



**“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, January 25, 2016 @ 6:00 PM
Safford Library Program Room, 808 S. 7th Avenue, Safford, Arizona**

PRESENT: Wyn “Chris” Gibbs, Mayor; Richard Ortega, Vice Mayor; Councilmembers, Gene Seale, Kenneth Malloque, and Arnold A. Lopez.

ABSENT: James D. Howes.

STAFF PRESENT: Horatio Skeete, City Manager; Joe Brugman, Police Chief; Randy Petty, Public Works Director/City Engineer; Alma Flores, Interim Finance Director; Jenny Howard, Utilities Director; Dustin Welker, Community Development Director; Leanne McElroy, Library Director; Cliff Davis, Human Resources Officer; Sam Napier, I.T. Administrator; and Georgia Luster, City Clerk. Denver Finch, IT, assisted with the audio recording of the meeting.

OTHERS PRESENT: Mary Bingham, Julie Bryce, John Howard, Jacque Attaway, Cathy Romero, EJ Romero, Sophia Romero, Erik Swanson and others who did not sign in. Ken Showers with Eastern Arizona Courier. Kelly Van Shaar, representing Valley Telecom, video recorded the meeting.

1. **WELCOME AND CALL TO ORDER:** Mayor Gibbs called the meeting to order at 6:01 p.m.
2. **ROLL CALL:** A quorum of the Council was present (5).
3. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Mayor Gibbs led the Pledge of Allegiance to the Flag.
4. **OPENING PRAYER:** Pastor Semore offered the opening prayer.
5. **CITIZEN COMMENTS ON AGENDA ITEMS:** NONE
6. **Appoint Steve McGaughey to fill the vacant City of Safford Council seat. The City Clerk will prescribe Oath of Office.** Mayor Gibbs noted that the Council interviewed some really good candidates.

A motion was made by Vice Mayor Ortega, seconded by Councilman Malloque, and carried unanimously to appoint Steve McGaughey to fill the vacant City of Safford Council seat by Roll Call Vote. **MOTION ADOPTED**

Mayor Wyn Gibbs	YES
Vice Mayor Ortega	YES
Councilman Malloque	YES
Councilman Seale	YES
Councilman Lopez	YES

The City Clerk prescribed the Oath of Office to Steve McGaughey. Mr. McGaughey will officially take his seat as a City Councilman for the City of Safford.

7. NEW/OLD BUSINESS:

1. **Approve a design for a skate park at Firth Park designed by Spohn Ranch Skateparks.**
Dustin Welker, Planning & Community Development Director, presented a design for a skate park at Firth Park designed by Spohn Ranch Skate parks. The Skate Park Committee has chosen Spohn Ranch to design and construct a skate park at Firth Park. Spohn Ranch has visited Safford a number of times to meet with the committee, staff and conduct a public participation meeting to help and provide input in the design of the park. The height of the bowl is about 4 feet and the appropriate drain will be constructed. Staff believe the skate park will compliment Firth Park.

There was discussion about drainage and the construction of a fence around the skate park. Once the skate park is complete, the City will own it, insure it and maintain it. Mr. Welker addressed the issue of Council wanting to construct a fence around the facility. He noted that the designers and committee would prefer to not see a six-foot fence because of creating a cage affect, eyesore of a high fence. Staff recommends constructing more of a safety type fence around the "bowl" area. Staff believe an adequate option would be to give consideration to constructing a fence in that area to prevent someone from wandering into and falling into the bowl.

Cathy Romero noted that the cost of fence would increase the cost of the construction of the Park and is not considered in their budget. She stated Spohn Ranch builds skate parks for a living and do not recommend a fence because of safety reasons. From their experience, a fence draws people. They recommend placing obvious barriers to discourage people from wandering into the skate park area. Putting a fence around the skate park is not going to change the liability, but increase the liability. As previously discussed, lighting and posting the hours of the park would be sufficient. She believes a fence is not necessary and will detract from the overall project. The Park was purposely designed with some distinct borders/rocks to discourage people from wandering in.

The Council recommends constructing a fence not to just keep small children from wandering into Firth Park but to keep those who utilize Firth Park all day long from wandering in.

City Manager Skeete assured the Council that he and staff will work together to address the Council's concerns and will determine a reasonable fence to address the concerns of the Council. He noted that \$50,000 was budgeted for improvements for Firth Park that have not been utilized at this point.

A motion was made by Vice Mayor Ortega, seconded by Councilman Malloque, and unanimously carried to approve the Skate Park Project to move forward. **MOTION ADOPTED**

5 – Mayor Gibbs, Vice Mayor Ortega, Councilman Malloque, Councilman Seale, and Councilman Lopez.

2. **Update to the Council regarding the transfer of customers from Graham County Electric Cooperative to the City of Safford.** Jenny Howard, Utilities Director, presented an update of the Territorial Settlement Agreement. PowerPoint Presentation attached.
3. **Consider setting a date for the Council and Staff to discuss/review Strategic Goals and Objectives and to discuss/review Capital Plan.** City Manager Skeete asked the Council to consider setting a date to discuss and review Strategic Goals and Objectives and to review the Capital Plan. This session will start budget discussions.

It was the consensus of the Council to schedule a half-day Work Session on February 19th at 9:00 a.m. The purpose of the session will be to discuss and review budgets, present and update on the current Five-Year Plan and adjustments and creation of a new Five-Year Plan.

8. QUARTERLY/MONTHLY REPORTS:

1. **Police Department Quarterly Report**
2. **Human Resources Quarterly Report**
3. **Projects Status Quarterly Report**
4. Public Works Monthly Report
5. Clerk's Office Monthly Report
6. Library Monthly Report
7. Planning and Community Development Monthly Report
8. Airport Monthly Report

9. Utilities Consumption/Water Production Monthly Reports
10. Prosecution Monthly Report
11. Expense Monthly Report over \$5,000
12. Purchasing Card Monthly Report

City Manager Skeete introduced a new concept of providing reports to the Council. Every month three different featured department will present quarterly reports along with the standard monthly reports. Joe Brugman, Police Chief; Clifford Davis, Human Resource Officer; and Randy Petty, Public Works Director, provided a quarterly report.

9. CONSENT RESOLUTIONS:

1. **Request for the City Council to approve and adopt Resolution Number R16-003 declaring Ordinance Number O16-001, amending Title 17, Zoning, of the City of Safford Municipal Code, effective February 25, 2016 to be a public record.** City Manager Skeete stated the First Reading of the Ordinance amending Title 17 was previously held. Mr. Dustin Welker is present if the Council have any questions or comments.

The City Clerk read the Title and Number of Resolution Number R16-003.

A motion was made by Vice Mayor Ortega, seconded by Councilman McGaughey to approve and adopt Resolution Number R16-003 declaring Ordinance Number O16-001, amending Title 17, Zoning, of the City of Safford Municipal Code, effective February 25, 2016 to be a public record. **MOTION ADOPTED**

5 – Mayor Gibbs, Vice Mayor Ortega, Councilman Malloque, Councilman Seale, and Councilman Lopez.

2. **Request for the City Council to approve and adopt Resolution Number R16-004 approving entering into an Escrow Agreement to purchase real property by and between the City of Safford and Lawrence and Josephine McGarry for \$195,000.** City Manager Skeete stated this item was presented previously by Jenny Howard, Utilities Director. She is available if the Council has any questions or comments.

The City Clerk read the Title and Number of Resolution Number R16-004.

A motion was made by Councilman Lopez, seconded by Councilman Malloque and carried unanimously to approve and adopt Resolution Number R16-004 approving entering into an Escrow Agreement to purchase real property by and between the City of Safford and Lawrence and Josephine McGarry for \$195,000. **MOTION ADOPTED**

5 – Mayor Gibbs, Vice Mayor Ortega, Councilman Malloque, Councilman Seale, and Councilman Lopez.

10. ORDINANCES:

1. **Request to approve and adopt Ordinance Number O16-001 an ordinance of the City of Safford Graham County, Arizona adopting by reference amending Title 17, Zoning, of the City Of Safford Municipal Code.** City Manager Skeete stated the First Reading was presented previously and that Dustin Welker is available to answer any questions or comments from the Council.

The City Clerk read the Title and Number of Ordinance Number O16-001.

A motion was made by Councilman Lopez, seconded by Councilman Malloque, and carried unanimously to approve and adopt Ordinance Number O16-001 an ordinance of the City of Safford Graham County, Arizona adopting by reference amending Title 17, Zoning, of the *City Of Safford Municipal Code*. **MOTION ADOPTED**

5 – Mayor Gibbs, Vice Mayor Ortega, Councilman Malloque, Councilman Seale, and Councilman Lopez

2. **Request to approve and adopt Ordinance Number O16-002 an ordinance of the City of Safford, Graham County, Arizona, authorizing the exchange of city land for land owned by Steve Garcia and to approve and adopt Ordinance Number O16-003 an ordinance of the City of Safford, Graham County, Arizona, authorizing the exchange of city land for land owned by Steve and Kim Garcia.** City Manager Skeete stated these ordinances were previously presented. Randy Petty is present to address any comments or questions.

Ordinance Number O16-002 was omitted from the packet. Because the item was not posted, the item was TABLED until the next meeting. **TABLED**

3. **Review and discussion of a new policy to provide local preference for contracts and purchases.** City Manager Skeete stated that staff has been discussing and considering a local preference ordinance for contracts and purchases. Alma Flores, Finance Officer, explained that “Local” is defined as Graham County. She presented a proposed policy that will allow for staff to choose a qualified merchant/bidders within Graham County if their bid is within 5% of the lowest bid. Rather than immediately choosing a merchant solely on the lowest bid, this policy will give staff the power to offer a qualifying merchant the opportunity to match the lowest bid. Using this policy the city will continue to receive the lowest price for goods and services. She added that purchasing locally will benefit Safford directly and/or indirectly. Purchasing locally means sales tax collected from the

purchase will be issued back to Graham County. Purchasing locally also allows the City of Safford to support local businesses.

City Manager Skeete stated that particular criteria and processes are put into place that allow it to happen. It has been tried in a number of jurisdictions and it has been challenged because of missing language in the ordinance. The City of Tucson and the City of Phoenix have a local preference ordinance. The City of Tucson was challenged and lost about four years ago. It is an opportunity for the City to offer such a policy. The policy doesn't have to offer 5%; it could be the average nationwide is between two and five percent. If the Council is inclined to consider such a policy. The City is obligated to take the lowest, responsible bidder. This preference will give the local contractor the opportunity to meet the offer of the lowest bid.

The Council asked staff to pursue and to consider law and the legal aspect of implementing such an ordinance.

11. CONTRACTS, AGREEMENTS, BIDS:

1. **Request to assign Hangar CH-2 from James Bishop to Open Loop Energy.** Dustin Welker, Planning and Zoning Development Director, stated that he received a letter from Mr. James Bishop requesting to assign the lease of Hangar CH-2 at the Safford Regional Airport to Open Loop Energy. The terms of the lease will remain the same. Since Mr. Welker received the request James Bishop passed away.

A motion was made by Councilman Malloque, seconded by Councilman Seale, and carried unanimously to assign Hangar CH-2 from James Bishop to Open Loop Energy. **MOTION ADOPTED**

5 – Mayor Gibbs, Vice Mayor Ortega, Councilman Malloque, Councilman Seale, and Councilman Lopez

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

City Manager: Mr. Skeete stated that he and the Human Resource Director will attend the annual RAGHT insurance renewal on Thursday and Friday.

Councilman Malloque: Graveside services for Mr. Bishop will be conducted tomorrow at 10:00 a.m. in the Safford Cemetery.

13. COUNCIL REQUESTS FOR AGENDA ITEMS: NONE

14. CITIZEN COMMENTS ON NON-AGENDA ITEMS: NONE

15. EXECUTIVE SESSION:

1. The Mayor and City Council may enter executive session, pursuant to Arizona Revised Statutes §38-431.03(A)(1) to discuss the process for conducting the Performance Review for City Manager, Horatio Skeete, and create an action plan for execution of the Performance Review. The City Council may adjourn executive session to reconvene regular session to take action regarding performance evaluation of City Manager, Horatio Skeete.

A motion was made by Councilman Malloque, seconded by Councilman Lopez, and carried unanimously to enter executive session at 7:57:48 p.m. **MOTION ADOPTED**

5 – Mayor Gibbs, Vice Mayor Ortega, Councilman Malloque, Councilman Seale, and Councilman Lopez

The Council reconvened regular session at 8:19: 31 p.m. They did not take action in regular session.

16. **ADJOURN:** It was moved by Vice Mayor Ortega, seconded by Councilman Malloque, and carried unanimously to adjourn at 8:19:37 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, January 25, 2016, and approved at a Regular Council Meeting on Monday, February 8, 2016. I further certify the meeting was duly called, held and that a quorum was present.

February 8, 2016

Date:

Georgia Luster, MMC, City Clerk