

# TOWN OF GILA BEND

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## Minutes of the December 8, 2009 regular Council Meeting

### I. CALL TO ORDER

- A. The meeting was called to order at 6:00pm by Mayor Henry
- B. Pledge of Allegiance led by Mayor Henry
- C. Invocation given by Airport Manager Drury

### II. ROLL CALL

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

**Staff present: Town Manager Buss, Town Attorney McClure, Town Magistrate Getzwiler, Town Clerk Turner, Public Works Director Parsi, Finance Director Young, Fire Chief Birchfield, Airport Manager Drury, Records Clerk Eisenberger**

### III. 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.)*

**Wayne Knutson, resident and business owner, spoke about his difficulty in obtaining a Building Permit. He noted that he wants to build a garage, a structured building, nest to his house. He commented that he cannot get a return call from the person doing the permitting or anyone else and questioned why an untrained secretary is handling the permits. He commented that it has been four weeks and he can not get an answer because the secretary is always out. He questioned whether the new regime is against new buildings going up in Gila Bend. Mr. Knutson commented on the hiring of a code enforcer, or other new person who will be the enforcer, and asked if the enforcer would start with the Town's own violations.**

**Jon Brewer, resident, commented on the fate of Gila Bend when SR85 is completed and asked how Gila Bend will benefit from being by-passed. He commented that he has attended SR85 meetings and listened to what they were saying. He noted that he has been here six years and has learned to live with the traffic through town as it is the lifeblood of the town. He asked if there was a master plan to handle the volume of business gone when by-passed and asked who will help?**

**Clyde Kreeger, resident, commented that he has been here since 1983 and questioned the need for a town planner when only seven (7) new businesses have come here since 1983. He commented that the Town Manager, Public Works Director, and Airport Manager with salaries over \$132,000/year, all live out-of-town and now add a Planner, and his salary, to the list. Mr. Kreeger commented that we need an enforcer, not a planner and that 67% of residents are below the poverty level. Mr. Kreeger commented that he was unhappy that our museum is now gone and asked what the work hours are for town employees. He commented that office staff have been at lunch when he has been in the Town Office at 10:00am and 3:00pm and asked what time are employee lunch breaks. Mr. Kreeger commented that a person is lucky if they find three (3) office staff employees still working at 3:00pm on Thursdays. Mr. Kreeger commented that there were eight (8) people working on a waterline break on the day before Thanksgiving that had to be getting double-time pay, for over-time and holiday pay, which is a waste of public funds.**

**Lois Kreeger, resident, commented that she was unhappy about the museum. She questioned why the Town Council allowed the museum space to be taken for another new employee and what happens to the artifacts in the museum. She noted that she did not donate all of the tile on the floor so that the space could be used as an office for another employee. Mrs. Kreeger asked if the Council was even aware of what is in the Museum and that she spoke to one Council Member who stated that they have not been inside the museum in 10 years. She questioned why the new Planner position had not been advertised and stated she was very angry.**

**Gracie Pinette, resident, commented that she was disgusted with all of the Council Members. She reminded them that they were elected to do a job and they were not doing it. She commented that there has not been a decent Town Manager in many years except for Dick McComb. Ms. Pinette questioned why was there another new person being hired. She commented that the Senior Coordinator at the CAP office was taken away and that she, and other seniors, are now having to do that paid persons job. Ms. Pinette noted that the Airport Manager and the new Planner are friends of the Town Manager and that the council needs to wake up. She stated that she is very angry.**

**Helen Mendoza, resident, commented that she is disgusted with what is going on. She stated that she is not pointing fingers at anyone but that the RO system is not benefitting the residents. She commented that the RO system used to be beneficial, but not anymore and that it is getting worse. She commented that she has to purchase bottled water for drinking. Ms. Mendoza commented that money spent on RO system should be used for something else and questioned why the Town was not using the general fund to keep up the cemetery for veterans. She asked about the CDBG money and noted that she was aware of how that program worked as she did the first CDBG application for the Town. Ms. Mendoza commented on MAG and that the fire hydrants belonged to them when she was involved and still belong to them now. She also noted that she believes that the Town can get experts for doing these projects without expending much money.**

**Joe Getzwiler, resident and Town Magistrate, thanked everyone who helped make Team Dominik a successful event. He thanked the Town employees, staff, and management for all of the help in getting the arena in good shape for the event. He noted that the arena is often used to raise money to help people in times of distress. Mr. Getzwiler commented that he was honored to be a part of the event and again thanked everyone involved.**

**Fred Burkhardt, resident and business owner, commented on the proposed Water/Wastewater rate hike, stating that he is gone 6 months/year and during that time he uses a little water for plants but now will have to pay for water and sewer that he is not using. He commented that the Town should put it's own house in order before hiring another new person. Mr. Burkhardt commented on a wet spot he discovered close to the place where he had a problem years ago that ruined his driveway. He mentioned that he spoke to Jesus Baldenegro who will check out his problem. He stated that a 6" line broke last time and now another problem. Mr. Burkhardt noted that if he ran his business and repaired cars like the Town does its job, he would be out of work. He commented that he would like to be able to commend the Town on a job well done but suggested that job reviews should be done to determine if all the departments are up to snuff. Mr. Burkhardt commented that the Town should start trimming costs before raising rate as there are many who are on social security and cannot afford to pay for water and services they do not use.**

#### IV. PRESENTATION

- A. Anza Trail. The Mayor and Town Council shall hear a presentation by the Maricopa Regional Director and the Landscape Architect from the National Park Service Rivers and Trails Program on the Anza Trail. **Discussion Only (BLUE) Elizabeth Stewart, Director of the Maricopa County Anza Trail Coalition, and Cate Bradley, Landscape Architect for the U.S. Department of the Interior, National Park Service, Rivers and Trails Program, presented information on the Anza National Historic Trail. Ms. Stewart spoke on Gila Bend being perfectly positioned to be promoted as a Gateway to the trail. She provided background on the Anza Trail that included: 1) designated a**

**National Historic Trail by Congress in 1990, 2) there are only 30 National Trails in the United States with 11 of the trails designated as Scenic Trails and 19 of the trails designated as Historic Trails, 3) the trail commemorates the 1200 mile trek made by Juan Bautista de Anza in 1776 from Mexico to San Francisco, and 4) 400 miles of the trail is in Mexico. Ms. Stewart stated that the purpose of the expedition was to establish an overland trail and that the expedition consisted of over 300 people, 1,000 head of livestock, and 60 soldiers, making the traveled route more of a corridor than a trail. Ms. Stewart commented that the trail is administered by the National Park Service through partnerships. She noted that the trail, depending on the location, is designated either as an Auto Route, Historic Auto Route, or as an Historic Trail that can be hiked, biked, or traveled on horseback. She commented that Gila Bend is lucky enough to have all three designations. Ms. Stewart noted that the designation as a gateway to the trail compliments the other historic and cultural attractions Gila Bend has and reinforces the image of Gila Bend as the Crossroads of the Southwest. Cate Bradley stated that 16 miles of the trail is in the Sonoran National Monument and that she has received positive feedback from the meetings she has had with several residents and Town staff. She spoke on the potential for economic development through scenic and historic tourism. Ms. Bradley noted that because the trail is designated as a National Historic Trail, the National Park Service Rivers and Trails Program can help with some funding, assist with finding available funding, and provide technical support for trail related issues. Following the presentation, there was discussion on the trail that included: 1) Anza Trail is not part of the Butterfield Overland Stage Route or the Mormon Battalion Route, but it is in close proximity with connective and overlapping east-west trails; and 2) trail is defined through research of historic journals and historians. Wayne Knutson, resident and business owner,, commented that this area has illegal smuggling and illegal immigration that is bad enough that there are signs posted that warn people of this problem. He asked how will the people using the trail be protected and secured from the illegal activity. Ms. Bradley noted that Santa Cruz County has similar issues but they have found that the more an area is used, the less illegal activity takes place, trail is used in daylight hours, and the BLM also monitors the trail. It was noted that most of the illegal activity and the signs warning of illegal activity are located south of both SR238 and Interstate 8.**

- B. Desert Operations Tactical Training and Range Solutions (DOTTS). The Mayor and Town Council shall hear a presentation by Mr. Matt Nisbet and Karl De la Guerra of Desert Operations Tactical Training and Range Solutions (DOTTS), providing an economic development update on the Town leased property located approximately at SR238 and Mile Marker 3. **Discussion Only. Matt Nisbet and Karl De la Guerra provided an update on DOTTS progress to date that included: 1) land leased in October; 2) currently have two (2) temporary trailers, generator, port-a-potties on site; and 3) a two (2) year contract has bENE executed with a training company. Discussion on Gila Bend being a good fit for this type of training operation, teams will have extensive training for seven (7) to nine (9) days, entertainment industry (Hollywood) expressing interest in sending actors here to train for law enforcement, military, and border movies. J.J. Jeffrey spoke about how his 27 years of media experience provided him with contacts that are interested in training in this area as it is in close proximity to studios and private jets will be able to land at the Gila Bend Municipal Airport. Joe Evans, an NRA instructor, mentioned that there is interest in concealed weapon permits and a class for Gila Bend residents will be available. Discussion on public access to the shooting range facilities will remain the same, range and facilities will be improved and security will be enhanced.**

V. PUBLIC HEARING

Public Hearing. The Mayor and Town Council shall hold a public hearing regarding proposed water and/or wastewater rate adjustments. **Public Comment Only. Mayor Henry opened the Public Hearing at 7:13pm Resident Clyde Kreeger commented that he looked over the rates and the Town shows he uses 100,000 gallons of water per month but that amount of water could cover his lot 2 feet deep. He spoke on his attempt to help beautify the city and now he is paying for wastewater not going in to the sewer system. He noted that he cannot drill a**

*well on his property because he is too close, less than 300 feet, to the line. Mr. Kreeger mentioned that he has no problem with the water rate, but the sewer rates need fixed. He noted that the Town needs to hire supervisors for the town employees and run the town like a business.*

*Wayne Knutson, resident and business owner, commented that he realizes that costs go up over time, but should not make big jumps all at one time. He spoke about the hardships it places on people on limited and fixed incomes. Mr. Knutson commented that the townspeople need representation and rates should be increased gradually.*

*Mayor Henry noted that our system is in bad shape and that the rates have to be raised in order to receive grant funds. He noted that to receive funding, the Town has to show that we are at least breaking even. Mayor Henry commented that the General Fund has been used for years to pay for this and it needs fixed.*

*Wayne Knutson spoke again and asked about the fire hydrants. He commented that he came here 25 years ago and asked where the location of the nearest fire hydrant is to his property. He commented that there should be a fire hydrant close.*

*Fred Burkhardt, resident and business owner, asked if he needed to reiterate what he spoke about before. He noted that much of this problem has been inherited by many of the Council Members and staff, but there are some on council that have been there and should have been aware. He mentioned that he has spoken many times with Vice Mayor Hull but has gotten nowhere. Mr. Burkhardt commented that everyone was thrilled when the R.O. plant done and questioned if a recent study on cost to operate it has been completed and whether money can be saved by doing some cutting in that area.*

*Mayor Henry noted that three (3) years ago there were 12 people in the Water/Wastewater Dept. and now there are 2 full-time and one part-time person in that department. He mentioned that other departments help out as needed.*

*Fred Burkhardt commented that it is the voters that put people in office and on council and though he realizes it is a thankless job, it is a case of taxation without representation.*

*Victoria Young, resident, commented that she came to the Town office yesterday to check on her water bill and requested a re-read but never received one. She noted that she should have had a \$76 credit on her bill but only received a \$50 credit. Ms. Young noted that when she came to speak about her bill, Teresa Smith, front desk person, was shopping on-line at Macy's and when she asked for assistance, Ms. Smith indicated that wasn't her job. Ms. Young questioned her about another matter and she advised that she was given the same response. Ms. Young noted that she asked Ms. Smith what she does and the reply was that she just takes the payments. Ms. Young commented that Ms. Smith has a very bad attitude. Town Manager Buss noted that he will do a follow up on this matter.*

*Jon Brewer, resident, spoke about moving here because he likes living in a small community. He noted that every official making the big money does not live here or spend here. Mr. Brewer stated that he draws Social Security, he is retired, and though he is not really hurting for money, but when he sees Gila Bend with so many poor people and the executives here making all of the money here and they are not a part of Gila Bend, he gets angry. He then commented that this new planning guy will be another person making big money and not living in the community or contributing to it. He stated that he might have liked to apply for the position, as he is qualified, and questioned why the position was not posted in the Gila Bend Sun.*

*Mayor Henry commented that many of the school teachers, Superintendent, etc. also live out-of-town, not just town employees. He noted that the economy is a huge factor in being able to sell homes and that housing market is preventing many from moving to Gila Bend.*

*Town Manager Buss commented that he has had his house on the market for two years and is unable to sell it and he cannot afford to pay for two homes.*

***Fred Burkhardt, resident and business owner, thanked the Council and Staff for the beautiful job on the repaving at Pima and Martin and over the railroad tracks.***

***Gracie Pinette, resident, commented that the Council should be working for the residents, not Town Management and Staff, and that there will be many members who won't be re-elected when their terms expire.***

***Helen Mendoza, resident, commented that other ways to keep rates low should be looked at. She noted that she returned to Gila Bend after 10 years, she has attended a lot of government meetings and things have not changed her; there is still nothing for the residents to do and that Gila Bend needs other venues.***

***Kyle Stanbro, a non-resident, noted that though he is not from here, he will be doing a lot of work on the shooting range. He commented that he felt encouraged to come here, that he will have employees and there will be new businesses and people might help reduce rates.***

***Public Hearing was closed by Mayor Henry at 7:37pm. as there was no further comment.***

VI. 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 November 10, 2009 Meeting Minutes. The Town Council shall discuss and possibly take action on the approval of the November 10, 2009 minutes. **Discussion and Action.**

B. Fighter Country Partnership. The Mayor and Town Council shall discuss and possibly take action to approve a request from Fighter Country Partnership to renew the Town's Falcon membership at a cost of \$100.00. **Discussion and Action**

C. Parks and Recreation Advisory Committee Appointment. The Town Council shall discuss and possibly take action to appoint Mr. Terry Basu to the Town of Gila Bend Parks and Recreation Advisory Committee. **Discussion and Action**

D. Department of Energy Grant Application. The Mayor and Town Council shall discuss and possibly take action on approving a letter to the Science Foundation of Arizona relative to a \$10M-\$15M proposal to the Department of Energy in collaboration with Arizona Public Service, SmartPower, Arizona State University, and Cities and Schools/Districts. The letter, which authorizes the Science Foundation of Arizona to apply for the grant on behalf of the Town of Gila Bend seeks Federal funding to implement an energy campaign that will reduce peak power demand, replace power from nonrenewable energy sources with onsite renewable energy resources, lower home and business energy costs and increase energy awareness within neighborhoods using a school-centric model. **Discussion and Action**

E. Fire Monitoring System for Community Center. The Mayor and Town Council shall discuss and possibly take action to approve an Agreement with ADT for installation, maintenance and monitoring of a fire alarm system for the Town's Community Center. **Discussion and Action**

F. December 22, 2009 Council Meeting. The Mayor and Town Council shall discuss and possibly take action to move the regular Council meeting of December 22, 2009 to December 15, 2009. **Discussion and Action**

***Vice Mayor Hull moved to approve and a second was made by Council Member C. Turner. Vice Mayor Hull noted that Item A, November 10, 2009 Meeting Minutes, contained errors: should reflect he requested to repair/patch roof of sub-station, not fix the roof, and that his request was made prior to the motion and second was made. Discussion on tabling approval of minutes. Vice Mayor Hull moved to amend his motion to pull Item A for further review and approve items B through F. Motion to pull Item A for further review and approve items B through F seconded by Council Member C. Turner. Motion passed unanimously; 7-0.***

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

- A. Resolution 09-11. A Resolution of the Town Council of the Town of Gila Bend, Maricopa County, Arizona, authorizing the Town to submit applications to the Maricopa County Community Development for Community Development Block Grant Funds and execute awarded agreements. **Discussion and Action**  
**Council Member C. Turner moved to approve Resolution 09-11. Seconded by Council Member Fernandez. Town Manager Buss thanked Public Works Director Parsi and Town Clerk Turner for the excellent job of preparing applications and having them ready for submittal by the deadline date of December 14, 2009. Motion passed unanimously; 7-0.**
- B. Resolution 09-12. A Resolution by the Mayor and Town Council of the Town of Gila Bend, Maricopa County, State of Arizona, adopting new rates for water and/or wastewater services pursuant to ARS 9-511.01, and setting the effective date for February 1, 2010. **Discussion and Action**  
**Greg Schwarz spoke on how base rates were developed and provided justification for proposed rates. Discussion on what measures taken to cut costs, a decrease in personnel costs, General Fund should be used for other areas and not to subsidize Water/WasteWater, and Rural Development requires a system be self-sufficient to obtain grants. Discussion on Gila Bend rates, even with increase, still fall below the Arizona average, options available for decreasing wastewater rates, US National Standards used, increases throughout Arizona and nation-wide, and feasibility of looking into different options to reduce wastewater rates as Rural Development concerned primarily with self-sufficient water system, not wastewater system. Council Member C. Turner motioned to approve Resolution 09-12 with this amendment: "adopt water user fees as detailed in the December 8, 2009 rate study and, if possible, subject to RD concurrence, to phase in the increases over a period not to exceed two (2) years and defer action on wastewater user fees subject to Council adopting a cost allocation methodology for water uses not conveyed to the wastewater treatment facilities". Seconded by Council Member Fernandez. Motion passed unanimously; 7-0.**
- C. Lauridsen Aviation Museum. The Mayor and Town Council shall discuss and possibly take action on the approval of an agreement for the Lauridsen Aviation Museum to be constructed at the Gila Bend Municipal Airport. **Discussion and Action**  
**Council Member Young moved to approve. Seconded by Council Member J. Turner. Hans Lauridsen commented that he attempted to do this museum in Gila Bend once before but did not get far and he would not be here now except for Town Manager Buss and Airport Manager Drury, both convinced him to come back. Mr. Lauridsen noted that he would like to get together about the possibility of moving Gila Bend Museum from the town office to the airport, which would be a more secure facility. Discussion on access to airport museum from SR85 is planned one-half mile from the main entrance for security purposes and to prevent access to the runway by visitors to the museum; directing all visitors through the office. Discussion on the building size which allows for planes to be stored and maintained, 22 different planes along with WWII jeeps and trucks will be on display. Discussion on the current parking lot located to far away from museum building, hampers maneuvering of planes, and there should not be any negative effect on the planned transportation corridor. Discussion on costs of project are significant but there is no cost to Town, aviation museum will promote Gila Bend, open to school field trips to watch restoration process, will have no adverse effect on the Goldwater Range, aviation is a big tourist attraction and is the number one tourist industry in Palm Springs, CA. Discussion on amount of 40-year lease payment remaining at \$10,000/year for the entire length of lease. Council Member Gonzalez thanked Mr. Lauridsen for reconsidering Gila Bend. Motion passed unanimously; 7-0.**
- D. Staffing for Adequate Firefighter and Emergency Responders (SAFER) Grant. The Mayor and Town Council shall discuss and possibly take action on approving a grant application for the Staffing for Adequate Firefighter and Emergency Responders (SAFER). **Discussion and Action**  
**Fire Chief Birchfield presented information on the SAFER grant. Discussion on cost to**

***town to equip new personnel, number of applicants expected, and figures presented are preliminary. Discussion on tabling until December 15, 2009, providing Fire Chief Birchfield with a list of questions and concerns to be addressed prior to December 15th, and setting up a work session. Council Member C. Turner motioned to table Item D until December 15, 2009 and that a Work Session on the SAFER grant be held prior to the Council meeting. Motion seconded by Vice Mayor Hull. Motion passed unanimously; 7-0.***

- VIII. 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 C. Turner thanked the community for attending and providing input. Council Member J. Turner thanked the community for attending. Council Member Young thanked the community for the turn-out at the meeting.***
- IX. TOWN MANAGER REPORT  
***Town Manager Buss noted that he wrote down the names of those with issues and he will be contacting each of them to address the issues they expressed.***
- X. EXECUTIVE SESSION: The Town Council may go into executive session for purpose of obtaining legal advice from the Bill Sims, Attorney regarding Sabre Aircraft/Richard Helm Airport Lease Agreements as well as the Town Attorney on any of the above agenda items pursuant to A.R.S.38-431.03(A)(3). ***No Executive Session was called.***
- XI. ADJOURNMENT  
***Council Member Young motioned to adjourn. Motion seconded by Vice Mayor Hull. Motion passed unanimously; 7-0. Time of adjournment: 9:19pm.***

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Ron Henry, Mayor

ATTEST:

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Beverly Turner, CMC  
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held December 8, 2009, and the meeting was duly called and posted and that a quorum was present.

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Beverly Turner, CMC  
Town Clerk