



“The mission of the City of Safford is to make Safford  
a great place to live, work, and visit ”

**CITY OF SAFFORD  
REGULAR COUNCIL MEETING MINUTES  
Monday, December 16 , 2013 @ 6:00 PM  
Safford Library Program Room, 808 S. 7<sup>th</sup> Avenue, Safford, Arizona**

**PRESENT:** Wyn “Chris” Gibbs, Mayor; Mary Bingham, Vice Mayor; Council Member’s Gene Seale, Arnold A. Lopez, Kenneth Malloque, James D. Howes, and Richard Ortega (arrived at 6:12 p.m.)

**STAFF PRESENT:** Eric Buckley, Interim City Manager; Sandra Findley, Executive Assistant; Don Knight, Director FlexNet Meter Renewal Project; Leanne McElroy, Library Director; Randy Petty, City Engineer; Dustin Welker, Planning & Community Development Director; Christine Fisher; Human Resources Director; Kim Larkey; Georgia Luster, City Clerk; and Dale Clark, who assisted with the audio/video recording of the meeting. Marshall Humphries, Attorney (participated by telephone conference) in Executive Session only.

**OTHERS PRESENT:** Steve Wilson, ADOT; Paul R. David, ADOT; Joe Carter, NatureSweet; Roland Knox; Darcy Gott; Jeff Gott; Valerie Buckley; Jon Johnson, Eastern Arizona Courier and others who did not sign in. Kelly Van Shaar, video taped the meeting.

- 1. WELCOME AND CALL TO ORDER:** Mayor Gibbs called the meeting to order at 6:03:04 p.m.
- 2. ROLL CALL:** A quorum of the Council was present (7).
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG:** Mayor Gibbs led the Pledge of Allegiance to the Flag.
- 4. OPENING PRAYER:** Councilman Lopez offered the Opening Prayer.

At this time, Item #13 was discussed. Eric Buckley, Interim City Manager, introduced Joe Carter on behalf of NatureSweet.

Mr. Joe Carter stated he is asking the Council for their approval for importation of tomato seedlings from Mexico for use in the NatureSweet greenhouses located in Willcox and Snowflake. He provided a brief background of what initiated a formal request. In March 2010 Eurofresh initiated a formal request for the USDA/APHIS to consider allowing the importation of tomato seedlings from Mexico to be used in its Willcox and Snowflake greenhouses. NatureSweet purchased, through the bankruptcy court, the greenhouse

facilities last April and is continuing that effort. Presently the only grafted tomato seedling source available for use in the United States is from Canada. Not only is this source expensive but the young plants suffer stress due to the long distance haul from Canada to Arizona. Allowing the importation from Mexico would save NatureSweet several million dollars annually and help insure the continued economic viability of these greenhouses including the 1000 rural Arizona jobs. The USDA/APHIS has completed its require Pest Risk Assessment designed to insure that this action will not present a risk to U.S. agriculture health. USDA/APHIS will shortly begin the formal public comment periods with a final decision to be made in the spring of 2014. Mr. Carter asked the Council for their support by writing a letter of support.

Eric Buckley, Interim City Manager will write the letter.

It was moved Council Malloque, seconded by Vice Mayor Bingham and carried unanimously to write and submit a formal letter of support for the importation of tomato seedlings from Mexico for use in the NatureSweet greenhouses located in Willcox and Snowflake. **MOTION ADOPTED**

5. **Arizona Department of Transportation (ADOT) will provide a presentation on US Highway 191 Parking.** The Interim City Manager introduced Paul David and Steve Wilson, of ADOT to explain ADOT's plan for restriping.

Mr. Steve Wilson provided an exhibit of ADOT's project to the Council - (Red identifies proposed eliminated parking; Yellow identifies proposed remaining sidewalks). He explained the proposed project is a Highway 191 and US Highway 70 capacity improving project.

- Restripe northbound 191 to two lanes from 11<sup>th</sup> Street to the railroad and also restripe southbound 191 from the railroad to 11<sup>th</sup> Street to accommodate two traffic lanes in each direction.
- Eliminate on-street parking and will include two through lanes northbound on Highway 191 to US Highway 70 traffic signal.
- Parking will be eliminated on a small portion of southbound Highway 191 from Main Street to 7<sup>th</sup> Street.
- Project will also increase curb radius at the intersections of Highway 70 and Highway 191 by the Casa Manana permitting semi-trucks to maneuver easier; shifting lanes (by Maverick Motor Sports) four feet at the intersection on Highway 70 and widen the right turn lane on east bound 70. Parking will be eliminated westbound 70 (by Maverick Motor Sports to the intersection and from 1<sup>st</sup> Street over to 2<sup>nd</sup> Street) by moving traffic lanes four feet on the north side of 70.
- \$1.1 million dollar project funded by both State and Federal
- Includes new traffic signal at Highway 70 and Highway 191
- Curb and driveway improvements in vicinity of the intersection
- New sidewalk and driveways on the west side on Highway 191 from Relation to Highway 70 - Second phase of Sidewalk Improvement Enhancement Project

- Straightening S curve in front of Baptist Church on Highway 191 and east 8<sup>th</sup> Street

Mr. Wilson stated ADOT is asking for a motion of support. He said construction is currently scheduled to begin in fiscal year 2016 and should take nine (9) months to one (1) year to complete.

Councilman Seale expressed concern about eliminating any business parking and expressed concern about the area of 8<sup>th</sup> Street and Highway 191 (Johnson Motors).

Mr. Wilson stated ADOT has met with the general manager of Johnson Motors. The general manager's concerns are primarily relating to their deliveries. However, the general manager believes parking can occur in the driveway and park on site. Mr. Wilson stated ADOT has agreed to increase the width of Johnson Motor's driveway to a 36 foot driveway resulting in easier ingress and egress for their delivery trucks. Additionally, he is meeting with Terry Johnson on Wednesday to discuss the project and the impact that it will have on their business. He stated ADOT is willing to work with and accommodate Johnson Motor's business and their needs.

**6. CONSENT ITEMS: The Mayor and City Council may wish to consider approving Items 1 through 11 as Consent Agenda Items.**

1. November 12, Regular Council Minutes, and November 25, 2013 Special Council Meeting Minutes and Work Session Council Meeting Minutes.
2. Police Report
3. Building Inspection Report
4. Public Works Report
5. Business License Report/Delinquent Business License
6. Library Report
7. Utilities Consumption Report
8. Summary of Projects Planning and Grants Administration
9. Prosecution Report
10. Airport Report
11. Expense Report over \$5,000

There were no questions regarding any of the reports. It was moved by Councilman Ortega, seconded by Councilman Seale, and carried unanimously to approve Items 1 through 11 as Consent Agenda Items as presented.

**MOTION ADOPTED**

**7. The Council may wish to review Section 5.04, Business License Generally, of the City of Safford Municipal Code and give direction to the City Clerk regarding pursuing revocation of business license of delinquent applicants.**

The Interim City Manager the City Clerk is seeking direction from the Council regarding taking action pursuing revocation of delinquent business licenses or mark the business as an inactive business. Most delinquent businesses are operating out of their home.

It was moved by Councilman Malloque, seconded by Councilman Howes, and carried unanimously to direct the City Clerk to pursue revocation of delinquent business licenses pursuant to Section 5.04 of the City of Safford Municipal Code. **MOTION**

**ADOPTED**

8. **Discuss and consider approving the Purchasing Card Report ending September 20, 2013.** There were no questions or comments regarding the Purchasing Card Report.

It was moved by Vice-Mayor Bingham, seconded by Councilman Ortega, and carried unanimously to approving the Purchasing Card Report ending September 20, 2013 as published.

**MOTION ADOPTED**

9. **The Council may wish to approve and adopt Resolution Number 13-034 approving Amendment Number One to an Intergovernmental Agreement (ADOT File No. IGA/JPA 11-039I) between the State of Arizona Department of Transportation and City of Safford for the design and construction of downtown intersection improvements.**

Interim City Manager Buckley explained the increase in funding was caused from unforeseen drainage issues in the downtown area. The funding increased to \$64,000 (City's match is about \$24,000)

Randy Petty, City Engineer explained the amendment of the agreement includes the increase in funding and ADOT will administer the project. Construction should begin Spring 2014.

It was moved by Councilman Malloque, seconded by Councilman Lopez, and carried unanimously to approve and adopt Resolution Number 13-034 approving Amendment Number One to an Intergovernmental Agreement (ADOT File No. IGA/JPA 11-039I) between the State of Arizona Department of Transportation and City of Safford for the design and construction of downtown intersection improvements and to approve additional funding from contingency fiscal year 2013/2014 budget.

**MOTION ADOPTED**

10. **The Mayor and City Council may wish to approve and adopt Resolution Number 13-035, a resolution of the City of Safford amending Construction Standards for Subdivisions and Right of Way .**

It was moved by Councilman Ortega, seconded by Councilman Malloque, and carried unanimously to approve and adopt Resolution Number 13-035, a resolution of the City of Safford amending Construction Standards for Subdivisions and Right of Way. **MOTION ADOPTED**

11. **The Mayor and City Council may wish to approve and adopt Resolution Number 13-036, a resolution of the City of Safford adopting a Notice of Intention, Declaring Written Assumptions as Public Records and Setting Public Hearing for new Capacity Fees for Water and Wastewater Utility Services.**

Eric Buckley, Interim City Manager, explained the resolution adopts a Notice of Intention, declares written assumptions as public records and sets the public hearing for new capacity fees for water and wastewater utility services. New legislation enabling governing of utility capacity fees is mandated. He pointed out that the only recommended increase is for new installation of a 5/8" and 3/4" water meter. The Public Hearing will be held February 10, 2014.

Don Knight pointed out that a new component is included in the capacity fee study to include plans to extend wastewater sewer lines outside city limits and expand its service area - East Valley Sewer Project.

It was moved by Councilman Ortega, seconded by Councilman Howes, and carried unanimously to approve and adopt Resolution Number 13-036, a resolution of the City of Safford adopting a Notice of Intention, Declaring Written Assumptions as Public Records and Setting Public Hearing for new Capacity Fees for Water and Wastewater Utility Services. **MOTION ADOPTED**

12. **The Mayor and City Council may wish to approve and adopt Resolution Number 13-037, a resolution of the City of Safford adopting a Notice of Intention, Declaring Written Report as a Public Record and Setting Public Hearing for new Opt-Out Policy and Fees.**

Eric Buckley, Interim City Manager, explained the resolution adopts a Notice of Intention, declares written assumptions as public records and sets the public hearing for new Opt-Out Policy and Fees. The Public Hearing will be held February 10, 2014.

Don Knight explained the only revision to the Policy includes the addition of a monthly read charge of \$5.000 for each meter where the customer does not want any remote communication to a handheld and requiring an actual physical/visual reading of the meter. This option is only available to premises that have unrestricted access to the meter for meter reading. He noted **ALL** meters will be replaced. He also noted the customer will not be charged for the new meters.

It was moved by Councilman Ortega, seconded by Councilman Howes, and carried unanimously to approve and adopt Resolution Number 13-037, a resolution of the City of Safford adopting a Notice of Intention, Declaring Written Assumptions as Public Records and Setting Public Hearing for new Opt-Out Policy and Fees.

**MOTION ADOPTED**

**13. The Mayor and City Council may wish to consider submitting a formal letter of support to secure USDA approval for the importation of tomato seedlings from Mexico for use in the NatureSweet greenhouses located in Willcox and Snowflake.** This item was discussed at the beginning of the meeting.

**14. CITIZEN COMMENTS ON NON-AGENDA ITEMS:** NONE

**15. MEETINGS/ACTIVITIES HELD BY COUNCIL OR CITY STAFF:** Councilman Ortega reported on a SEAGO meeting that he attended in November. He stated he will look into asking a SEAGO representative to do a presentation to the Council regarding SEAGO programs. He believes SEAGO may have some programs to assist with diversifying Safford's economy.

Mayor Gibbs attended the Economic Forecast Luncheon in Tucson.

**16. COUNCIL OR STAFF REQUESTS FOR AGENDA ITEMS:**

Councilman Ortega: Requested update regarding abandoned properties within the city limits.

**17. ANNOUNCEMENTS/FUTURE MEETING(S):**

- Thursday, December 19, 2013 Library Open House
- Tuesday, December 24, 2013 Close at Noon for Christmas Holiday
- Wednesday, December 25, 2013 Christmas Day Holiday
- Wednesday, January 1, 2014 Closed for New Year's Day Holiday

Leanne McElroy invited everyone to attend the Library's Holiday Open House on Thursday, December 19<sup>th</sup> from 10:00 a.m. until 7:00 p.m. Entertainment includes: Holiday Movie Marathon & free popcorn, Special Holiday Preschool Storytime, Friends Holiday Treat Sale, Door Prizes, Boys and Girls Club Voices Group, Guest Storytellers and Community Sing-a-Long.

**18. The Council may elect to enter executive session pursuant to Arizona Revised Statutes §38-431.03(A)(3) and (A)(4), to discuss and consult for legal advice with the Interim City Attorney regarding litigation negotiation or settlement discussion of the Gary Gardner claim. The Council may adjourn executive session and may take action in open session.**



I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting of the Safford City Council, Graham County, Arizona held Monday, December 16, 2013, and approved at a Regular Council Meeting on Monday, January 13, 2014. I further certify the meeting was duly called, held and that a quorum was present.

\_\_\_\_\_  
Georgia Luster, MMC, City Clerk

January 13, 2014  
Date: