

# TOWN OF GILA BEND

Minutes of the March 24, 2015 regularly scheduled Council meeting

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a regular Council meeting on March 24, 2015 beginning at 5:00 p.m., in the Gila Bend School District Media Center located at 308 N Martin Avenue, Gila Bend, Arizona. **Council Members of the Town of Gila Bend Town Council will attend either in person or by telephone or video communication.** 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 C. Turner called the meeting to order at 5:00pm**
- B. Pledge of Allegiance **Led by Mayor C. Turner**
- C. Invocation **Given by resident Fred Hull**

## II. ROLL CALL

Mayor Chuck Turner- <b>Left 5:43pm-EMS call</b>	Council Member Jesus Rubalcava
Vice-Mayor Ron Henry	Council Member Tommy Lee Sikes
Council Member Fernando Fernandez	Council Member James Turner
Council Member Clyde Kreeger- <b>absent</b>	

**Town Manager (TM) E. Rubi, Town Attorney S. McClure, Town Clerk B. Turner, Public Works Director (PWD) T. Weter, Parks & Recreation Director (PRD) C. Turner, Town Planner, Building & Safety (TP) T. Smith, Deputy Town Clerk C. Eisenberger**

## III. PUBLIC HEARINGS:

- A. The Mayor and Town Council may take Public Comment on an application submitted to the Arizona Department of Liquor License and Control for a Series 10 Liquor License for Circle K Store #225 located at 500 W Pima . **Public Comment Only Mayor C. Turner opened the Public Hearing at 5:05pm. TM E. Rubi reviewed the status. Resident Fred Hull spoke about his concern regarding 'beer runners' and would like to see a good security system with camera in place to take photos of those doing the beer runs. He spoke about a recent incident where the clerk at Circle K recognized the persons doing the beer run and identified the persons to MCSO. Those that were identified then went to the clerks home and assaulted him. Mr. Hull was asked when this incident happened and Mr. Hull answered that it was a few months ago, according to what he had heard. No further public comment. Public Hearing was closed at 5:10pm.**
- B. The Mayor and Town Council may take Public Comment on an application submitted to the Arizona Department of Liquor License and Control for a Series 10 Liquor License transfer from Circle K Store #225 to Circle K Store #3479 located at 710 W Pima. **Public Comment Only Mayor C. Turner opened the Public Hearing at 5:10pm. No public comment. Public Hearing was closed at 5:11pm.**

## 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. **Vice Mayor R. Henry moved to approve the Consent Agenda with a second made by Council Member J. Rubalcava. No discussion. Motion to approve carried unanimously: 6 – 0.**

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the March 10, 2015 regular meeting 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 \$146,358.77 for the period of March 1, 2015 through March 15, 2015. **Discussion and Action**
- C. **Contract Renewal Area Agency on Aging Fiscal Year 2015/2016:** The Mayor and Town Council may discuss and possibly take action to approve the renewal contract and funding with Area Agency On Aging for Fiscal Year 2015-2016. **Discussion and Action**

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

- A. **Merrill Paloma Ranch Land Use Amendment:** The Mayor and Town Council may discuss an amendment to the Merrill Paloma Ranch Land Use Plan requested by Robert Van Hoffwagen. **Discussion Only** *TM E. Rubi reviewed the request to have a portion of the land (approximately 438 acres) revert back to its Agricultural zoning designation. Mr. Rubi noted that according to the development agreement with them it is allowable for this amount of acreage to revert and that this would create a buffer of land to the east, which is a very good idea. Discussion on biggest concern would be if it would expand the dairy closer to town by reverting acreage back to an agricultural designation. Question and discussion on the ‘change of hands’ will have no effect on the development agreement the Town has with them. Question and discussion on probability of including Citrus Valley Road issues. No further discussion. No vote as this is a Discussion Only item.*
- B. **Liquor License:** The Mayor and Town Council may discuss and possibly take action on a recommendation to the Arizona Department of Liquor Licenses and Control for a Series 10 Liquor License for Circle K Store #225 located at 500 W Pima Street. **Discussion and Action.** *Vice Mayor R. Henry moved to approve the Liquor License. A second was made by Council Member T. Sikes. No discussion. Motion to approve the Liquor License carried unanimously: 6 – 0.*
- C. **Liquor License Transfer:** The Mayor and Town Council may discuss and possibly take action on a recommendation to the Arizona Department of Liquor Licenses and Control for a Series 10 Liquor License Transfer for Circle K Store #225 to Circle K Store #3479 located at 710 W Pima Street. **Discussion and Action** *Council Member J. Turner moved to approve the Liquor License Transfer. Motion seconded by Council Member F. Fernandez. No discussion. Motion to approve the Liquor License Transfer carried unanimously: 6 – 0.*
- D. **Installation of a Musco Control-Link System and Service Contract:** The Mayor and Town Council may discuss and possibly take action to approve the installation of a Musco Control-Link System at the Town of Gila Bend Rodeo Arena by Sellers and Sons in the amount of \$2785.00 and a service contract with Musco Control-Link in the amount of \$400.00 per year. **Discussion and Action (Item tabled from March 10, 2015)** *PRD C. Turner reviewed. Council Member J. Turner noted that the problem that he has with this is not the upgrade to the facility but the amount of money to be spent on a little-used facility. PRD C. Turner noted that Mr. Ralph Maxey is giving this \$10,000.<sup>00</sup> lighting system to the Town for nothing and that if the Town doesn’t want to take it now it will be sold. Question and discussion on how the ‘savings’ were figured, current system and type of lights. Question and discussion on fees and amount of use expected. Question and discussion on available grants. PRD C. Turner noted there should be set fees for night use of this and other facilities to cover cost of running lights. TM E. Rubi noted that there will be an item on the agenda regarding the Fee Schedule updates and additions. Vice Mayor R. Henry moved to approve the installation and service contract. Second made by Mayor C. Turner. No further discussion. Motion carried: 5 yea – 1 nay by Council Member J. Turner.*
- E. **Gila Bend Municipal Airport Waterline Project Change Order #1:** The Mayor and Town Council may discuss and possibly take action to approve Change Order #1 in an amount not to exceed \$3,000 to acquire an extension of permits if the Town constructs the new waterline at the Gila Bend Municipal Airport. **Discussion and Action.** *PWD T. Weter reviewed Change Order #1. Question and discussion on what areas the grant money can be used for. Question asking whether past PWD Bill Menard has anything to do with this with a response of, “No” by Mr. Weter. Vice Mayor R. Henry moved to approve the change order. Motion seconded by Council Member J. Rubalcava. No further discussion. Motion to approve carried unanimously: 6 – 0.*
- F. **Solon Corporation Change Order #1 Solor Project at RO Plant:** The Mayor and Town Council may discuss and possibly take action to approve Change Order #1 at no cost to the Town with Solon Corporation to connect Well #5 to the RO Plant Solar Array. **Discussion and Action.** *PWD T. Weter reviewed the Change Order. TM E. Rubi noted that he believes*

***this is the end result after numerous back and forth communications between the Town and Solon and reviewed the benefits of doing this. Vice Mayor R. Henry moved to approve the Change Order #1 for the Solar Project at the RO Plant. Second made by Council Member F. Fernandez. No further discussion. Motion to approve carried unanimously: 6-0.***

- G. Professional IT Services Proposal:** The Mayor and Town Council may discuss and possibly take action on the Professional Services IT Support proposal submitted by All Covered.  
**Discussion and Action** ***TM E. Rubi reviewed the proposal. Motion to approve the Professional IT Services Proposal made by Council Member J. Turner. Motion seconded by Council Member F. Fernandez. No further discussion. Motion to approve carried unanimously: 6 – 0.***

**VI. 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 J. Rubalcava reported on the soccer tournament, the Gila Bend Dragon League, he helped with two (2) Sundays ago. After assisting with the tournament, he received some feedback from several people on the need for accessible drinking fountains and restrooms at the park.***

***Council Member T. Sikes commented that he attended the Council Retreat that was held on Saturday and that it was a really good one.***

***Council Member F. Fernandez reported that we were granted the entire requested amount of money for Zuni Estates from CDAC.***

***Mayor C. Turner spoke about the Council Retreat, noting it went really well. He noted that these are public meetings and encouraged the public to attend them. Mayor Turner reported that he has a meeting with MCSO coming up. Mayor C. Turner read the Proclamation on Power Talk 21.***

**VII. TOWN MANAGER REPORT**

(This is the time the Town Manager may present a brief summary on current events. The Council may not propose, discuss, deliberate or take any legal action on the information presented) ***TM E.***

***Rubi thanked all those who participated at the Council Retreat. He reported that the MCSO contract is coming up and that he received an email from the Cave Creek Town Manager who mentioned that they have the same issues as Gila Bend with contracting with MCSO. Mr. Rubi noted that only four cities/towns for MCSO services. He reported that a meeting with ADOT is coming up where issues with SR 85 will be discussed. Mr. Rubi reported on status of plans for the business airpark development by Jokake for the 'jumpers'.***

***Mayor C. Turner was called out on an EMS call at 5:43pm.***

**VIII. STAFF REPORTS**

(This is the time Staff 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) ***Vice Mayor R. Henry asked for staff reports:***

***PWD T. Weter reported that SW Gas hit a sewer main while digging on Saturday which has been repaired and currently working on drainage on Hunt Street.***

***TP T. Smith reported that she is working proactively on code compliance issues, Burger King remodel is almost complete and the Tesla Charging Station issues are taken care of and complete.***

***PRD C. Turner reported that they are busy with baseball, softball and soccer and that he is working with the Fire Department for Shooter School for 4th of July. Director Turner noted that the annual Easter Egg Hunt will be held on April 4th beginning at 10:00am.***

***Town Clerk B. Turner reported that the rented Mobile Mini unit has finally been removed. End of staff reports.***

- IX. MSCO REPORT  
(This is the time MCSO may present a brief summary on current events. The Council may not propose, discuss, deliberate or take any legal action on the information presented) **TM E. Rubi noted that Captain Whalen is not able to attend this evening.**
- X. CHAMBER OF COMMERCE REPORT  
(This is the time Chamber of Commerce may present a brief summary on current events. The Council may not propose, discuss, deliberate or take any legal action on the information presented) **Chamber Coordinator C. Hubbard reminded all that an Open House is being held at the new West Valley Bank on Thursday, March 26th from 4:00 – 6:00pm and to stop by. She reported that the Friday Night Fish Fry is back at the Elks Lodge at 6:00pm and that a representative from Cable America will speak at the next Chamber Meeting on Wednesday, April 1st.**
- XI. 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 Fred Hull commented that he wished that the Proclamation Power Talk 21 before voting on the Circle K liquor license as he thinks there will be alot more kids hanging around.**
- XII. FUTURE AGENDA ITEMS  
(This is the time Council Member's may request items be placed on future agenda's) **No items.**
- XIII. EXECUTIVE SESSION: Pursuant to A.R.S. 38-431.03(A)(3) for purpose of obtaining legal advice relative for any of the above agenda items. **No Executive Session called.**
- XIV. ADJOURNMENT **Council Member J. Turner motioned to adjourn. Motion seconded by Council Member F. Fernandez. No discussion. Motion to adjourn carried unanimously: 5-0. Time of adjournment: 5:53pm.**

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Chuck Turner, 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 March 24, 2015 and the meeting was duly called and posted and that a quorum was present.

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Beverly Turner, MMC  
Town Clerk