this presentation to new members when they are

elected. One important thing that you need to know is that local government touches more people and is more important level of government than the State or Federal level of government. You deliver services and a quality of life that no other government can. Mr. Belshi talked about the Council/Manager form of government. It gives polices makers the opportunity to make policy and decision for the community. The day to day operational decisions are left to the professional staff. Tom talked about the open meeting law saying how important it is that your citizens know when your meetings are and enough information on agenda so they will know what is going to be discussed. Make sure you have a quorum at every meeting and that every decision made is voted on in public. He said that the Town Attorney should be able to direct you in the using of Executive Sessions but here are seven guide lines. 1) Receive direction or legal advice from attorney. 2) Personnel matters and the employee need to be given 24 hour written notice also having the right to a public meeting rather than executive session. 3) Confidential reorder exempt by law from public inspection. 4) Pending or contemplated litigation or to talk about a settlement. 5) Employee salary and compensation negotiations. 6) International and interstate negotiations. 7) Real property purchase, sells, or lease. Executive Session should be used very sparingly. Moving on to technology, people are using email, cell phone, texting to circumvent the open meeting law. If you are polling your council members it is the same as getting together at a café and talking about how you feel on certain issues. There is a \$500 fine if you violate the open meeting, the town can be held liable and you could be dismissed from the Council. We also need to talk about conflict of interest. The law says if you have a substantial interest in something that is coming before the Council you need to recues yourself. I would add that after you recue yourself you should leave the room during the discussion and the voting. The last thing is Public records we say if you don't want it in the public paper then don't create it. Most everything is public record from email, notes, minutes, building permits, maps, police reports. There are confidential item like addresses, social security numbers confidential order of projects, sealed bids. If in doubt ask your attorney he can tell you if it is a public record. Tom said the League is here to help you we our web site has a lot of information for you and you can call us anytime. Mayor Rivera thanked Tom for coming.

CONSENT AGENDA:

Action Item

- A. Approve minutes of the February 12, 2013 Regular Council Meeting.
- B. Planning and Zoning Monthly Report.
- C. Police Monthly Report.

- D. Approval of Invoices.
- E. Financial Reports.

Vice Mayor Mulleneaux make motion to approve minutes and reports. Councilwomen Martin seconded the motion. The vote was unanimous Motion passed

OLD BUSINESS: Discussion, consideration and possible action.

NEW BUSINESS: Discussion, consideration and possible action.

- A. **ORDINANCE NO. 168-2013:** AN ORDINANCE OF THE TOWN OF THATCHER, ARIZONA, ENACTING A CODE OF ORDINANCES, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING EMERGENCY.

Terry said we hired a group to take all our Town Codes and Ordinance in the pasted and incorporate the new ordinances, as well as checking it to make sure it is within State Statue. We will also be able to send any new ordinance to them and they will up date for us.

Councilman Innes made motion to approve Ordinance No. 168-2013. Councilman Griffin seconded the motion. The vote was unanimous Motion passed

INFORMATIONAL ITEMS:

- A. Town Manager's Report:

Terry said the sidewalks on Stadium Ave are complete. Next week we will be working on the drive way, sidewalk and curb of the business across the street from us then we will go back to park to run water lines. We have received the splash pad which is being stored. The architect is still working on the plans we think it will be August before construction will begin on the park. We are going to order the shades for the ramada's but are not going to order the ground equipment yet. The code review will be April 2nd at 5:30. We need a work session this month for budget. The date of March 26th at 6:00pm was decided on. City of Safford is still very concerned with the water issue. We are adhering to what they are asking taking on their schedule we leveled the soccer field so we get ditch water we can flood it which should help. Because we leveled that field we will

probably have to have Tball at the middle school field this year. Mayor Rivera said the shortage of water is a serious thing we need to do our part.

B. Fire Department Report.

Chief Payne said we finished Fire Fighter 1 & 2 class students took the test last Friday and Saturday we won't get results on written test for 4 weeks but we know everyone passed the skilled test. We had two of our firefighters take that test. BK Merriman said this will be his last class to teach so the college is looking into possibly hiring someone to teach this class and others fire related classes by expanding their fire science program. We had a major fire this month the house on 2nd Ave. Tonight they are learning about forcible entry. Councilman Griffin Wayne asked about the flag pole for Jerry Robinson. Chief Payne said yes we are still going to do. It will probably be another 3 months.

C. Police Department Report.

Chief Woods said the training this month was armor school Officer Carter and Officer West received their Glock Recertification. Officer Norton was able to go and get a certification to work on our rifles. Officer Whisman and Sergeant Mulleneaux went to DPS High Risk training. Sergeant Mulleneaux will start his Advance Leadership this month as soon as Sergeant Cauthen finishes. The accident involving our officer is still pending waiting on the DPS report. Our patrol car was a total loss grateful our officer and the citizen were not hurt. The accident on 8th Street was a roll over the passenger was ejected and he is still in the hospital. There is a second grant from Governor's Highway Safety called DUI Abatement Council they are separate funds this is to better our chances on getting funds.

COMMITTEE REPORTS:

A. Safe House – Mayor Rivera said their next meeting is March 26th. They are going to have a golf tournament in Greenlee County on April 5th so if you like to golf it is a good way to donate.

B. Chamber of Commerce – Councilman Innes said the meeting is next Tuesday.

C. SEAGO- Mayor Rivera said there was nothing to report.

ADJOURNMENT

Councilman Innes made motion to adjourn. Vice Mayor Mulleneaux seconded the

motion. The vote was unanimous Meeting adjourned 8:26pm

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 March, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Lona Duncan, Town Clerk