

TOWN OF GILA BEND

Minutes of the June 8, 2010 Regular Council Meeting

I. CALL TO ORDER

- A. Mayor Henry called the meeting to order at 6:00 pm
- B. Pledge of Allegiance was recited at the beginning of the Work Session
- C. Invocation was given at the beginning of the Work Session

II. ROLL CALL

Mayor Ron Henry	Council Member Chuck Turner
Vice-Mayor Fred Hull	Council Member James "Bud" Turner - absent
Council Member Fernando Fernandez	Council Member Donny Young - absent
Council Member Armida Gonzalez	

Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Finance Director Young, PWD/Engineer Parsi, Parks & Recreation Director Hoffman, Planning & Economic Development Manager Fitzer, Fire Chief Birchfield.

III. PUBLIC HEARINGS:

A. Ordinance 10-05: (TA-10.02) The Town of Gila Bend is requesting a Text Amendment to Section 16-5-05 Fences of the Town of Gila Bend Zoning Ordinance. **(Public Comment)**

B. Ordinance 10-06: (TA-10.03) The Town of Gila Bend is requesting a Text Amendment to Section 16-5-07 Off-Street Parking Requirements to the Town of Gila Bend Zoning Ordinance. **(Public Comment)**

***Mayor Henry opened the public hearings at 6:02 pm. Planning & Economic Development Manager Fitzer reviewed both Ordinances and with no public comment Mayor Henry closed the public hearings at 6:04 pm***

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)

A. Approval of May 25, 2010 Council meeting minutes: The Mayor and Town Council shall discuss and possibly take action on the approval of the May 25, 2010 Council meeting minutes. **Discussion and Action (WHITE)**

B. Organizational Chart: The Mayor and Town Council shall discuss and possibly take action on approval of the F/Y 2010/2011 Organizational Chart. Some changes have been made in response to changing needs of the Town and the retirement of Harry Parsi, Town Engineer. **Discussion and Action (BLUE)**

C. Town Engineer: Pursuant to Title 9 of the Arizona Revised Statutes, staff requests the appointment of Richard Wallace as the Town Engineer. **Discussion and Action (PINK)**  
***Vice-Mayor Hull moved to approve the consent agenda. Seconded by Council Member Chuck Turner. Motion to approve passed unanimously.***

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

A. Ordinance 10-05: (TA-10.02) The Town of Gila Bend is requesting a Text Amendment to Section 16-5-05 Fences of the Town of Gila Bend Zoning Ordinance. **Discussion and Action (GREEN)**

***Council Member Chuck Turner moved to adopt Ordinance 10-05. Seconded by Vice-Mayor Hull. There was a question as to the front and street side fence heights being 4' instead of the original 3' and it was advised that 3 ½' is the typical height. Council Member C Turner amended his motion to include changing the fence height for front and street side to 3 ½'. Seconded by Vice-Mayor Hull. There was discussion about fencing materials and the need to exclude certain types, such as old panels, those found in and***

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*around Palo Verde Heights. Planning and Economic Development Manager Fitzer advised that panels can be excluded. Motion to adopt with amendments passed unanimously.*

- B. Ordinance 10-06: (TA-10.03) The Town of Gila Bend is requesting a Text Amendment to Section 16-5-07 Off-Street Parking Requirements to the Town of Gila Bend Zoning Ordinance. **Discussion and Action (YELLOW)**

*Council Member C Turner moved to adopt Ordinance 10-06. Seconded by Vice-Mayor Hull. Vice-Mayor Hull spoke of his concerns with commercial parking in residential areas. Motion to adopt Ordinance 10-06 failed 0-5. Vice-Mayor Hull then moved to table Ordinance 10-06. Seconded by Council Member C Turner. Motion to table passed unanimously.*

- C. Maricopa County Flood Control District 2012-2016 CIP: The Mayor and Town Council shall discuss and possibly take action on submitting projects to be included in the Maricopa County Flood Control District Capital Improvement Plan (CIP) 2012-2016. **Discussion and Action (LILAC)**

*Planning & Economic Development Manager Fitzer reviewed the drainage projects to be included in the Maricopa County Flood Control District 2012-2016 CIP. The projects include South Gila Bend Drainage Improvements, these improvements consist of enlarging the existing drainage channel along the Gila Bend Canal; construction of a new detention basin on the upstream side of the Sand Tank Wash Levee; and replacing the culvert that discharges through the levee into Sand Tank Wash. Estimated cost of this project \$339,716. Sand Tank Wash Flood Control Improvements consisting of reconstructing the Sand Tank Wash levee to meet FEMA standards; construction of an over chute on the Gila Bend Canal at Bender Wash; and construction of an off-line, floodwater basin on Sand Tank Wash upstream of I-8. Estimated cost of this project \$20,662,000. Upstream Detention Facility, a 5,700 ac-ft floodwater detention facility 2.5 miles upstream of I-8 on Sand Tank Wash. Estimated cost \$27,492,000. Vice-Mayor Hull moved to approve submitting projects as presented to be included in the 2012-2016 Maricopa County Flood Control District CIP. Seconded by Council Member F Fernandez. Motion to approve passed unanimously.*

- D. Annexation: The Mayor and Town Council shall discuss and possibly take action on directing staff to assemble a petition for an annexation pursuant to a proposal by Steve Norwood. **Discussion and Action (SALMON)**

*Planning & Economic Development Director Fitzer advised that corrections have been made to the original report which includes 123 acres and 10 property owners. Fitzer suggested that Mr. Norwood be required to contact more property owners prior to moving forward with the annexation due to the vast area that would need to be served in the future. Mr. Steve Norwood, petitioner spoke about the desire to development this property making it a great addition to the Community. There was discussion about access to the properties with Pierpoint Road being closed. It was noted that current access to the proposed area is from Enterprise Road. There was a question about whether or not Enterprise Road was a dedicated Road and Mr. Norwood indicated that there was no legal access and that he is not looking for the Town to provide infrastructure. Planning & Economic Development Director Fitzer advised that if Mr. Norwood could get more property owners involved that would make the annexation more beneficial. There was further discussion about Pierpoint Road and legal access. It was suggested that the Town not pursue the annexation until legal access is obtained. Council Member C Turner moved to remove this item until a later date. Seconded by Council Member A Gonzalez. Motion to remove passed unanimously.*

- E. Code Compliance Policy: The Mayor and Town Council shall discuss and possibly take action on approval of the Town of Gila Bend Code Compliance Policy. **Discussion and Action (BLUE)**

*Planning & Economic Development Director Fitzer advised that the policy has been reviewed and recommended for approval by the Planning Commission and that the*

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*application has been completed and included. He also advised that he addressed Vice-Mayor Hull concerns about repeat offenders. Vice-Mayor Hull moved to approve the Town of Gila Bend Code Compliance Policy. Seconded by Council Member A Gonzalez. Motion to approve passed unanimously.*

- F. Arizona Department of Corrections IGA: The Mayor and Town Council shall discuss and possibly take action on approval of an intergovernmental agreement with the Arizona Department of Corrections for the provision of labor to the Town of Gila Bend. **Discussion and Action (PINK)**  
*Council Member C Turner moved to approve. Seconded by Vice-Mayor F Hull. Town Manager R Buss advised that the IGA has not been received and suggested that the Mayor be authorized to execute the IGA after review by the Mayor, Town Attorney and Town Manager. Council Member C Turner amended his motion to approve to include authorizing the Mayor to execute once reviewed by the Mayor, Town Attorney and Town Manager. Seconded by Vice-Mayor F Hull. Motion passed unanimously.*
- G. Youth Sports Bank Account: The Mayor and Town Council shall discuss and possibly take action on a request to open a separate bank account and receive revenues relative to the Gila Bend Youth Sports Programs. **Discussion and Action (GREEN)**  
*Parks & Recreation Director S Hoffman advised that a Parent Committee has been formed to assist with the youth sports programs and that they have requested to open a Town sponsored bank account. There was a question as to whether or not this would be a separate account or would deposits be made into the Town's current account and it was noted it would be a separate account. Council Member C Turner asked if the Committee had checked into becoming a 501C-3 non-profit in order to receive corporate sponsorship. It was noted that new account would follow the Town's current purchasing procedures. Council Member C Turner moved to approve the request to open a new bank account for youth sports programs. Seconded by Council Member F Fernandez. Motion to approve passed unanimously.*

## 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)

*Vice-Mayor Hull reported on the Memorial Day Celebration noting 50 persons were in attendance and he thanked Parks & Recreation Director Hoffman for his work. He then reported that he attended the Ceremony in Avondale that included a candle light Memorial and that he had invited their presenters to the Town's next Memorial Day Celebration however they were already booked. He then reported on the water line project advising that some testing has already been conducted and everything is O.K.*

*Council Member C Turner reported that he has received several compliments on the construction crew working on the water line project. He also thanked the Planning Commission and Planning & Economic Development Director Fitzer for their hard work. Mayor R Henry reported that the Chamber of Commerce is working on creating a personal phone book for Gila Bend. Anyone wishing to place an advertisement should contact Dayle Birchfield; the Chamber of Commerce is in need of support with this project and it will be advertising avenue for the local merchants.*

*Finance Director Young reported that she attended the WIFA sponsored "Utility Financial Management Seminar". The seminar addressed management, evaluation of cost of costs, available funding for water and wastewater enterprise accounts. She reported that she is working with the Town Manager in creating the 2010/2011 Town budget and most recently she has performed an evaluation to finalize the outstanding Accounts Receivable issues. PWD/Engineer Parsi reported that Well #4 has been repaired and the video has been received; pre-con for the street improvement project is set for Monday; the water line project is moving forward and the pipe appears to be O.K.*

*Planning & Economic Development Director Fitzer reported that the Pima Street Improvements Project is set to begin on June 23<sup>rd</sup>; Park & Ride project has begun; the pedestrian bridge grant application has been forwarded to the State Board.*

*Parks & Recreation Director Hoffman reported that the pool is open; his department is*

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*working adult swim; swimming lessons; 4<sup>th</sup> of July celebration. He also thanked Vice-Mayor Hull & Cyndi Eisenberger for their assistance with the Memorial Day Celebration and Harry Parsi for getting Well #4 back online.*

VII. TOWN MANAGER REPORT

*Town Manager Buss reported that the Contractors for the Pedestrian Improvements will begin their workday at 2:00 am; Abengoa – working on a strategy for transit that would serve all facilities, the environmental is expected to be completed late summer; the Town has received several inquiries from 7 different solar companies within the last 3 days; working on two new job recruitments PWD and CAP Office Receptionist; he has set a block of time for Council to individually review the budget & CIP and extended that offer to the public; thanked Heather Goebel, County Librarian for the gifts that she brought back from the Abengoa Seminar. Ms. Goebel gave a brief report on the Abengoa Seminar noting that it was well attended and that 16 projects have been submitted for loan guarantee. She reported that Abengoa intends to move forward regardless of the loan guarantee. APS is offering incentives to residents that switch to solar. She also reported that citizens can assist with moving these projects forward by contacting their local representatives. Town Manager Buss reported that the SR 85 project will be bid out in August with ground breaking in October. Fire Chief David Birchfield reported that he has submitted two grant applications to FEMA – a new engine and SCBA's.*

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.*)

*Mr. Terry Basu spoke about power plants and suggested that Council look closely at placing a tariff on power that is generated within the Town limits but does not stay here.*

IX. EXECUTIVE SESSION: 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 was called**

X. ADJOURNMENT

*Meeting adjourned at 7:04 on a motion by Vice-Mayor Hull and a second by Council Member C Turner. Motion passed unanimously.*

ATTEST:

\_\_\_\_\_  
Ron Henry, Mayor

\_\_\_\_\_  
Beverly Turner, CMC  
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held May 11, 2010, and the meeting was duly called and posted and that a quorum was present.

\_\_\_\_\_  
Beverly Turner, CMC  
Town Clerk

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