



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

**CITY OF SAFFORD
COUNCIL MEETING MINUTES
Monday, October 26, 2015 @ 6:00 PM
Safford Library Program Room, 808 S. 7th Avenue, Safford, Arizona**

PRESENT: Wyn “Chris” Gibbs, Mayor; Mary Bingham, Vice Mayor; Councilmembers, Kenneth Malloque, Arnold A. Lopez, James D. Howes and Richard Ortega.

ABSENT: Gene Seale, Councilman.

STAFF PRESENT: Joe Brugman, Acting City Manager (Police Chief); Leslie Norton, Executive Secretary; Randy Petty, Public Works Director/City Engineer; Alma Flores, Interim Finance Director; Leanne McElroy, Library Director; Cliff Davis, Human Resources Officer; Sam Napier, I.T. Administrator; and Georgia Luster, City Clerk. Dale Clark assisted with the audio recording of the meeting.

OTHERS PRESENT: Joe Goodman, Steve McGaughey, Jeff Campbell, John Davis, Mike Biggers, Kim Daniel, William Daniel, John Howard, Pastor Dylan, Adrian Ramirez, and others who did not sign in.

- 1. WELCOME AND CALL TO ORDER:** Mayor Gibbs called the meeting to order at 5:52: 29 p.m.
- 2. ROLL CALL:** A quorum of the Council was present, (6-1). Councilman Seale excused.
- 3. PLEDGE OF ALLEGIANCE TO THE FLAG:** Mayor Gibbs led the Pledge of Allegiance to the Flag.
- 4. OPENING PRAYER:** Pastor Dylan Peck offered the opening prayer.
- 5. CITIZEN COMMENTS ON AGENDA ITEMS:** NONE
- 6. PUBLIC HEARING:** Mayor Gibbs opened a Public Hearing at 5:53 p.m. in compliance with *Arizona Revised Statutes* §38.431.02 to hear public comments considering a request to rezone from MHD (Manufactured Home Development) to C-2 (Highway Commercial) on Graham County Parcel # 102-29-031 and 102-29-034, 700 East US Highway 70.

Dustin Welker, Community Development Director, presented the rezone request on the Northwest corner of Hollywood Road and HWY 70. The property was previously used as commercial property for mobile home sales. The applicant intends to utilize the property for used car sales and a landscaping business which is allowable under the C-2 zoning (Highway Commercial). A Development Review meeting was held earlier this month. ADOT was present at this meeting and there was discussion of ingress and egress on HWY 70 which are legal and allowable accesses to the property. The Planning and Zoning Commission heard this case and made a unanimous recommendation in support of the rezone to the City Council.

Mr. Mike Biggers, applicant, explained what their current signage will look like and that their landscaping styles will show customers their various display styles.

There were no comments from the public. Councilman Malloque made a motion to close the public hearing, Councilman Howes seconded. The motion was unanimous. **MOTION ADOPTED**

Mayor Gibbs reconvened regular council meeting at 5:59:46 p.m.

7. NEW/OLD BUSINESS:

1. **Introduction of Graham County Chamber of Commerce Board and request by the interim director to release city funding for the next six months.** Horatio Skeete, City Manager, explained the interim board intends to transition to a new board as quickly as possible. The interim board is requesting the City to release funding for the next six months to allow the Chamber to continue operating and to give them time to explore a direction and vision for the Chamber.

Joe Goodman, Interim Board Member, was present to address questions. He explained the funding is needed to proceed with the operations of the Chamber. For example, the annual Gila Valley Leadership Program is held monthly. He said there is the need to determine what the development of the Chamber will be. Will the Chamber of Commerce remain a "Chamber" or tourism/visitor bureau? He noted that the interim board will hold a meeting next Monday to discuss where and what the people want in a Chamber. Also, a community mixer of business leaders, Interim Governing Board and members of the Graham County Chamber of Commerce will be held on November 12th to solicit input from Chamber members as to what direction/vision the Chamber should be, going forward.

Mr. Skeete stated available funding is critical so that the committee can explore the state of the Chamber and/or explore the reconstitution of any formation of the Chamber. He explained the interim board will provide monthly updates to the Council.

There was discussion about providing funding for a shorter period and the Council requested to receive monthly updates on how the Chamber is proceeding.

A motion was made by Councilman Ortega, seconded by Councilman Howes to approve City of Safford funding the Chamber for six months and to provide monthly financial updates to the Council. Motion was unanimous. **MOTION ADOPTED**

6 - Mayor Gibbs, Vice Mayor Bingham, Kenneth Malloque, Arnold Lopez, Richard Ortega, and James Howes.

2. **Approve September 14; September 23, Joint Meeting; September 28, 2015 Council Meeting Minutes.** A motion was made by Councilman Howes, seconded by Vice Mayor Bingham to approve September 14; September 23, Joint Meeting; September 28, 2015 Council Meeting Minutes as presented. Motion was unanimous. **MOTION ADOPTED**

6 - Mayor Gibbs, Vice Mayor Bingham, Kenneth Malloque, Arnold Lopez, Richard Ortega, and James Howes.

3. **Approve August 10, 2015 executive session minutes.** The City Clerk noted that the Agenda Item should read "September 14, 2015" minutes and not August 10, 2015. However, the Council did receive the correct executive session minutes of the September 14, 2015 meeting for their review.

A motion was made by Councilman Howes, seconded by Vice Mayor Bingham to approve the September 14, 2015 executive session minutes. Motion was unanimous. **MOTION ADOPTED**

6 - Mayor Gibbs, Vice Mayor Bingham, Kenneth Malloque, Arnold Lopez, Richard Ortega, and James Howes.

4. **Review and consider approving Volunteer Time Off (VTO) Policy.** Mr. Skeete provided a brief introduction of the item and invited Cliff Davis, Human Resources Officer, to explain the proposed Volunteer Time Off Policy.

Mr. Davis explained the intention of the policy is to create community engagement opportunities for City of Safford employees that are meaningful, purposeful and helps those in need. He noted that the City of Safford recognizes that participating in these activities will also enrich and inspire the lives of the employees. He noted that the Program allows the employee to participate during work hours. All regular full-time employees may volunteer up to 20 hours (2 days) per calendar year with a 501(c)(3) nonprofit or its U.S. equivalent in accordance with the City of Safford's giving and volunteering guidelines. Duties and responsibilities of the employee come first and the employee must obtain approval. An annual review of the Policy will be done.

A motion was made by Councilman Ortega, seconded by Councilman Howes to approve the Volunteer Time Off (VTO) Policy. Motion was unanimous. **MOTION ADOPTED**

6 - Mayor Gibbs, Vice Mayor Bingham, Kenneth Malloque, Arnold Lopez, Richard Ortega, and James Howes.

8. MONTHLY/QUARTERLY REPORTS: Information

1. Police Report
2. Planning and Community Development Report
3. Public Works Report
4. Human Resources Report
5. Clerk's Office Report
6. Library Report
7. Utilities Consumption/Water Production Reports
8. Projects Status Report
9. Prosecution Report
10. Airport Report
11. Expense Report over \$5,000
12. Purchasing Card Report

Questions: ADA Ramps (Project complete)
Work completed old portion of new Magistrate Court grounded (electrical ground)
Fire Dept. – Hiring professional grant writer to apply for SCADA (air) apparatus
Birdno Property – Infrastructure – sleeves for underground and infrastructure to be constructed. (No current road) All infrastructure will be considered and designed.
Swimming Pool – add additional shade structures (consider in next year's CIP)

Councilman Howes stated that he likes the new format of the reports.

Mayor Gibbs agreed and acknowledged the first CORE Event.

9. ORDINANCES:

1. First Reading of Ordinance Number 15-005, request to rezone from MHD (Manufactured Home Development) to C-2 (Highway Commercial) on Graham County Parcel # 102-29-031 and 102-29-034, 700 East US Highway 70. **First Reading**

Mr. Skeete explained this is the first reading of a proposed zoning as discussed in the Public Hearing. Dustin Welker, Community Development Director, is present to address any questions (There were no questions/comments).

The City Clerk read the Number and Title of Ordinance Number 15-005 into the record.

10. CONTRACTS, AGREEMENTS, BIDS:

1. **Approve Lease Termination and Mutual Release Agreement terminating Net Lease with Springbok Development, LLC (Golf Course Contract).**

Mr. Skeete recalled that he previously informed the Council about a request from Jeff Holt to terminate the lease agreement with Springbok Development, LLC. A special meeting of the Council was called to discuss and provide direction to the City Manager regarding the termination of the lease. He explained the City Attorney drafted a Lease Termination and Mutual Release Agreement that included a list of items that the developer owned and wanted to transfer to the City. The agreement was provided to Mr. Holt requesting he execute the termination agreement. However, Mr. Holt did not provide a signed agreement because he wants the City to purchase some equipment, golf carts and the liquor license (see list).

Vice Mayor Bingham asked what become of the equipment that the City provided to Springbok at the time Mr. Holt took over the lease.

Mr. Skeete explained that Mr. Holt's original list included the equipment that the City transferred to him when he took over the operations of the Golf Course. However, a majority of that equipment was eliminated. He explained the list provided to the Council tonight includes items that were purchased on or after the September 10th date when Mr. Holt acquired the Golf Course from the City. Mr. Holt has a loan with Dr. Bull for the purchase of the golf carts. He reviewed a list of equipment provided by Mr. Holt. Mr. Skeete explained the evaluation process he applied to the equipment to determine the depreciation and current value to all. The evaluation of the equipment was identified in two categories: Class 2 - equipment that has a useful life of 3 years or less; and, Class 3 equipment with 5 years life expectancy under normal circumstances; Salvage value is estimated at 10% of original purchase price; Small tools estimated life 3-years straight line depreciated; large equipment 5-years straight line depreciated absent of a date of purchase assumed fully depreciated. Mr. Skeete stated that the Councils decision to purchase any or all of the equipment should not be tied to the lease.

There was discussion about purchasing the golf carts, value of furniture/equipment in the Club House (most Club House equipment is not in good working condition; some of the refrigeration units have been replaced by Mr. Holt).

A motion was made by Councilman Ortega, seconded by Councilman Howes to direct the City Manager to proceed with the termination of the existing lease agreement with Springbok Development subject to Mr. Holt providing an executed Lease Termination and Mutual Release Agreement, less any purchase of the equipment requirement. The City Manager will continue negotiating the purchase price of the equipment and the validity of the equipment and provide the information to the Council for approval at a subsequent Council Meeting.

MOTION ADOPTED

6 - Mayor Gibbs, Vice Mayor Bingham, Kenneth Malloque, Arnold Lopez, Richard Ortega, and James Howes.

2. **Provide direction to the City Manager regarding whether or not to pursue the option of acquiring a Liquor License from Randy Nations (Licensee/Agent), owner (Springbok Development LLC) subject to clean title.** Mr. Skeete explained this is a request from Mr. Holt for the City to purchase the liquor license attached to the Golf Course for the amount of \$27,500 (a reasonable price for liquor license). However, Mr. Skeete stated he will investigate the validity of the liquor license to insure the license has no liens attached and is in compliance with the State Liquor Board before making the commitment to purchase the license. Does the City want to own a liquor license and attach the license to the premises, or consider contracting the Club House/Restaurant and require they have a liquor license.

It was the consensus of the Council to direct the City Manager to pursue the purchase of the liquor license from Springbok Development, LLC.

11. COUNCIL OR STAFF REQUESTS FOR AGENDA ITEMS: NONE

12. MEETINGS/ACTIVITIES HELD OR TO BE HELD BY COUNCIL OR CITY STAFF:

- October 26 – Council Meeting
- November 9 – Council Meeting
- November 23 – Council Meeting

13. CITIZEN COMMENTS ON NON-AGENDA ITEMS: NONE

- 14. ADJOURN:** It was moved by Councilman Malloque, seconded by Councilman Ortega, and carried unanimously to adjourn at 7:03:43 p.m. **MOTION ADOPTED**

APPROVED:

Wyn "Chris" Gibbs, Mayor
City of Safford

ATTEST:

Georgia Luster, MMC, City Clerk

STATE OF ARIZONA)
) ss
County of Graham)

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the Council Meeting Minutes of the Safford City Council, Graham County, Arizona held Monday, October 26, 2015, and approved at a Regular Council Meeting on Monday, November 9, 2015. I further certify the meeting was duly called, held and that a quorum was present.

November 9, 2015
Date: _____

Georgia Luster, MMC, City Clerk