

TOWN OF GILA BEND

Minutes of the March 8, 2016 regularly scheduled Town Council meeting

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a regular Council meeting on March 8, 2016 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 at 5:00pm **by Mayor C. Turner**
- B. Pledge of Allegiance **led by Mayor C. Turner**
- C. Invocation **provided by Town Attorney S. McClure**

II. ROLL CALL

Mayor Chuck Turner	Council Member Jesus Rubalcava-
Vice-Mayor Ron Henry	absent
Council Member Fernando Fernandez-	Council Member Tommy Lee Sikes
absent	Council Member James Turner
Council Member Clyde Kreeger	

Staff present: Interim Town Manager (ITM) T. Weter; Town Attorney 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. 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) **Council Member J. Turner moved to approve the Consent Agenda. Motion seconded by Council Member C. Kreeger. No discussion. Motion to approve carried unanimously: 5-0**

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the February 23, 2016 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 **\$101,686.00** for the period of February 16, 2016 through February 29, 2016. **Discussion and Action.**

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

Mayor C. noted that Item A. would be moved to be the next to last item on the agenda, before Item X. Executive Session.

- A. **Interpretation of Ordinance 10-09 and related Development Agreements:** Council may discuss and possibly take action to enter into executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion and consultation for legal advice with outside Counsel and the Town Attorney regarding Ordinance 10-09 concerning Town Tax Code 8A-601 "Use Tax" and related Development Agreements. Following the Executive Session the Council may discuss and possibly take action in open session regarding Town Tax Code Section 8A-601. **Discussion and possible Action. Moved to before the Executive Session.**

B. **Omega Motor Sports Facilities Use Agreement:** The Mayor and Town Council may discuss and possibly take action to approve a facilities use agreement with Omega Motor Sports for the use of the Gila Bend Municipal Airport on March 12th and 13th, 2016. **Discussion and Action. *ITM T. Reviewed the Use Agreement. Question on whether it was a one (1) or two (2) day event with a response that it is two-day event. Council Member J. Turner moved to approve the Omega Motor Sports Facilities Use Agreement. Second made by Vice Mayor R. Henry. No discussion. Motion to approve carried unanimously: 5 – 0.***

C. **Donation Request from Paloma Elementary School:** The Mayor and Town Council May discuss and possibly take action on a request for donation from Paloma Elementary School in the amount of \$500.00 to assist with cost associated with the 2nd Annual Family Fun Night. **Discussion and Action. *Vice Mayor R. Henry moved to donate \$100.⁰⁰ to Paloma Elementary School. Motion seconded by Council Member J. Turner. Discussion on the past two donation requests being approved with the condition that the requestor(s) provide volunteer hours to the Town and continuing with that policy for all donation requests. No further discussion. Motion to approve a \$100.⁰⁰ donation to Paloma Elementary School carried unanimously: 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) ***No reports provided.***

VI. 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) ***ITM T. Weter noted that Well #5 has been re-wired and that APS will be back later in the week to inspect. Mr. Weter reported that the budget process has been started and that they will be beginning with a zero (0) budget.***

VII. 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 she has been in contact with Stella Polaris and that everything is on track.
Finance Director S. Young that invoices to Maricopa County Library and County Court for expenses and janitorial services have been submitted, Land Appraisal Report for Martin property completed and established the revenue-received year-to-date figures relating to the court per the Mayor's request.
SSD K. Valenzuela completed the First Things First Grant Renewal and turned in the RFP for AAA.
Town Planner T. Smith reported that code enforcement is continuing to move forward.
PRD C. Turner reported that the Easter Egg Hunt is planned for March 26th at Community Center Park; Pitch, Hit & Run for kids 7years to 13 years is planned for April 2nd and getting ready to start Phase 1 of the AZSTA grant.

Mayor C. Turner asked if the Chamber had anything to report. Dianne Henry reported for Christina Hubbard, Chamber Coordinator that there were 30+ people that attended the last meeting.

Mayor C. Turner asked Town Attorney S. McClure if he had anything to report with Attorney McClure responding that he did not.

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.*) **Mr. Natu Bhakta had a question on whether there had been any action taken on the water line issue he spoke about at the last meeting. ITM T. Weter noted that all of the estimates have now been received and will have everything in place to take before the Council by the next meeting. No further public comment made.**

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

Mayor C. Turner noted that the Council would now address Item A.

- A. **Interpretation of Ordinance 10-09 and related Development Agreements:** Council may discuss and possibly take action to enter into executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion and consultation for legal advice with outside Counsel and the Town Attorney regarding Ordinance 10-09 concerning Town Tax Code 8A-601 "Use Tax" and related Development Agreements. Following the Executive Session the Council may discuss and possibly take action in open session regarding Town Tax Code Section 8A-601. **Mayor C. Turner called for an Executive Session at 5:13pm.**

The Council reconvened at 5:36pm. Vice Mayor R. Henry moved to direct the Town Clerk and Town Attorney to notice the public of the proposed repeal of the tiered use tax structure authorized by Town Ordinance No. 10-09 and to prepare an ordinance for review and consideration by the Town Council in order to repeal the three-tenth of a percent (0.3%) use tax rate authorized by Town Ordinance No. 10-09 leaving the use tax rate of one and one-half percent (1.5%) in place. Second made by Council Member J. Turner. No discussion. Motion carried unanimously: 5 – 0.

Mayor C. Turner noted that a five (5) minute recess was in order before moving on to the Executive Session for discussion on personnel matters relative to the Town Manager position. The recess began at 5:37pm.

Meeting reconvened at 5:44 pm

- X. EXECUTIVE SESSION: The Mayor and Town Council may discuss and possibly take action to enter into executive session Pursuant to A.R.S. §38-431.03(A)(1) personnel matters relative to the Town Manager position. **Council Member J Turner moved to enter into executive session; second by Vice-Mayor R Henry; motion passed 5-0**

Meeting reconvened at 6:19 pm

- XI. ADJOURNMENT **Vice-Mayor R Henry made the motion to adjourn. Motion seconded by Council Member J Turner. Motion to adjourn passed 5-0 at 6:20 pm.**

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 March 8, 2016 and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, MMC
Town Clerk