

TOWN OF GILA BEND

Minutes of the September 10, 2013 regular Council meeting

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a special Council meeting on September 10, 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 S. Holt called the meeting to order at 6:01pm**
- B. Pledge of Allegiance **Led by Mayor S. Holt**
- C. Invocation **Given by Town Attorney S. McClure**

II. ROLL CALL

Mayor Steve Holt
Vice-Mayor Chuck Turner
Council Member Fernando Fernandez-**absentttt**
Council Member Armida Gonzalez-**absent**

Council Member Ron Henry
tCouncil Member Tommy Lee Sikes
Council Member James Turner

Staff present: Town Manager F. Buss, Town Attorney S. McClure, Town Clerk B. Turner, Finance Director S. Young, Planning and Economic Development Director (PEDD) E. Fitzer, Public Works (PWD) Director B. Menard, Parks and Recreation Director (PRD) 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 motioned to approve the Consent Agenda. Second by Council Member J. Turner. No discussion. Motion to approve passed: 5-0**

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the following meeting minutes:
 - July 17, 2013 Special Council Meeting
 - July 22, 2013 Work Session
 - July 22, 2013 Special Council Meeting
 - July 23, 2013 Regular Council Meeting**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 \$278,087.62 for the period of July 16, 2013 through August 31, 2013. **Discussion and Action**
- C. **Statement of Support:** The Mayor and Town Council may discuss and possibly take action to approve a Statement of Support for the Arizona Power Consumers Coalition. **Discussion and Action**

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

- A. **Ordinance 13-05 Town Code Amendment:** An Ordinance of the Town Council of the Town of Gila Bend, Arizona, amending the Gila Bend Town Code as currently enacted in Chapter 38 Purchasing, by adding Section 38.18, Cooperative Procurement. **(Mayor Holt will read Ordinance 13-05 by Title only) Discussion and Action Town Attorney S. McClure recommended adding the language, “by state statute and or the Town Code” in Subsection B, after, “...such an agreement is allowable... “. PEDD E. Fitzer noted this is needed as there were questions as to whether the Town Code of Gila Bend adequately allowed for Cooperative Procurement with the state. He noted that the Town already has an active IGA for Cooperative Procurement with the State so there should not have been an issue but better to also amend the language by using the same language used by another city that is considered ‘adequate’. Vice Mayor C. Turner moved to approve Ordinance 13-05 Town Code Amendment by Adding Section 38.18. Second by Council Member R. Henry. No discussion. Motion to approve Ordinance 13-05 Town Code Amendment passed: 5-0**
- B. **Merrill-Paloma Ranch Master Plan Land Use Amendment:** The Mayor and Town Council may discuss an amendment to the Merrill-Paloma Ranch Land Use Plan requested by Gene

Shelton. Discussion only **PEDD E. Fitzer reviewed the Merrill-Paloma Master Plan Land Use. PEDD E. Fitzer reviewed Mr. Shelton's planned land use and reiterated the reasons behind the Council's earlier support for Mr. Shelton's planned land use and reviewed the land use map. No further discussion.**

- C. **Employee Health Insurance Renewal:** The Mayor and Town Council shall discuss and possibly take action to approve annual renewal of employee insurance benefits with Aetna beginning December 1, 2013. **Discussion and Action Town Manager F. Buss noted that if employee health insurance renewed now that everything remains the same whereas, the new medical act goes into effect in February 2014 and impact on rates is unknown. Council Member R. Henry motioned to approve employee health insurance renewal. Second by Council Member T. Sikes. No discussion. Motion to approve employee health insurance renewal passed: 5-0**
- D. **Main Street Design:** The Mayor and Town Council may 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-Call list ranked under the Council approved Transportation List to develop an engineered design for Main Street. **Discussion and Action Town Manager F. Buss noted that this is for a cost proposal only to determine cost to do. PWD B. Menard reviewed the base problems and noted that the cost proposal will provide other options. Town Manager Buss noted there is \$400,000 in the budget for this project. Vice Mayor C. Turner motioned to approve authorizing staff to prepare a Request for Scope of Work and obtain a Cost Proposal from the on-call list of engineers. Second by Council Member J. Turner. No further discussion. Motion to approve passed: 5-0**
- E. **Development Impact Fee and Infrastructure Improvement Plan Request for Proposals (RFP):** The Mayor and Town Council may discuss and possibly take action to issue an RFP for the update to the Town of Gila Bend Development Impact Fee (DIF) and design of an Infrastructure Improvement Plan (IIP). **Discussion and Action Town Manager F. Buss summarized infrastructure issues and spoke on attracting housing. PEDD E. Fitzer reviewed the new requirements of SB1525 and the importance of fairness of impact fees. Discussion on impact fees to be used in zone collected, the 10-year deadline to use fees, the benefits to the Town impact fees have, fees based on a case-to-case basis for each developer and each zone has different set of fees. Council Member R. Henry moved to approve staff to issue an RFP for the update to Gila Bend's Development Impact Fee and design of an Infrastructure Improvement Plan. Second by Vice Mayor C. Turner. No further discussion. Motion to approve passed: 5-0**
- F. **Airport Waterline Call for Bids:** The Mayor and Town Council may discuss and possibly take action to Call for Bids for the Airport Waterline Project. **Discussion and Action PEDD E. Fitzer reviewed noting all permits are in place and project is ready to go. Discussion on cost, future storage tanks and funding includes \$360,000 in budget and possible FAA funding for waterline on actual airport property. Council Member R. Henry moved to approve to Call for Bids for the Airport Waterline. Second by Vice Mayor C. Turner. No further discussion. Motion to approve the Call for Bids on the Airport Waterline passed: 5-0**
- G. **1st Street Sewer AOC Engineering and Professional Services Agreement:** The Mayor and Town Council may discuss and possibly take action to authorize staff to prepare a Request for Scope of Work, to obtain a Cost Proposal from Ritoch-Powell from the Town of Gila Bend On-Call list ranked under Council approved Water/Wastewater List and execute a Professional Services Agreement with Ritoch-Powell to submit permitting for the Approval of Construction (AOC) for the 1st Street Sewer Line in the not to exceed amount of \$4,000. **Discussion and Action PEDD E. Fitzer reviewed agreement and noted the not to exceed amount of \$4,000 in place. No discussion. Vice Mayor C. Turner motioned to approve the 1st Street Sewer AOC Engineering and Professional Services Agreement. Second by Council Member R. Henry. Motion to approve passed: 5-0**
- H. **Papago Waterline Design and professional Services Agreement:** The Mayor and Town Council may discuss and possibly take action to authorize staff to approve a Professional Engineering Services Agreement with WLB Group for the design of the CDBG funded Papago

Waterline project in the not to exceed amount of \$39,600.00. **Discussion and Action PEDD E. Fitzer reviewed status noting the project is moving in to the design phase. Discussion on 4" lines. Council Member R. Henry moved to approve authorizing staff to approve the Papago Waterline Design and Professional Services Agreement. Second by Council Member T. Sikes. Motion to approve passed: 5-0**

- I. **Capitol Avenue Waterline Project Change Order #2 (Davis Bacon Settlement):** The Mayor and Town Council may discuss and possibly take action to approve Change order #2 the Davis Bacon Wage Settlement related to the Capitol Avenue Waterline Project. **Discussion and Action PEDD E. Fitzer reviewed issues with the Change Order #2, noted that Sellers & Sons have already reimbursed the employees and that Sellers & Sons always go above and beyond what they are contracted to do. Discussion on this being an issue of timing and the Change Order is fair to all. No further discussion. Motion to approve Change Order #2 made by Council Member R. Henry. Second by Vice Mayor C. Turner. Motion to approve passed: 5-0**
- J. **DR3900 Spectrophotometer Purchase/Waive Bidding Requirements:** The Mayor and Town Council may discuss and possibly take action to approve the purchase of a DR3900 Spectrophotometer in the amount of \$5,274.67 from the Hach Company and waive bidding requirements declaring Hach as a sole source provider. **Discussion and Action PWD B. Menard summarized the need to purchase the Spectrophotometer, ADEQ's requirements, noted this is the only piece of equipment able to raise to level required. He the 'new' lab built by staff and the problem with chlorine levels. Discussion on the number of employees to be trained will be three (3). Council Member R. Henry motioned to approve the purchase and waive bidding requirements. Second by Vice Mayor C. Turner. Motion to approve purchase and wave bidding requirements passed: 5-0**
- K. **CAT Grader Repair/Waive Bidding Requirements:** The Mayor and Town Council may discuss and possibly take action to approve repair of the CAT 140 H Grader in the amount of \$7,563.43 to Empire Machinery and waive bidding requirements declaring Empire Machinery as a sole source provider. **Discussion and Action PWD B. Menard noted that Empire Machinery will come here to do repairs so equipment will not have to be transported, that Carlos Fernandez has already done all of the repairs able to be done by the Town and Empire Machinery is a sole source provider. Council Member J. Turner noted that Empire Machinery does great work but there are other providers out there, Empire Machinery is not a sole source provider and that they use other providers out at the base. No further discussion. Council Member R. Henry moved to approve CAT Grader Repair and Waiving Bidding Requirements. Second by Mayor S. Holt. Motion to approve passed: 5-0**

AGENDA ADDENDUM ITEM

- L. **Road Closures:** The Mayor and Town Council may discuss and possibly take action on a request from Gila Bend High School to close Papago from Martin to Weidner; Hunt from Euclid to Weidner and Richards from Euclid to Martin for the Gila Bend High School Annual Homecoming Parade to be held September 27, 2013. **Discussion and Action PWD B. Menard noted the benefits of Public Works and Fire Department handling as the roads are Town roads, not Pima Street/ADOT, giving Town more control. Council Member R. Henry moved to approve the Road Closures. Second by Council Member T. Sikes. Motion to approve passed: 5-0**
- 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 A. Gonzalez – absent
Council Member F. Fernandez – absent
Council Member R. Henry – No report but thanked PEDD E. Fitzer for the great job he has done.
Council Member J. Turner – Reported that the Annual League Conference was great and that all Council Members should attend.
Council Member T. Sikes – No report
Vice Mayor C. Turner – Asked for prayers for the Fred Hull family, thanked Paul Van Zandt and everyone involved with graffiti clean-up and commented that the cemetery looks great.

Mayor S. Holt – Reported that five (5) Council Members and Town Manager attended the Annual League Conference, which was great. He hoped that everyone learned something from the conference. He reported that the Wreath Laying Ceremony at the 9/11 Memorial Park takes place tomorrow at 8:30am and that the contractor built the wall around the pump and debris is being removed by Loren Brown.

VI. TOWN MANAGER REPORT

- **Town Manager F. Buss reported that he presented to The Town of Buckeye the transmission initiative as they have requested to formally join the Gila Bend Transmission Initiative (GBTI) and is placing the MOU on their Council Agenda, Planning Director Recruitment is well under way and scheduled 3 candidates for interviews next week. Town Manager F. Buss reported on his meeting with the Arizona State Director for Sister Cities International and they have reviewed the documentation that he put together, made some minor edits and pledged full support in finalizing our Sister City agreement with Puerto Penasco and to meet with Mayor Holt and Vice-Mayor Turner in the near future to finalize documents, get signatures, etc. and that In October, the Urban Land Institute will be presenting to Council their report from the Technical Assistance Panel – This report looks at recommendations for prioritization of strategies and actions for community development. Participants included Gila Bend elected officials, staff, local business owners, Gila Bend school district, and private sector professionals specializing in various aspects of community development. He reported that the Tucson Electric Power is in negotiations to purchase a stake in the natural gas plant; should this deal be consummated, we can expect more power production, meaning greater revenues to the Town, Next week will be reviewing quarterly progress of the FY13/14 Work Plan, with Department Heads and Working on some options for project managing the Pima Street beautification project via the Pima Street Master Plan completed by WLB group and also working on some potential federal funding of this project as well as two others.**

Town Manager F. Buss also reported for the:

Planning and Economic Development Department that a September 12th Special Planning and Zoning Commission Meeting to be held at 5:00PM on the Elks Lodge Site Plan Application, Doubletree Paper Mill expansion is moving forward, foundations will be poured this week, with the building arriving in approximately two weeks and the Gila Bend Small Area Transportation Study is moving along, looking for a possible Public Meeting to be held at a Council meeting in December;

Parks and Recreation Department that the Community Center roof repairs are complete, gave a thank you to PRD Colby Turner for his work on this, noted that with the roof repaired, we are ready to move on to improvements inside the building such as ceiling tiles, painting, flooring, etc., sports programs for adult mush ball and youth tackle football off and running and working on Pima Street holiday decorations options presentation;

Public Works Department that Well #4 down, potential shaft /impeller broken, will know more later this week, facilities staff trying new cleaning products, buying concentrate and mixing in spray bottles: products seem to work with a 66% reduction in cost and R.O. one million gallon tank being cleaned and vacuumed of sediment;

Finance Department is working with Buckeye Valley in completing the renewal of the Town of Gila Bend CON and should receive the response times from Mark Alexander either today or tomorrow, performed internal audits on the USDA Rural Development Grant Funding and found that the Engineering Cost for the Brine Pond needed to be sent in for reimbursement, which was done today, received the reimbursement from USDA – RD for the PER on Monday of last week and finalized all requests from the visit from the auditors and have contacted Scott Graff, one of the partners of Colby and Powell, awaiting confirmation of either next week or the following week for them to come out to wrap up the audit;

Town Clerk's Department is working on 2 separate request for documents, there is a Funeral Service Wednesday for long time Gila Bend resident Gail Fjeldsted and the Planning Commission will meet on Thursday the 12th to consider site plan approval for the Elks and for the

Social Services Department that the Solar Express is up and running and the Town strongly encourages community feedback so we can provide a transit service that works for you, the Readiness Basket will be at the Resource Center every Wednesday at 9:30 a.m. to assist families with teaching their children ages 0-5 school entrance preparation and also

provide a wide array of resources for families with special needs and that both Gila Bend and Buckeye have a high demand for energy assistance. Thank you to Gray for his effort with managing the energy assistance fund and in helping families to keep their utilities on. Also reported that they are Working with the Benefits Assistance Program to make a presentation to the senior citizens. Because of changes in the system, fraud is likely to happen to many seniors. This program, "Healthcare Fraud Prevention" will help the seniors to understand what is real and safe and what is fraud and the senior center will now host a salad bar every Friday. The Chandler Senior Center donated a salad bar to Gila Bend.

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.) **Joe Getzwiller, resident, spoke on behalf of Boy Gonzalez' roping company to request use of water truck and water. PRD C. Turner commented that a Town event will be happening the same day and spoke on employee availability and overtime issues. Mr. Getzwiller commented that he is a actually a Town employee and certified to operate the equipment and he would like to meet to discuss and that Council Member R. Henry has arranged for pumping water from the canal. He also thanked PEDD E. Fitzer for all he has done and congratulated him on his new position. Terry Basu, resident, noted that he was the first person to ride the Solar Express and made the suggestion that the driver pay attention to where groups are forming.**

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: Pursuant to A.R.S. 38-431.03(A)(3)The Town Council may go into executive session for purpose of obtaining legal advice for any of the above agenda items 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). **Council Member R. Henry moved to enter into Executive Session. Second by Vice Mayor C. Turner. Motion passed: 5-0 Time: 7:18pm**

X. ADJOURNMENT

Steven Holt, 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 September 10, 2013 and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, MMC
Town Clerk

LOS ALOJAMIENTOS RAZONABLES PARA PERSONAS CON INCAPACITATES Y PERSONAS CON LA PERICIA INGLESA LIMITADA SERAN PROPORCIONADOS SOBRE EL PEDIDO. TELEFONEE POR FAVOR SU PEDIDO DEL ALOJAMIENTO (928 683-2255 O 1-800-367-8939 AGREGAN ARIZONA EL SERVICIO DEL RELEVO) 72 HORAS EN EL AVANCE SI USTED NECESITA A UN INTERPRETE DE LENGUAJE POR SEÑAS O ALTERNA LAS MATERIAS PARA UN VISUAL O DETERIORO DE VISTA; PARA UNA LLAMADA INGLESA DE TRADUCTOR 928 683-2255.

Town Manager Approval

Initial

Date