

TOWN OF GILA BEND

Minutes of the January 22, 2013 regularly scheduled Council meeting

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a Council meeting on January 22, 2013 beginning at **6:00** p.m., in the Gila Bend Town Council Chambers located at 644 W Pima, Gila Bend, Arizona. A copy of the final agenda will be available twenty-four hours prior to the meeting in the Town Clerk's Office, 644 West Pima, Gila Bend, AZ 85337.

I. CALL TO ORDER

- A. Call to order **Mayor R. Henry called the meeting to order at 6:00pm**
- B. Pledge of Allegiance **Led by Mayor R. Henry**
- C. Invocation **Given by Town Attorney S. McClure**

II. ROLL CALL

Mayor Ron Henry
Vice-Mayor Chuck Turner
Council Member Fernando Fernandez
Council Member Armida Gonzalez - **absent**

Council Member Steve Holt
Council Member Tommy Lee Sikes
Council Member Donny Young

Staff present: Town Manager R. Buss, Town Attorney S. McClure, Town Clerk B. Turner, Finance Director S. Young, Planning & Economics Development Director (PEDD) E. Fitzer, Public Works Director (PWD) B. Menard, Social Services Director (SSD) Diane Dempsey; Parks & Recreation Director (P&RD) C. Turner, Deputy Town Clerk C. Eisenberger

III. 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)

Vice Mayor C. Turner made a motion to approve. Motion seconded by Council Member T. Sikes. No discussion. Approved: 6-0

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the January 8, 2013 regular meeting and work session minutes.

Discussion and Action

- B. **Payment of Claims:** The Mayor and Town Council may discuss and possibly take action to ratify claims in the amount of \$779,550.88 for the period of January 1, 2013 through January 15, 2012. **Discussion and Action**

IV. BUSINESS – Discussion and possibly action on the following items:

- A. **Resolution 13-01:** 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 S. Holt moved to approve. Motion seconded by Council Member F. Fernandez. PEDD E. Fitzer reviewed applications. No discussion. Approved: 6-0

- B. **Memorandum of Understanding Saddle Mountain School District:** Staff requests approval of a Memorandum of Understanding (MOU) by and between the Town of Gila Bend through its Helping Families in Need (HFIN) Program and the Saddle Mountain School District (Ruth Fisher School) in order to provide for certain social services needed within the Tonopah, Arizona area. **Discussion and Action**
Vice Mayor C. Turner moved to approve with a second made by F. Fernandez. Town Manager R. Buss reviewed and spoke on the programs in Tonopah and noted that total funding is provided by First Things First. No further discussion. Approved: 6-0

- C. **GBUSD Intergovernmental Agreement:** Mayor Henry and Vice-Mayor Turner have requested to have input on the development of a proposed intergovernmental agreement with the Gila Bend Unified School District. Staff requests receipt of Council comments, edits, and requests relative to this proposed agreement, of which a draft was submitted to Council for review and input on November 13, 2012. **Discussion and Action**
Town Manager R. Buss reviewed the IGA and noted there were no comments submitted by Council. Discussion on this approximate time to complete will be a few more weeks and length. Vice Mayor C. Turner noted that he would like to submit comments and

moved to table this item to the next meeting. Seconded by Council Member F. Fernandez. Motion to Table to next meeting approved: 6-0

- D. **Special Event Permit:** The Mayor and town Council may discuss and possibly take action to approve submittal of a special event alcohol permit to the Arizona Department of Liquor License and Control to allow for the sale of alcohol (beer only) at the Annual Butterfield Stage Days February 16 & 17, 2013. **Discussion and Action**
P&RD C. Turner reviewed the permit application. Motion to approve made by Council Member S. Holt. Seconded by Vice Mayor C. Turner. No discussion. Approved: 6-0
- E. **Emergency Generator Installation Award of Bid:** The Mayor and Town Council may discuss and possibly take action to award the bid for the installation of an emergency generator to Sellers & Sons, Inc. in the amount of \$29,707.00. **Discussion and Action**
PWD B. Menard reviewed received bids, noting the bids ranged from \$26,900 to \$58,500. Discussion on manual starting of generator and using a natural gas generator. No further discussion. Motion to approve made by Vice Mayor C. Turner and seconded by Council Member D. Young. No further discussion. Approved: 6-0
- F. **Environmental Cleanup Award of Bid:** The Mayor and Town Council may discuss and possibly take action to award the bid for Environmental Cleanup of two Town properties to Chemical Transportation, Inc. in the amount of \$19,790.00. **Discussion and Action**
PWD B. Menard reviewed prior clean-up done and remaining clean-up needed and noted the historic water tank area cleaning is included. Council Member S. Holt moved to approve. Seconded by Council Member F. Fernandez. Discussion on waste material across from the Fire Department. Approved: 6-0
- G. **Citrus Valley Road & Powerline Road Intersection Award of Bid:** The Mayor and Town Council may discuss and possibly take action to Award the Bid for the Citrus Valley Road & Powerline Road Intersection Project to Combs Construction in the amount of \$83,328.00. **Discussion and Action**
PEDD E. Fitzer reviewed bids and work to be performed and noted that most of the bids were over \$100,000.⁰⁰. Council Member S. Holt motioned to approve with a second by Council Member T. Sikes. No further discussion. Approved: 6-0
- H. **Gila Bend 9-11 Memorial Pavers:** The Mayor and Town Council may discuss and possibly take action to amend the amount of lines of copy per paver from two lines to three lines. **Discussion and Action**
PEDD E. Fitzer noted that the cost of \$75.⁰⁰ per paver will still work. Discussion on depth of engraving and sealant. Vice Mayor C. Turner motioned to approve. Motion seconded by Council Member F. Fernandez. No further discussion. Approved: 6-0
- I. **Gila Bend 9-11 Memorial:** The Mayor and Town Council may discuss and possibly take action to rename the 9-11 Memorial Park to the Gila Bend Memorial Park. **Discussion and Action**
PEDD E. Fitzer spoke about some requests from Council Members and residents wanting 'Gila Bend' added to the name of the park. Discussion on what the parks official name should be. Vice Mayor C. Turner motioned to make the official name of the park as Gila Bend 9/11 Memorial Park. Motion seconded by Council Member T. Sikes. No further discussion. Approved: 6-0
- J. **Gila Bend Veterans Memorial:** The Mayor and Town Council may discuss and possibly take action to direct staff to relocate the Gila Bend Veterans Memorial from Pioneer Cemetery to the Gila Bend Memorial Park. **Discussion and Action**
PEDD E. Fitzer noted that some are interested in moving the Veteran's Memorial to the new Gila Bend 9/11 Memorial Park. Discussion on cleaning and moving and adding of names to the 19 currently on the memorial. Vice Mayor C. Turner moved to approve. Second by Council Member F. Fernandez. No further discussion. Approved: 6-0
- K. **Outsourcing of Sanitation Service:** The Mayor and Town Council may discuss and possibly take action to outsource the Town of Gila Bend Sanitation Services to Waste Management. **Discussion and Action**
PWD B. Menard reviewed sanitation services to be provided. Resident Clyde Kreeger noted he spoke with several Council members and noted that if service kept by Town the rates must be raised, new equipment needed and someone

with proper training for maintaining the new equipment. He also spoke about container weight and that a 10 year contract is long and should be reduced to 5-years or less. Resident Heather Goebel voiced concerns about costs and losing control of service. Chris Reddington with National Bank asked about the commercial service and whether they would have the ability to renegotiate rates. Terry Basu, resident, commented on the 10 year contract being too long and suggested a trial contract of two to three years. David Birchfield, resident, commented on customer service issues found on the internet are not favorable. PWD B. Menard reviewed timeline for service is approved and corrected contract items that were issues previously. Discussion on transition time, recycling, Waste Management community involvement, and pit issue. PWD B. Menard noted that if Town keeps the service rates needs raised, can replacement, \$250,000 to purchase truck plus other costs. Vice Mayor Turner noted that he was contacted by Bill Hollowell as he wanted to bid on the service. It was noted that the bid process already done and Mr. Hollowell didn't bid on the service at that time. Discussion on restarting bidding process. Vice Mayor C. Turner moved to cancel this process and restart the bidding process. Motion to reject bid and restart bidding process. Motion failed with Council Members Fernandez, Holt and Mayor Henry voting Nay. Council Member S. Holt motioned to outsource the sanitation service. Motion seconded by Mayor R. Henry. Approved: 4 – 2 Voting No: Vice Mayor C. Turner, Council Member F. Fernandez

- L. **Shooting Range:** Request by Council Member Sikes to discuss the Town of Gila Bend Shooting Range. Discussion Only *Council Member T. Sikes spoke access to the facility. Town Manager R. Buss spoke on facility ownership and public access and that there were several complaints from the public told they have to pay to join the Sportsmen's Club to access the facility. Mr. Buss noted that he re-typed the original agreement with the Club and forwarded to Mr. Tony Davis and was still waiting for his reply. Council Member S. Holt spoke about the clubs desire is to have facility open and keep vandalism down.*
- M. **Flow Charts for Appointments:** Request by Vice-Mayor Turner to discuss flow charts for appointments of personnel. Discussion and Action *Vice Mayor C. Turner spoke about having the positions of Town Clerk and Finance Director revert back to being appointed positions like they had been a few years previously. He noted that he had difficulty in getting information and desired more responsiveness from these positions. Town Manager R. Buss noted that he had concerns having these two positions being singled out and that if any member of the Council cannot get requested information that is available from any employee he would like to know immediately. Mayor R. Henry noted that he had an issue with getting items on the agenda and it was noted there is the Future Agenda Items section on each agenda where Council Members add agenda items they would like addressed. Council Member D. Young commented that if they want Directors to be appointed then every Director should be appointed or none of them and that he is unclear where there are problems. Town Attorney S. McClure commented that he has a problem with this discussion as the agenda item is Flow Charts not actual positions. He noted that if individual positions are to be discussed then it needs to be re-agendized to reflect actual positions. Discussion on appointment ratification and the check and balance system. Vice Mayor C. Turner moved to table this item to next meeting. Council Member F. Fernandez seconded. Motion to table item approved: 5-0 with Council Member D. Young abstaining.*
Tabled
- N. **Town Manager:** The Mayor and Town Council may discuss and possibly take action on amending the Town Manager's contract by extending the term to January 8, 2015, to increase compensation in accordance with the 2012 small cities compensation study conducted by the Town of Youngtown, and for compensation to be retroactive to July 1, 2011. Discussion and Action *Town Manager R. Buss noted that this item postponed from January 8, 2013 meeting. It was noted that Council Member A. Gonzalez was not able to make it to the meeting and should be present for this item. Mayor R. Henry noted that item VII. MCSO Report would be addressed next.*

- V. 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 F. Fernandez: no report

Council Member A. Gonzalez: absent

Council Member S. Holt: no report

Council Member D. Young thanked everyone who attended Fireman's Ball and thanked PEDD E. Fitzer for dancing. He commented that outsourcing sanitation service is a big issue and that he spoke with representatives of Waste Management at the open house and received good input.

Council Member T. Sikes: No report

Vice Mayor C. Turner commented that everyone knows his position on outsourcing sanitation services and he thanked everyone for attending the Fireman's Banquet.

Mayor R. Henry noted that he spoke with Mayors of different towns and 90% of them like Waste Management and that he does not want to lose control and thinks this will be great for the residents of Gila Bend.

No reports from department heads given.

VI. TOWN MANAGER REPORT

Town Manager R. Buss thanked all who attended the Open House and thanked the department heads for their hard work.

VII. MCSO REPORT

Captain Dan Weland introduced himself, reviewed his history with Gila Bend and reviewed the issues in Gila Bend. He noted that on the theft and arson there have been two arrests with three more coming soon. Discussion on starting Silent Witness program again. Business owner Rich Rucker noted burglaries are up, Social Services Director D. Dempsey spoke about recent robbery, and resident Clyde Kreeger that he has names of suspected thieves. Captain Weland reported on Deputy R. Garcia's condition and that he looks forward to working with the community, Council and Town Manager. Mayor R. Henry noted that Council return to Item V. Mayor and Council Members Report on Current Events.

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.)

Tammy Turner asked if the Visitor Center volunteer is in place.

Judy Hollowell spoke about needing more street lighting at Gila Bend Estates.

Clyde Kreeger asked what can be done about junk cars in front of residences and drinking in front yards.

Dianne Henry asked what can be done about out-of-control trash at Family Dollar that is blowing around and littering the streets.

IX. FUTURE AGENDA ITEMS

(This is the time Council Member's may request items be placed on future agenda's)

Council Member F. Fernandez moved to have Gila Bend Estates Additional Street Lighting added to future agenda. Seconded by Council Member S. Holt. Approved: 6-0

X. EXECUTIVE SESSION: The Town Council may go into executive session for the purpose of obtaining legal advice relative to the Town Manager's annual review pursuant to A.R.S. 38-431.03(A)(1); and/or for the purpose of discussion or consultations with designated representatives of the public body to consider its position and instruct representatives regarding negotiations for the purchase, sale or lease of real property, pursuant to A.R.S. 38-431.03(A)(7).

No Executive Session called.

XI. ADJOURNMENT

Council Member S. Holt moved to adjourn. Council Member F. Fernandez seconded.

Approved: 6-0 Time of Adjournment: 7:51pm

Ron Henry, Mayor

ATTEST:

Beverly Turner, MMC
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held January 22, 2013 and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, MMC
Town Clerk