

TOWN OF GILA BEND

Minutes of the August 25, 2009, Council Meeting

I. CALL TO ORDER

- A. Call to order – **Mayor Henry called the meeting to order at 6:00 pm.**
- B. Pledge of Allegiance – **Pledge of Allegiance was led by Mayor Henry.**
- C. Invocation – **Invocation was given by Fred Hull.**

II. ROLL CALL

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

Staff Present

Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Public Works Director/Engineer Parsi, Fire Chief Birchfield, Finance Director Young, Records Clerk Eisenberger, Parks/Recreation Director Hoffman, Counter Services Smith

III. CALL TO THE PUBLIC

Border Patrol Agent Reno introduced himself as the Community Resource Liaison. He spoke about his desire to become a community member and that he is looking at working with the children of the community on a new program - operation detour – a program that would detour children from a life of illegal immigration and drug running.

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 the August 11, 2009 Meeting Minutes. The Town Council shall discuss and possibly take action on the approval of the August 11, 2009 minutes.
- B. Parks and Recreation Advisory Committee Appointment. The Town Council shall discuss and possibly take action to appoint Michelle Pablo to the Town of Gila Bend Parks and Recreation Advisory Committee.
- C. Parks and Recreation Advisory Committee Appointment. The Town Council shall discuss and possibly take action to appoint Jesus Rubalcava to the Town of Gila Bend Parks and Recreation Advisory Committee.
- D. Garney Construction Settlement. The Town Council shall discuss and possibly take action on approving a final closeout change and final payment application for the 1MG Water Tank.
- E. Closing Agreement. The Town Council shall discuss and possibly take action to approve entering into a Closing Agreement with “Taxpayer B” for the purpose of settling Taxpayer’s Transaction Privilege and Use Tax liability with the Town of Gila Bend in the amount of \$518,229.87.
Council Member C Turner moved to approve consent agenda as presented. Seconded by Council Member J Turner. Motion to approve passed unanimously (7-0)

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

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- A. League of Arizona Cities and Towns Proposed Resolutions. The Town Council shall discuss and possibly take action on the 2009/2010 proposed resolutions that will be considered at the League of Arizona Cities and Towns Conference. The Council will give direction to the Town Representative as to which proposed resolutions the Town supports. **Council Member C Turner moved to approve support of all proposed resolutions as presented. Motion seconded by Council Member J Turner. Motion passed unanimously (7-0)**
- B. Gatlin Site. The Town Council shall discuss and possibly take action on approving the Historic Preservation Commission's recommendations for the Gatlin Site. **Council Member C Turner moved to approve the recommendations as submitted by the Historic Preservation Commission. Motion seconded by Council Member F Fernandez. Ella Pierpoint of the Gatlin Site Steering Committee spoke against the recommendations noting that several items need to be in place prior to opening. She noted her concern with funds for signage coming from the T.O. Grant and that there are 3 parts to the development of the park 1) Erosion, 2) Signage and 3) Infrastructure. She spoke about the necessity for brochures and that she has applied to ADEQ for a \$12,800 grant to fund brochures relating to stabilization and soil erosion of the site. She advised that there were two areas of erosion and spoke about the need to have someone on site to hand out brochures and make sure that the ADEQ survey is completed. Mrs. Pierpoint indicated that it will take at least two years to complete the project to the point opening. She also advised that there are three criteria for the Park 1) Take care of the site, 2) Safety, and 3) Protect the Town against liability. There was discussion about current tours of the site and it was advised that David Doyle and Ella Pierpoint have given tours to select groups. Dayle Birchfield, Chairperson for the Historic Preservation Commission spoke about the need to open the Park to the public. She noted that the recommendation was derived from the entire Commission and that the Commission would like to work together with the Gatlin Site Steering Committee. Ms. Birchfield advised that the trail is getting older and the Commission is not asking for un-guided tours. Cyndi Eisenberger, Commission Member spoke about previous grants and their requirements noting that in 2005 a grant was received to fund brochures and signage it also required the Town to have the site open for public access at least 12 days per year. Mrs. Piepoint responded that the project went over budget and there were no other funds available to complete the project. There was discussion about the San Lucy Historic House and its completion. San Lucy District was paid \$1,000 in grant monies to purchase materials for the house and to date has not started the project. It was noted that San Lucy is ready to begin, however they have not had access to the site. With no further discussion Mayor Henry called for the vote. Motion to approve recommendations as submitted by the Historic Preservation Commission passed on a vote of 6-1 with Vice-Mayor Hull voting against.**
- C. E-Group Agreement. The Town Council shall discuss and possibly take action on approving E-Group as the landscape/streetscape designer for the Martin Avenue and Pima Street pedestrian and landscape improvements. E-Group is on the State Cooperative Agreement which the Town of Gila Bend is signatory to. **Town Manager Buss requested that this item be tabled until the next regular Council meeting due to Federal requirements AMEC will hire E-Group as a sub-consultant on the project. Based on that information Council Member C Turner moved to table this item until the next regular Council meeting. Seconded by Council Member F Fernandez. Motion to table passed unanimously. (7-0)**
- D. Geek Squad. The Town Council shall discuss and possibly take action on voiding the contract between Geek Squad and the Town of Gila Bend for the provision of information technology services.

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Town Manager Buss advised that Geek Squad requested a cost increase to the agreement. Council Member C Turner moved to discontinue the agreement with Geek Squad. Seconded by Council Member D Young. Motion to discontinue agreement passed unanimously. (7-0)

- E. All Covered Agreement. The Town Council shall discuss and possibly take action on approving All Covered for the provision of on-call and maintenance information technology services.

Town Manager Buss noted that All Covered would replace the Geek Squad in providing technology information services. Vice-Mayor F Hull moved to approve for All Covered for the provision of on-call and maintenance information technology services. Seconded by Council Member Gonzalez. Motion passed unanimously (7-0)

- F. Sanitation Rate Adjustment. The Town Council shall discuss and possibly take action on raising sanitation rates by seventy-five cents (\$0.75) per container per month for residential accounts, and five dollars fifty cents (\$5.50) per container per month for commercial accounts. The increases are pass-thru costs necessitated by a five dollar (\$5.00) per ton cost increase of tipping fees at the landfill.

There was discussion about the need for the increase and it was noted that the cost of the tipping fees had increased by another \$1.25 thereby necessitating an increase to residential accounts to ninety five cents (\$0.95) per container per month vs. the agenda amount of seventy five cents and commercial accounts increase to seven dollars and ten cents (\$7.10) vs. five dollars and fifty cents (\$5.50). Finance Director S Young advised that the increase does not include surcharges and that there will not be another increase until August 1, 2010. Council Member C Turner asked if staff had done any comparisons on tipping fees with other landfills and it was noted that staff can do a cost comparison and report back to Council if the rates are different. There was a question as to where the funds would come from if Council should not approve the increase and it was noted the monies would be pulled from the contingency. Council Member C Turner asked if the increase includes replacement cost for a truck and it was noted yes. With no further discussion Council Member C Turner moved to approve the sanitation rate increase ninety five cents (\$0.95) per container per month for residential accounts and seven dollars and ten cents (\$7.10) per container per month for commercial accounts. Seconded by Vice-Mayor Hull. Motion to approve passed unanimously. (7-0)

VI. MAYOR AND COUNCIL MEMBER REPORTS

Vice-Mayor Hull reported that he attended an ADOT meeting at which the topic of discussion was funding. He also reported that the League of Arizona Cities and Towns will be presenting a certain Public Official from South Tucson with a 36 year service award.

Council Member D Young expressed his condolences to the family of Pat Young and asked that everyone keep Wanda Taylor and her Great Grandson in their prayers as she has had a triple by-pass and her great grandson has been diagnosed with brain tumors.

Council Member Turner reported on the Arizona Ambulance Association Conference at which the topic of discussion was Medicare and its abomination.

VII. TOWN MANAGER REPORT

Town Manager Buss reported on the following:

Old Highway 80 Corridor Study – The stakeholders in the project have been notified of the feasibility study and it is the intent to connect Old 80 to Interstate 10. He then advised that a list of current projects can be found in the Gila Bend Sun.

- VI, EXECUTIVE SESSION: The Town Council may go into executive session for purpose of obtaining legal advice from the Town Attorney regarding Sabre Aircraft, Garney Construction Settlement and Closing Agreement as well as any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3)

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Council Member C Turner moved to enter into executive session. Seconded by Vice-Mayor Hull. Motion failed to enter into executive session.

VII. ADJOURNMENT

Council Member C Turner moved to adjourn. Seconded by Vice-Mayor Hull. Motion to adjourn passed unanimously. (7-0)

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 August 25, 2009, and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, CMC
Town Clerk