

TOWN OF GILA BEND

Minutes of the February 23, 2010 regular Council meeting.

I. CALL TO ORDER

- A. The meeting was called to order by Mayor Henry at 6:01pm.
- B. Pledge of Allegiance led by Don Clark
- C. Invocation given by Town Attorney McClure.

II. ROLL CALL

Mayor Ron Henry	Council Member Chuck Turner
Vice-Mayor Fred Hull	Council Member James "Bud" Turner
Council Member Fernando Fernandez-absent	Council Member Donny Young – arrive 6:10pm
Council Member Armida Gonzalez	

Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Public Works Director Parsi, Community Planner Fitzer, Fire Chief Birchfield, Records Clerk Eisenberger, Counter Operations Smith

III. PUBLIC HEARING:

The Mayor and Town Council shall receive public comment on a proposed Text Amendment to add a Solar Field Overlay Zone. **Mayor Henry opened the Public Hearing and turned the floor over to Community Planner Fitzer who gave a brief PowerPoint presentation on adding a Solar Field Overlay Zone. Council Member Gonzalez asked if they would still go through Planning and Zoning. Community Planner Fitzer responded that persons would still go through Citizen's Review, Planning and Zoning, and Public Hearing. Town Manager Buss commented that last month eight to ten companies and property owners looking to annex made inquiries, and there has been a lot of interest from other cities wanting information. There was no comment from the public. Mayor Henry closed the Public Hearing at 6:13pm**

IV. CONSENT AGENDA (all items subject to approval by a single motion; any Council Member may require any of these items to be voted on separately. **Council Member Gonzalez requested that Item B be held for further discussion.**

- A. Approval of February 5, 2010 special meeting minutes and February 9, 2010 regular meeting minutes. The Mayor and Town Council shall discuss and possibly take action on the approval of the February 5, 2010 special meeting minutes and February 9, 2010 regular meeting minutes. **Discussion and Action (WHITE) Council Member J. Turner moved to approve Item A. Seconded by Council Member Gonzalez. Motion to approve Item A passed unanimously; 6-0.**

- B. Call for Bid. The Mayor and Town Council shall discuss and possibly take action to Call for Bid for codification services of the Town Code and Ordinances. **Discussion and Action (YELLOW) Vice Mayor Hull moved to approve Item B. Motion seconded by Council Member J. Turner. Discussion on the need to clean up the Town Code and put it on the Town website. Discussion on the amount of \$10,000.00 is budgeted for the codification and that when done the Town Code will be put on the website making it easier for the public to access. Motion to approve passed unanimously; 6-0.**

V. BUSINESS - Discussion and possible action on the following items:

- A. ARRA Funded Signage Update: The Mayor and Town Council shall discuss and update the public on the status and facts relative to the proposed ARRA funded "Welcome to Gila Bend" monument sign. **Discussion Only. Town Manager Buss spoke about the feedback that he received, noted that nothing was set in concrete and that the item was back on the**

agenda for discussion and direction. Discussion on the long-term outlook, western theme or old-town motif and not a futuristic theme with lots of glass planned. Discussion on the limited time-frame for funding, two pre-approved ADOT sites at the airport and northern town limit, and Maricopa Road is another alternative for a 5x5 Welcome sign but that the cost association to the Town for environmental would be more to have other sites approved; cost and time are factors. Lois Kreeger, resident, spoke about leading the Rotary project to elect the current old crabs and that the funds raised used for scholarships, that the old crabs sign is an icon, and on the number of people calling her and requesting she start a petition to keep the "Old Crabs" signs but that she did not want to have to do that. Ms. Kreeger commented on the high school students talking about starting a petition, that it would be an injustice to remove the signs and requested that the Council reconsider and keep the signs as they are and where they are. Terry Basu, resident, noted that he agreed with Ms. Kreeger and spoke about his son in Afghanistan who has a buddy from New York that remembered the signs when he had passed through Gila Bend and asked the Council to please keep the signs where they are. Gracie Pinette, resident, commented that she has a long-time friend who is upset, the seniors are upset, RV'ers that have been coming here for years are also upset about the planned removal of the old crab signs. She mentioned that she had spoken with Bill Henry and that the signs are on his land and not on Town property and he, Mr. Henry, wants the old crab sign to stay put. She commented that the new signs planned are a monstrosity and a disgrace. Ms. Pinette began to make disparaging comments and had to be reminded by Mayor Henry to stay on subject and that the three minutes allotted to each member of the public to speak was up.

- B. Ordinance 10-01. The Mayor and Town Council shall discuss and possibly take action to adopt Ordinance 10-01, an Ordinance of the Common Council of the Town of Gila Bend, Arizona, hereby amending Town Zoning Code by adding Section(s) 16-3-12, 16-4-8 and definitions of Solar Field and Photovoltaic Array to Section 16-11-01 et seq., known as the Solar Field Overlay Zone. **Discussion and Action (LILAC) Mayor Henry read Ordinance 10-01 by title. Council Member C. Turner moved to approve Ordinance 10-01. Motion seconded by Council Member J. Turner. Motion passed unanimously; 6-0.**
- C. Resolution 10-03. A Resolution of the Mayor and Council of the Town of Gila Bend, Maricopa County, Arizona Declaring as a Public Record that Certain Document Filed with the Town Clerk and entitled "Ordinance 10-01." **Discussion and Action. (GREEN) Mayor Henry read Resolution 10-03 by title. Vice Mayor Hull moved to approve Resolution 10-03. Seconded by Council Member J. Turner. Motion passed unanimously; 6-0**
- D. Ordinance 10-02. The Mayor and Town Council shall discuss and possibly take action to adopt Ordinance 10-02, an Ordinance of the Common Council of the Town of Gila Bend, Arizona, hereby amending Ordinance 07-02; Section 1 designating Floodplain Administrator. **Discussion and Action (SALMON) Mayor Henry read Ordinance 10-02 by title. Vice Mayor Hull moved to approve Ordinance 10-02. Seconded by Council Member Young. Discussion on the current ordinance designates the Town Manager as the Flood Pain Administrator but the Community Planner does all the reviews, makes notifications, works with the Maricopa County Flood Control Division and it is a function of the Community Planner. Motion passed unanimously; 6-0**
- E. Resolution 10-04. The Mayor and Town Council shall discuss and possibly take action to adopt Resolution 10-01 adopting the November 2009 Maricopa County Multi-Jurisdictional Multi-Hazard Mitigation Plan. **Discussion and Action (PINK) Mayor Henry read Resolution 10-04 by title. Vice Mayor Hull moved to approve Resolution 10-04. Motion seconded by Council Member J. Turner. Public Works Director Parsi noted that this plan is a team effort to assist communities during emergencies and that the resolution is a requirement by FEMA. Motion passed unanimously; 6-0.**
- F. Call for Bid. The Mayor and Town Council shall discuss and possibly take action to Call for Bid for road improvements as set by Council at the February 9, 2010 meeting. **Discussion and Action (BLUE) Vice Mayor Hull moved to approve. Seconded by Council Member C. Turner. Public Works Director Parsi reviewed Projects #1 and #3 and noted that Council needs to approve in order to proceed with advertising for bid. Discussion on**

drainage plan for streets not included as we have no drainage facility, drainage a major issue, and when funding available will come before Council with plans for catch basin and sidewalks. Motion passed unanimously; 6-0.

- G. Community Rating System. The Mayor and Town Council shall discuss and possibly take action to authorize application to FEMA to participate in the Community Rating System. ***Discussion and Action (IVORY) Vice Mayor Hull motioned to approve. Seconded by Council Member C. Turner. Community Planner Fitzer noted that he attended a meeting to participate in the system, there is no cost to the Town and will help lower flood insurance rates to residents from the current 5% reduction to 10%. Motion passed unanimously; 6-0.***
- H. Theba Floodplain Delineation Study. Town Manager Rick Buss, as the designated Community Official responsible for Floodplain Management (Town Floodplain Administrator), is requesting approval by the Town Council to sign off based on the communities review, staff finds that the completed and proposed project, the FEMA Floodplain Delineation Study, meets all of the community floodplain management requirements and that all necessary Federal, State and Local permits will be obtained. ***Discussion and Action. (GOLDENROD) Vice Mayor Hull moved to approve. Motion seconded by Council Member C. Turner. Community Planner Fitzer spoke about the study has been ongoing for 1 ½ - 2 years, has not been done since the 1980's, Merrill-Paloma Ranch denoted as open space, some areas have never been studied and participating will help with community rating. Motion passed unanimously; 6-0***
- I. Energy Efficiency Block Grant Program Contract. The Mayor and Council shall discuss and possibly take action on approving a contract by and between the State of Arizona Department of Commerce Energy Office and the Town of Gila Bend, in conjunction with a grant application in the amount of \$57,127.19. ***Discussion and Action. (GRAY) Council Member J. Turner moved to approve with Vice Mayor Hull seconding the motion. Town Manager Buss reviewed that this is the contract to accept grant for the purchase of Solar Bees and the savings to the Town, approximately \$20,000.00. Motion passed unanimously; 6-0***

VI. MAYOR AND COUNCIL MEMBER'S REPORT ON CURRENT EVENTS

(This is the time Council Member's may present a brief summary on current events. The Council may not propose, discuss, deliberate or take any legal action on the information presented)

Council Member Young apologized for arriving late. He congratulated girls for their achievement in going to State Championship and that over 160 Gila Bend residents attended the game.

Council Member J. Turner: no report

Council Member C. Turner apologized for missing the last meeting and stated he was in the hospital for three days. He commented on experiencing first-hand the care patients receive from crew on Rescue 382 and thanked them for excellent care.

Mayor Henry: no report

Vice Mayor Hull spoke about Sister Barbara Webster being transferred, that it was decided to void herself of anything unnecessary and she gave him photos of the Gila Bend sunset on the last day of the 20th Century.

Council Member Gonzalez: no report

Council Member Fernandez: absent, no report

Public Works Director Parsi reported on a meeting regarding RD funding.

Community Planner Fitzer reported that Union Pacific Rail Road will be shutting down Martin Ave. on February 25th and 26th to improve the crossing. Council Member C. Turner asked if the Town would be inspecting and received a "yes" response.

VII. TOWN MANAGER REPORT

Town Manager Buss reported that he received letter regarding auditor monitoring and that Gila Bend Community Center and Tempe were the top two towns for the best client files. He reported that the Town is close to getting the R.D. funding, will be attending a CDAC meeting tomorrow, the Safe Routes to School grant application is going well, a MAG meeting for Gila Bend to receive full amount of funds, and a Work Session with ADOT

regarding SR85 Bypass will be held on March 9th.

- VIII. CALL TO THE PUBLIC (The procedures to follow if you address the Council are: Council requests that you express your ideas in three minutes or less and refrain from any personal attacks or derogatory statements about any individual . The Mayor will limit discussion whenever he deems such an action appropriate to the proper conduct of the meeting. At the conclusion of an open call to the public, individual members of the Council may respond to criticism made by those who have addressed the Council, may ask Staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take legal action on any matters during an open call to the public unless the matters are properly noticed for discussion and legal action.) **Town Manager Buss called attention to the Call to the Public has been moved to the end of the meeting and will remain there as it is more beneficial to residents. No public comment.**
- IX. EXECUTIVE SESSION: The Town Council may go into executive session for purpose of obtaining legal advice for any of the above agenda items pursuant to A.R.S.38-431.03(A)(3) **No Executive Session called.**
- X. ADJOURNMENT
Vice Mayor Hull moved to adjourn. Motion seconded by Council Member C. Turner. Motion passed unanimously; 6-0. Time of adjournment: 7:53pm.

Ron Henry, Mayor

ATTEST:

Beverly Turner, CMC
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held February 23, 2010, and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, CMC
Town Clerk