

# TOWN OF GILA BEND

## Minutes of the April 10, 2012 regular Council Meeting

### I. CALL TO ORDER

- A. Call to order **Mayor Henry called t he meeting to order at 6:00pm**
- B. Pledge of Allegiance **Led by Mayor Henry.**
- C. Invocation **Given by resident Fred Hull.**

### II. ROLL CALL

Mayor Ron Henry  
Vice-Mayor Chuck Turner  
Council Member Fernando Fernandez  
Council Member Armida Gonzalez  
Council Member Steve Holt  
Council Member Tommy Lee Sikes  
Council Member Donny Young

**All councilmembers present.**

**Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Planning and Economic Director Fitzer, Finance Director Young, Parks and Recreation Director Turner, Airport Manager Drury, Deputy Town Clerk 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 **Councilmember Holt motioned to approve. Motion seconded by Councilmember Gonzalez. No discussion. Motion passed unanimously; 7-0**

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council shall discuss and possibly take action on the approval of the March 27, 2012 regular meeting minutes.  
**Discussion and Action**
- B. **Payment of Claims:** The Mayor and Town Council shall discuss and possibly take action to ratify claims in the amount of \$145,428.77 for the period of March 16, 2012 through March 31, 2012. **Discussion and Action**
- C. **Fighter Country Partnership at Luke Air Force Base:** The Mayor and Town Council shall discuss and possibly take action to renew membership to the Fighter Country Partnership at Luke Air Force Base. **Discussion and Action**

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

- A. **Ordinance 12-04 APS Franchise Agreement:** An Ordinance of the Common Council of the Town of Gila Bend, Maricopa County, Arizona, hereby granting to Arizona Public Service Company, the right , privilege and franchise to construct, maintain and operate upon, over, along, across and under the streets, alleys, avenues, highways, bridges and other public places in the Town of Gila Bend, Arizona, and future additions thereto, electric light and power lines, together with all necessary or desirable appurtenances, for the purpose of supplying electricity to the Town of Gila Bend, its successors, the inhabitants thereof, and persons and corporations either within or beyond the limits thereof for all purposes; repealing conflicting Ordinances and Resolutions; incorporating by reference the franchise agreement, the Resolution for the canvass of the Special Election, copies of which are attached hereto and declaring an emergency. **Discussion and Action Councilmember Holt motioned to approve. Motion seconded by Councilmember Fernandez. No discussion. Motion passed unanimously; 7-0**
- B. **Ordinance 12-05 SWG Franchise Agreement:** An Ordinance of the Common Council of the Town of Gila Bend, Maricopa County, Arizona, hereby granting to Southwest Gas Corporation, the right , privilege and franchise to construct, maintain and operate upon, over, along, across and under the streets, alleys, avenues, highways, bridges and other public places in the Town of Gila Bend, Arizona, and future additions thereto, a gas distribution plant and system, together with all necessary or desirable appurtenances, for the purpose of supplying natural gas and artificial gas or mixture thereof, its successors, the inhabitants thereof, and persons and corporations either within or beyond the limits thereof for all purposes; repealing conflicting Ordinances and Resolutions; incorporating by reference the franchise agreement the

Resolution for the canvass of the Special Election, copies of which are attached hereto and declaring an emergency. **Discussion and Action Councilmember Holt motioned to approve. Motion seconded by Councilmember Fernandez. No discussion. Motion passed unanimously; 7-0**

- C. **Special Event Liquor License:** The Mayor and Town Council shall 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) at the Annual Fly-In April 13<sup>th</sup> & 14<sup>th</sup>, 2012. **Discussion and Action Vice Mayor Turner motioned to approve. Motion seconded by Councilmember Sikes. No discussion. Motion passed unanimously; 7-0**
- D. **Telephonic Attendance of Council Meetings by Members of Council:** The Mayor and Town Council shall discuss and possibly take action on a request by Council Member Steve Holt relative to Council Member participation of Council Meetings by technological devices. **Discussion and Action Manager Buss reviewed information received from Attorney Generals office. Town Attorney McClure reviewed legalities and open meeting law. Discussion on putting a policy in place addressing criteria for electronic attendance by Councilmember. Mayor Henry commented on his concerns on issues raised by other Mayors. Discussion on any councilmember desiring to attend by telephone to notify the Clerk's office prior so that attendance can be agendized. Councilmember Gonzalez noted CDAC uses telephonic participation regularly. Vice Mayor Turner noted moral obligations involved. Mayor Henry motioned to have staff look into setting a policy/procedure for attending telephonically. Seconded by Vice Mayor Turner. No further discussion. Motion passed unanimously; 7-0**
- E. **Pima Street Waterline Design:** The Mayor and Town Council shall discuss and possibly take action to authorize staff to prepare a Request for Scope of Work and to obtain a Cost Proposal from an Engineering firm from the Town of Gila Bend On-Cal list ranked under the Council approved Water/Wastewater List to design waterline improvements along Pima Street. **Discussion and Action Director Fitzer reviewed project and options to guarantee all are served. Vice Mayor Turner motioned to approve. Motion seconded by Councilmember Fernandez. No discussion. Motion passed unanimously; 7-0**
- F. **Change Order Butterfield Trail Waterline Project:** The Mayor and Town Council shall discuss and possibly take action to approve a Change Order related to the Butterfield Trail Waterline Project. **Discussion and Action Director Fitzer reviewed project status. Discussion on extra valves. Councilmember Holt motioned to approve. Motion seconded by Councilmember Gonzalez. No further discussion. Motion passed unanimously; 7-0**
- G. **9-11 Memorial Design Renderings:** The Mayor and Town Council shall review and discuss renderings created for the Town of Gila Bend 9-11 Memorial Project. **Discussion Only Director Fitzer reviewed current status of project and requested Council input. Discussion on seating and shade. Resident Fred Hull commented on possibly cutting in half and making half the 9/11 Memorial and half a Veteran's Memorial, adding benches and adding an amphitheater in another phase, parking on Capitol Ave. and noted we need a Veteran's Memorial. Mr. Hull asked about the possibility of moving the old church to the 9-11 Memorial site. Vice Mayor Turner commented that a small amphitheater would be nice and Mayor Henry commented on how nice the amphitheater in Avondale is. Airport Manager Drury commented on dedicated paving stones being a good idea. No further discussion.**
- 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)  
**Councilmember Fernandez: No report**

**Councilmember Gonzalez: No report**  
**Councilmember Holt: No report**  
**Councilmember Young commended management and staff for doing a great job.**  
**Councilmember Sikes: No report**  
**Vice Mayor Turner: No report**  
**Mayor Henry: No report**

**Town Clerk Turner requested that Councilmember's call legislators regarding HB2826 and SB2570 and a brief summary on each bill. Manager Buss noted that a Supreme Court ruling on Charter cities does not affect Gila Bend and also urged Council to contact legislators.**

**Director Turner commented on the success of the Easter event noting over 50 children participated and reviewed current projects. Director Turner noted that he is involved with initial discussions regarding revitalization of Painted Rock Lake.**

**Director Young reported on status of Gannett Fleming issue, auditor reports completed and reviewed status of work on the FY12-13 budget and AZSTA grant.**

**Director Fitzer reviewed status of both Scott Ave and Capitol Ave. Waterline projects and noted the Maricopa County Flood Control District work is moving forward.**

**Airport Manager Drury reported on the new signs at the airport and the upcoming Air Fair on April 14<sup>th</sup>.**

VI. TOWN MANAGER REPORT

**Manager Buss reported that two news agencies will be coming to town, reviewed status of library renovation project and that he attended the Mayor/Managers meeting and that they reiterated the same information as in the Council Retreat.**

- VII. 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.) **Resident Gracie Pinette commented on there are a couple of unhappy people at the Senior Center due to a man who was taking blood pressure readings for a couple of seniors was told he could no longer do so. She asked why? Manager Buss responded that someone would look into the matter. Resident Terry Basu asked about the weather station at the airport. Airport Manager Drury responded that information can be accessed on line through NOAA. Councilmember Gonzalez asked if the weather information can be put on TV stations with Mr. Drury responding that he was unsure of the answer.**

VIII. FUTURE AGENDA ITEMS

(This is the time Council Member's may request items be placed on future agenda's) **No items.**

- 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); and/or for the purpose of obtaining legal advice regarding settlement negotiations pursuant to A.R.S. 38-431.03(A)(4); 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). **Vice Mayor Turner motioned to go into Executive Session. Motioned seconded by Councilmember Sikes. Motion passed unanimously; 7-0. Time: 6:54pm.**

**The regular meeting reconvened at**

X. ADJOURNMENT

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Ron Henry, Mayor

ATTEST:

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Beverly Turner, MMC  
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular Council meeting held April 10, 2012, and the meeting was duly called and posted and that a quorum was present.

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Beverly Turner, MMC  
Town Clerk