

TOWN OF GILA BEND

Minutes of the November 24, 2015 regular Council Meeting

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a regular Council meeting on November 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 Town Attorney S. McClure.**

II. ROLL CALL

Mayor Chuck Turner	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	

Staff present: Town Manager (TM) E. Rubi, Town Attorney (TA) S. McClure, Town Clerk B. Turner, Deputy Town Clerk C. Eisenberger, Finance Director S. Young, Social Services Director (SSD) K. Valenzuela, Parks and Recreation Director (PRD) C. Turner, Town Planner T. Smith

III. PUBLIC HEARING:

Community Development Block Grant Program: The Mayor and Town Council shall receive public comment on the submission of a project to the Community Development Block Grant Program for FY2016/2017. The proposed project must be chosen from the Consolidated Plan that is on file with Maricopa County Community Development. **Public Comment Only**
Mayor C. Turner opened the Public Hearing at 5:02pm. TM E. Rubi spoke about the Community Center Project noting that there are numerous repairs needed and a new kitchen planned. Mr. Rubi then asked for public comments. A question whether this would come back to Council for a vote was answered with a yes that it would be coming before Council for a vote under New Business by Mr. Rubi. No further public comments. Public Hearing closed at 5:03pm.

IV. PRESENTATIONS:

- A. **Finance Update:** The Town Finance Director will give a report on the Financial Status of the Town. (Power Point) **Discussion Only. Finance Director S. Young gave a PowerPoint presentation on the financial status of the Town. She noted that the presentation addressed the operational side only. Ms. Young reviewed where each department is with expenditures, revenues and compared to the budget. Question and discussion on each departments expenditures should be 40% or less to be on target for this fiscal year. Reviewed the expenditures, revenues and different types of revenues. Discussion on the papermill discharge, meter used is not a town meter, and they provide the town with meter reading figures used for billing. Discussion on taxes with it being noted that property taxes just paid so more revenue is expected soon. Discussion on HURF funds and Ace Asphalt payments. TM E. Rubi noted that the revenue side is down from the projected amounts but that each departments spending is on target. Question and discussion on using LGIP funds. Question and discussion on the bed tax. No further discussion.**
- B. **Permitting/Code Enforcement:** The Town Planner will give a report on permitting/code enforcement. **Discussion Only. Town Planner T. Smith gave a presentation on permitting and code enforcement. She reviewed why permitting is needed, state statutes and when a permit is required. Question and discussion on different scenarios when a permit is and is not needed. Discussion on how to speed up the permitting process. TM E. Rubi noted that permitting protects the property owner. Town Planner T. Smith reviewed the permitting process and spoke about issues when an item is missed by the field inspector. Reviewed permits/inspections done 'in-house' and spoke on some of the frequent questions raised by those doing home renovations. Question and discussion**

on permitting fees set by the Fee Schedule. Question and discussion on whether all inspections needed are done through contracted service with TM E. Rubi noting that all inspectors must be certified per statute and that Town Planner T. Smith is in the process of becoming certified. Reviewed the Code Enforcement process, policy, what is needed and the need to look at it all closely to ensure done correctly and within statute. Reviewed Notices of Violation and the need to have an avenue to enforce violations. Discussion on having MCSO should issue citations to give them 'teeth' fines are already in place and the need to set up a meeting that includes the Mayor, Town Manager, Town Attorney and Town Planner to put together a plan for citing and enforcing and then bring before the Council. No further discussion.

- V. **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 motioned to approve the Consent Agenda. Motion seconded by Council Member J. Turner. No discussion. Motion to approve the Consent Agenda carried unanimously: 7-0.**
- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the November 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 \$235,877.01 for the period of November 1, 2015 through November 15, 2015. **Discussion and Action**
- VI. **NEW BUSINESS** – Discussion and possibly action on the following items:
- A. **Resolution 15-05 Submission of Application to Community:** The Mayor and Town Council may discuss and possibly take action to adopt Resolution 15-05, A Resolution of the Town Council of the Town of Gila Bend, Maricopa County, Arizona, authorizing the Town to submit an application to the Maricopa County Community Development Block Grant Funds and execute awarded documents. **Discussion and Action TM E. Rubi deferred to SSD K. Valenzuela and PWD T. Weter. PWD T. Weter noted that the amount of the project is \$600,000.⁰⁰ with CDBG to provide \$575,000.⁰⁰ of that amount. Question and discussion on the County Consolidated Plan and SSD K. Valenzuela noted that an issue is the ADA compliance. Question and discussion on whether the homeless are being fed with SSD K. Valenzuela responding yes they are and that they feed the homeless really needs to be pushed on the application. No further discussion. Motion to approve Resolution 15-05 made by Vice Mayor R. Henry and seconded by Council Member C. Kreeger. No further discussion. Motion carried unanimously: 7-0.**
- B. **Zuni Estates Water Main Replacement Project:** The Mayor and Town Council may discuss and possibly take action to approve a Professional Engineering Services Agreement with WLB Group for the Zuni Estates Water Main Replacement Project in an amount not to exceed \$65,500. **Discussion and Action. PWD T. Weter reviewed that this is the Town's portion of last year's CDBG project. Question on whether this is a good thing with PWD T. Weter responding yes and noting that is less than 10%. No further discussion. Vice Mayor R. Henry moved to approve the Professional Engineering Services Agreement with WLB Group for the Zuni Estates Water Main Replacement Project in an amount not to exceed \$65,500.⁰⁰. Motion seconded by Council Member F. Fernandez. No further discussion. Motion carried unanimously: 7-0.**
- C. **Town Manager Performance Evaluation:** The Mayor and Town Council may discuss the Town Manager's Performance Evaluation. **Discussion and Action. Mayor C. Turner noted that all of the evaluations from Council Members have been given to Town Attorney S. McClure. Town Attorney S. McClure gave a brief summary of timeframes per the Town Managers contract for evaluation, renewal and auto-renewal. Question and discussion on contract changes. Council Member J. Rubalcava made a point of noting that this item addresses the Performance Evaluation and not the actual contract. Council Member J. Turner made a motion to table item C. Town Manager Performance Evaluation with a second by Council Member J. Rubalcava. No further discussion. Motion to table Item C. Town Manager Performance Evaluation carried unanimously: 7-0.**

- D. **Contract Extension:** The Mayor and Town may discuss and possibly take action on the extension of the Town Manager Contract pursuant to Section 1 of the Town Manager Contract. **Discussion and Action. Vice Mayor R. Henry made the motion to not extend the Town Managers contract with a second from Council Member J. Turner. No discussion. Motion to not extend the Town Manager's contract carried unanimously: 7-0.**
- VII. 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) **No reports from Council Members given.**
- VIII. 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 reported that MCSO Captain Whelan was not able to be here but that his monthly report was received by Council. TM E. Rubi noted that he is offering his resignation as of January 31, 2016 and cited ongoing family issues, health issues and his readiness to retire as the factors leading to his decision to offer resignation to Council.**
- IX. 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).
Town Clerk B. Turner reported that the next Council Meeting is December 8th, Town Offices will be closed on November 26th and 27th for Thanksgiving and wished everyone a Happy Thanksgiving.
Finance Director S. Young reported that she created a budget modification sheet for the First Things First grant project to assist in completing the October reimbursement; reconciliations were done on all three (3) of the towns checking accounts, posted interest monies received through October 30th for the LGIP account; and working with Todd Bowden of Wells Fargo.
SSD K. Valenzuela reported on being awarded the Pulliman Grant.
PRD C. Turner reported that the All Aglow on Papago is on December 1st at 7:00pm in Community Center Park; thanked Mike Quackenbush for all the work he did and use of his own equipment for the Grand Prix and Urban Fishpond at no cost to the Town.
PWD T. Weter reported that \$5,000.⁰⁰ was saved on the backhoe repairs and that the south side of Main Street is being cleared.
Town Planner T. Smith said she had no report other than the presentation she gave earlier.
- X. 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) **MCSO Report was reviewed by TM E. Rubi**
- XI. 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 Coordination Christina Hubbard reported that the next Chamber Meeting will be on December 2nd and gave a brief review on the guest speaker for the meeting.**
- XII. 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.) **No public comments.**
- XIII. FUTURE AGENDA ITEMS

(This is the time Council Member's may request items be placed on future agenda's) **Council Member J. Turner made a motion that a Discussion and Action item be placed on the agenda to find a new Town Manager. Motion seconded by Council Member C. Kreeger. No discussion. Motion carried unanimously: 7-0.**

Council Member J. Turner motioned for a Discussion Only item be placed on the agenda for street signs. Motion seconded by Council Member F. Fernandez. No discussion. Motion carried unanimously: 7-0.

Mayor C. Turner motioned to place a Discussion and Action item on the agenda for Code Enforcement. Motion seconded by Council Member J. Turner. No discussion. Motion carried unanimously: 7-0.

- XIV. 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.**
- XV. ADJOURNMENT **Vice Mayor R. Henry made the motion to adjourn. Motion seconded by Council Member F. Fernandez. No discussion. Motion to adjourn carried unanimously: 7-0. Time: 6:40pm.**

Chuck Turner, Mayor

ATTEST:

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 November 24, 2015 and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, MMC
Town Clerk