



“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, January 14, 2013 @ 6:00 PM
Safford Library Program Room, 808 S. 7th Avenue, Safford, Arizona

PRESENT: Wyn “Chris” Gibbs, Mayor; Mary Bingham, Vice Mayor; Council Member’s Ken Malloque, Gene Seale, Arnold A. Lopez, James D. Howes, and Richard Ortega.

STAFF PRESENT: David Kincaid, City Manager; Christine Fisher, Personnel Director; John Griffin, Police Chief; Don Knight, Director Management & Budget; Ann Waite, Finance Director; Randy Petty, City Engineer; Eric Buckley, Utilities Director; Leanne McElroy, Library Director Jenny Howard, Public Works Director; Dustin Welker, Planner/Downtown Manager; Kim Larkey, Information Processing Supervisor; Tisha Clark, Accounting Specialist; Clark Bingham, Fire Chief; and Georgia Luster, City Clerk. Dale Clark, IT Assistant and Sam Napier, IT Specialist, assisted with the audio/video recording of the meeting.

OTHERS PRESENT: Valerie Buckley; John Howard; Becky Sanchez; Rick Sanchez; Steve Wilson; Drew John, Graham County Board of **Supervisor’s**; Dalton Overstreet, Jan Napier, Arnold Delao; Bill Harmon, ADOT; Don Carter; Allen Thompson; Matthew Provencio; Kristin Thompson; Paul Garcia; Andrea Davis; Shelly Lockridge Rood; Callie Lockridge; Clay Morgan; Patrick Anderson, John Archuleta, Kent McKinney; Portland McKinney; Julie Matthews; Kimberly Peck; Andra Nehl; Seth Larson; Lisa Allred; Rebecca Coleman; James Bryce; Theresa Vasquez; Debbie Alvarez; Marie Freestone, Graham County Chamber; Susan Decker; Tammy Mayhew; Tracy Hansen; Steve McGaughey; and others who did not sign in. David Bell, the new Editor for Eastern Arizona Courier; and Kelly Van Shaar, Van Shaar Productions, video recorded the meeting were also present.

- 1. WELCOME AND CALL TO ORDER:** Mayor Gibbs welcomed everyone present and called the meeting to order at 6:00:54 p.m. He welcomed Drew John, Graham County Board of **Supervisor’s**; Don Carter, Pima Town Councilman; and David Bell, the new editor for Eastern Arizona Courier.
- 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:** Rev. Bob Holliday offered the opening prayer.
5. **CITIZEN COMMENTS ON AGENDA ITEMS:** Richard Sanchez, 765 West 24th Place, Safford: Mr. Sanchez addressed the Council after the discussion of Bath Salts and Spice.
6. **CONSENT ITEMS:** The Mayor and City Council may wish to consider approving Items 1 through 11 as Consent Agenda Items.
 1. December 10, 2012 Council Minutes.
 2. Police Report
 3. Building Inspection Report
 4. Public Works Report
 5. Business License Report
 6. Library Report
 7. Utilities Consumption Report
 8. Summary of Projects Planning and Grants Administration
 9. Prosecution Report
 10. Airport Reports for November & December
 11. Expense Report over \$5,000

It was moved by Councilman Ortega, seconded by Councilman Malloque, and carried unanimously to approve Items 1 through 11 as Consent Agenda Items as presented.

MOTION ADOPTED

7. **PURCHASING CARD REPORT:** It is recommended that the City Council approve the Purchasing Card Report through October 19, 2012. It was moved by Vice Mayor Bingham, seconded by Councilman Lopez, and carried unanimously to approve the Purchasing Card Report through October 19, 2012 as presented. **MOTION ADOPTED**
8. **SOUTHEAST ARIZONA CLEAN AND BEAUTIFUL (SEACAB):** Southeastern Arizona Clean & Beautiful (SEACAB) is requesting the Mayor and Council consider waiving landfill fees for the disposal of rubbish and trash they collect during their cleanup efforts.

City Manager Kincaid explained SEACAB is requesting the Council consider

waiving landfill fees for the disposal of trash they are collecting Valley wide. He noted the landfill must operate as a breakeven business and should not be subsidized by the tax payers of the City of Safford. The City of Safford supports and applauds **SEACAB's** efforts and stated staff works closely with them in their efforts. However, staff does not recommend waiving landfill fees because Safford residents would bear the costs for the entire county. He suggested SEACAB seek assistance with Graham County, Town of Thatcher and the Town of Pima in their cleanup efforts. Additionally, City staff is restricted because they cannot go onto private property. He reminded Council that if trash and rubbish (within the city limits) were properly packaged/bundled and placed at the curb, the City would pick it up the following week with no charge.

Councilman Seale suggested the City provide containers for SEACAB to use for City of Safford properties.

The Council stated they applaud **SEACAB's** efforts and directed staff to continue working with Jay Rasco and the group in their cleaning efforts.

9. FIRE DEPARTMENT: Introduction of Fire Department Officers.

Fire Chief, Clark Bingham, introduced the Fire Department Officers: Patrick Anderson, Captain (member since 2006); Steve McGaughey, Chief Engineer (member for 24 years); John Archuletta, Electrical Officer (member for 5 years); John McGaughey, Captain; Chris Murphy, Assistant Chief; Jimmy Torres, newest member, First-Aid Captain; Nathan Green, Officer & Jeb Hollowell, Lt.

Councilman Ortega suggested the Council begin looking for a solution for a Fire Department facility.

City Manager Kincaid explained staff is working on a short-term plan and will begin putting together a 20-year long range plan to define what the priorities are, schedule, organize, finance and construction of public safety facilities. The intent is to look at a comprehensive package of potential facilities and other public improvements over a 20-year period. The process will involve staff, council and the public in order to determine what the community needs and wants are.

The Council expressed their appreciation to the Fire Chief and volunteers for all they do for the community.

10. **RESOLUTION NUMBER 13-002:** Consider approving and adopting Resolution Number 13-002, a resolution of the Mayor and City Council authorizing the City of Safford to apply for a Bureau of Reclamation WaterSMART Grant to assist in the Meter Renewal Program committing the City to provide funding and/or in-kind contributions, not to exceed \$150,000. City Manager Kincaid explained both resolutions are required in order to apply for two separate grants through the Bureau of Reclamation, providing 50% matching funds. Both grants will assist with the meter replacement program and will be allocated in the next budget year, if awarded. One grant amount is \$150,000 and the second grant amount is \$750,000. He explained staff is in the process of establishing a plan for replacing meters. The tower will be placed at the Hillcrest water tank area on City property.

It was moved by Councilman Malloque, seconded by Councilman Howes, and carried unanimously to approve and adopt Resolution Number 13-002, a resolution of the Mayor and City Council authorizing the City of Safford to apply for a Bureau of Reclamation WaterSMART Grant to assist in the Meter Renewal Program committing the City to provide funding and/or in-kind contributions, not to exceed \$150,000.

MOTION ADOPTED

11. **RESOLUTION NUMBER 13-003:** Consider approving and adopting Resolution Number 13-003, a resolution of the Mayor and City Council authorizing the City of Safford to apply for a Bureau of Reclamation WaterSMART Grant to assist in the Meter Renewal Program committing the City to provide funding and/or in-kind contributions, not to exceed \$750,000. It was moved by Councilman Malloque, seconded by Councilman Howes, and carried unanimously to approve and adopt Resolution Number 13-003, a resolution of the Mayor and City Council authorizing the City of Safford to apply for a Bureau of Reclamation WaterSMART Grant to assist in the Meter Renewal Program committing the City to provide funding and/or in-kind contributions, not to exceed \$750,000.

MOTION ADOPTED

12. **INTERGOVERNMENTAL AGREEMENT:** Acknowledgement of addendum to Intergovernmental Agreement between the Arizona Department of Fire, Building and Life Safety, Office of Manufactured House and Graham County to enforce installation standards of quality and safety for manufactured homes, factory-built buildings, mobile homes, and the installation of the same. City Manager Kincaid explained the addendum to the County's IGA is with the State of Arizona. The Office of Manufactured Housing requires a certified inspector to complete

inspections. The IGA authorizes Graham County to act on the behalf of the City and on the behalf of the Office of Manufactured Housing.

It was moved by Councilman Seale, seconded by Councilman Lopez, and carried unanimously to acknowledge addendum to Intergovernmental Agreement between the Arizona Department of Fire, Building and Life Safety, Office of Manufactured House and Graham County to enforce installation standards of quality and safety for manufactured homes, factory-built buildings, mobile homes, and the installation of the same.

MOTION ADOPTED

13. **8th STREET/HIGHWAY 70:** Discussion and decision on City of Safford wishes for final configuration of 8th Street as it intersects with Highway 70. ADOT will make a presentation. City Manager Kincaid explained the Council discussed several options regarding the 8th Street/Highway 70 intersection last February in a work session. Bill Harmon, District Engineer from Safford ADOT District, is present and is hoping the Council will soon make a recommendation regarding the Highway 70 and East 8th Street intersection.

Bill Harmon noted this conversation is a follow-up to earlier discussions with the City and the public regarding preparations to widen US Highway 70 from two lanes to five lanes from Safford to Solomon - in particular, the intersection of US 70, Little Hollywood, and 8th Street Intersection. He introduced Steve Wilson, Project Manager, who pointed out traffic data, potential impact to keep the intersection open verses closing it as well as what the footprint would look like. He asked the Council to keep in mind that the project is in the design phase and is not programed in **ADOT's** Five Year Plan for construction. He noted the original plan was to widen US 70 from two lanes to five lanes from Safford to Solomon. As of now, the agency is focusing on a portion from Safford to the Lone Star Intersection. He noted that if finances allow, ADOT may consider a spot improvement on just this particular intersection. Several intersection options have been looked at in the past, including a round-about. However, based on the traffic analysis and public input, ADOT is suggesting eliminating several of the alternatives and focusing on two remaining alternatives that will be discussed this evening. He asked Steve Wilson to explain the traffic counts - peak hour directional approach volumes and peak hour turning volumes.

Mr. Harmon noted an average of 15 cars per hour was indicated during peak (busiest) hours, which is very little traffic. He encouraged anyone with any issues/concerns/questions about the intersection project to please contact him or Mr. Wilson at the District Office. He identified two possible alternatives suggested by ADOT:

Option #4: Create T-intersection by closing 8th Street and create cul-de-sac. If option is selected, intersection will not warrant traffic signalization. Scope of work will include creating cul-de-sac on east end of 8th Street, possibly remove Graveyard Wash Bridge, and reconstruct curbing along Highway 70 eliminating the old intersection. The cul-de-sac would accommodate a design large enough for such vehicles as garbage trucks and mail delivery trucks. Estimated construction costs would be about \$800,000 (acquire right-of-way about \$60,000, and cost to adjust utilities).

Option #5: Create 4-legged intersection by keeping both the 8th Street and Little Hollywood legs open. If option #5 is selected, intersection may warrant traffic signalization. For example, additional residential development or sufficient growth in regional and local traffic. Intersection would be squared off with a cleaner route across US 70. Estimated construction costs would be about \$900,000 (Right-of-way cost would about double (\$150,000), and cost to adjust utilities).

Mr. Harmon noted that either option would have an impact to the property (purchase property), reconstruction, and utility relocation. He asked the Council to carefully consider the input from the residents and the businesses. The Council does not need to make a decision tonight, but encouraged them to consider an option soon so that ADOT can continue with the design. He pointed out that if finances are available, ADOT would move from the design stage to spot improvement of the intersection.

Mayor Gibbs asked for the opinion of Randy Petty, City Engineer. Mr. Petty responded, from a traffic and safety point, he proposes to eliminate the intersection at 8th Street and construct the cul-de-sac. He added 8th Street is currently functioning as a collector street between Highway 191 and Highway 70 - Large trucks and speeding vehicles utilize 8th Street. Creating a cul-de-sac would allow the City to meet street standards and allow improvements to 8th Street making it a residential street.

Vice Mayor Bingham asked what the cost would be if 8th Street is closed, and to upgrade 8th Street by creating a cul-de-sac as opposed to leaving the street open to the US 70.

City Engineer, Randy Petty, stated if 8th Street remains open to US 70, semi-trucks with heavy loads would continue to travel on the street. The street is constructed of concrete with very little base which would require the removal of the concrete which would be expensive, construct drainage, and reconstruct the entire roadway. However, constructing a residential street designed for car traffic

would provide a little more latitude which may allow grinding down the concrete on the street and place an overlay on the street. Another issue is right-of-way (ROW) does not meet standards (residential ROW requires 40 feet) and currently has 34 feet. There is no chance of obtaining additional right-of-way without impacting homeowners in the area. He pointed out a collector street requires 80 feet of right-of-way. The street is currently 18 feet. He believes Option #4 is the best solution because of safety reasons in the area.

It was moved by Councilman Ortega, seconded by Councilman Howes, and carried 6-1 to recommend ADOT continues with the design of Option #4, creating a T-intersection by closing 8th Street and construct cul-de-sac at east end of 8th Street. Councilman Lopez opposed.

14. **ASSIGNMENT OF HANGAR LEASE AGREEMENTS:** The Mayor and Council may wish to consider allowing an Assignment of Hangar Lease Agreements for Hangars C-13, C-14 and C-15 at the Safford Regional Airport currently leased by Jetcrafters Worldwide, Inc. to Jetcrafters Aviation, LLC. City Manager Kincaid stated Christmas Eve he received a call that Jetcrafters Worldwide was going out of business January 1st. There was some scrambling to determine the best options for continuing business operations and leasing hangars at the Airport that the City owns and has debt service on. The existing workers at Jetcrafters had a desire to continue the operation of the business. He met with them on several occasions. They agreed to accept and assume all responsibilities of the existing agreements with Jetcrafters Worldwide. They are serious about remaining and continue business at the Airport. He explained two assignments of hangar lease agreements are being provided for approval: Hangar C-13 (month to month lease) and Hangars C-14 & C-15, (long term lease agreements).

It was moved by Councilman Malloque, seconded by Councilman Ortega, and carried unanimously to approve an assignment of Hangar Lease Agreements for Hangars C-13 (month to month lease), C-14 & C-15 (long term lease) at the Safford Regional Airport currently leased by Jetcrafters Worldwide, Inc. to Jetcrafters Aviation, LLC. **MOTION ADOPTED**

15. City Police Departments and other providers are facing increasing pressures from the public's use of "bath salts" and "spice". Because of this phenomenon, staff is proceeding with developing avenues to prohibit the sale and use of these products. As a part of this discussion we will be showing a short video clip that we hope will highlight the problem within our community. City Manager

Kincaid stated from a public and law enforcement perspective have been struggling with the synthetic drug problem. Part of the discussion will include a PowerPoint Presentation and short video clip highlighting the problem within our community.

Chief Griffin provided a brief PowerPoint Presentation and short video clip highlighting the problem drugs, (bath salts and spice) have created. He noted that every two years the Arizona Criminal Justice Commission does a survey of 8th, 10th and 12th graders using the different substances. This is the first year the survey included synthetic drugs - about 12-13% of our kids now are using synthetic drugs. Both of these synthetic drugs are responsible for the very psychotic and violent behaviors currently occurring in our community.

Mayor Gibbs commented that no matter whether bath salts/spice are legal or not, he assumes most of the audience here tonight share his opinion that we have a problem, an epidemic, a blight on our community. He assured the citizens that the City will do everything it can, from a legal aspect, to make this go away. He expressed appreciation to the Police Department for their efforts.

Councilman Ortega commented that it's not only a Safford problem, but a Graham County problem, State and National problem. He encouraged citizens and all governing bodies/agencies to work together in an attempt to curtail the problem.

Chief Griffin noted that the legislature may address the issue again this year.

Richard Sanchez, 765 W. 24th Place, Safford, Arizona addressed the Council at this time. He stated that he has come before the Council as a concerned father, business owner, and concerned citizen. As seen in the presentation, we have a problem in our city, county and state. He stated he is here to ask the Council to act instead of discuss. We have discussed for too long and as a citizen, I am not willing to wait on a government bailout if you will to fix the problem. I am here to ask for action such as other counties in the state have done. It's affected too many lives in this community. It's affecting a business, several businesses, I'm sure. It affects our business daily and it affects other people in the community. I'm here to ask you to go into action and follow suit and outlaw or prohibit the sale of these kinds of drugs, Spice and Bath Salts, in our city and county.

Mayor Gibbs stated that staff has provided possible solutions to the Council

regarding addressing the sale of synthetic drugs in the City. The Council is not setting on its hands. Unfortunately, we are limited by several things.

City Manager Kincaid stated one option is to amend the business license procedure. Another option is to consider what Yavapai County did. However, at this time, the council does not have clear, legal standing to actually do something this evening. He expressed appreciation to the County Manager who is working very closely with the Board of **Supervisor's** and others to address the issue. It is a regional issue.

Drew John stated the Board of **Supervisor's** have been working on this issue. It is one of the Board's priority in the next four years to get rid of this in the state. Although, he believes the issue must be addressed at the state level and need to get away from the chemistry portion of it, and get away from the outcome of the product being used. He has visited with Senator Gray who actually put legislature together on the bath salts, and Senator Crandall as well as Senator Griffin. He is meeting with some of the senators next Wednesday and Thursday to talk about this problem and to discuss about doing it from the outcome instead of the chemistry. He believes people that are doing business with those who are selling the product need to quit doing business with them. **It's** as simple as that. **It's** bad for our community. **It's** bad for our kids and the business needs to set profit aside and say we want to be a part of this community. We want to be an asset to this community and we need to quit selling this stuff. We currently have two businesses in this Valley doing it. They need to stop doing it because I know of one business that does it that has lost business because they sell and I think they would improve business if they would get rid of it. He expressed appreciation to the city manager and council for getting involved. It has to be done county wide and hopefully at the state.

Jose Hernandez, 210 W. 11th Street, Safford, Arizona addressed the Council at this time. He said he founded Graham County Against Synthetic Drugs and has a Facebook page with over one thousand supporting. He has a petition with over one-thousand signatures of support. He is aware of businesses who have been hurt by this stuff. He has talked to a few businesses and one business owners in particular who sells the drug and **doesn't** care. He is really happy that Yavapai County has done to enact nuisance laws. He stated he would be glad to present the presentation to the schools.

Mayor Gibbs stated that the Council is working on a legal, viable solution to make

it work. He directed staff to continue the process to find a solution.

City Manager Kincaid stated a draft amendment of the Business License procedure will be presented to the Council at the January 28th work session.

Councilman Lopez encouraged staff to work with local entities and to discuss the issue again.

Councilman Howes suggested citizens contact the State Attorney General (submit petition and letter writing campaign).

The Council expressed their appreciation to those who attended.

16. MEETINGS/ACTIVITIES HELD BY COUNCIL OR CITY STAFF:

City Manager Kincaid - The Governor's State of the State message was issued today. Legislation proposing tax simplification - eliminating Construction Sales Tax which would move Arizona and all local governments to a point-of-sale, materials-based tax collection. This legislation negatively impacts millions of dollars in state and local revenue.

17. COUNCIL OR STAFF REQUESTS FOR AGENDA ITEMS: NONE

18. CITIZEN COMMENTS ON NON-AGENDA ITEMS: NONE

19. ADJOURN: It was moved by Councilman Malloque, seconded by Vice Mayor Bingham and carried unanimously to adjourn the meeting at 7:47:31 p.m.
MOTION ADOPTED

APPROVED:

Wyn "Chris" Gibbs, Mayor
City of Safford

ATTEST:

Georgia Luster, MMC
City Clerk

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

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, January 14, 2013, and approved at a Regular Council Meeting on Monday, February 11, 2013. I further certify the meeting was duly called, held and that a quorum was present.

Dated: February 11, 2013

Georgia Luster, MMC, City Clerk