

# TOWN OF GILA BEND

Minutes of the February 22, 2011 regular Council meeting

## I. CALL TO ORDER

- A. Call to order **Mayor Henry called the meeting to order at 6:00pm**
- B. Pledge of Allegiance **lead by Mayor Henry**
- C. Invocation **given by Town Attorney McClure**

## II. ROLL CALL

Mayor Ron Henry  
Vice-Mayor Fred Hull  
Council Member Fernando Fernandez  
Council Member Armida Gonzalez

Council Member Chuck Turner  
Council Member James "Bud" Turner  
Council Member Donny Young - **absent**

**Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Finance Director Young, Social Services Director Dempsey, Public Works Director Menard, Parks & Recreation Director Turner, Airport Manager Drury, Records Management Clerk Eisenberger**

**Mayor Henry presented Town Clerk Turner with a plaque and congratulated her for her 20 years of dedicated service to the Town.**

## 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 Hull moved to approve the Consent Agenda. Motion seconded by Councilmember J. Turner. Councilmember C. Turner noted that he would like to discuss Item B. prior to the vote. Discussion on Item B. as to whether the meeting should be rescheduled or just canceled. No further discussion. Motion to approve the Consent Agenda passed unanimously; 6-0.**

- A. Approval of January 11, 2011 Council meeting minutes: The Mayor and Town Council shall discuss and possibly take action on the approval of the January 11, 2011 Council meeting minutes. **Discussion and Action (WHITE)**
- B. March 8, 2011 Regular Council Meeting: The Mayor and Town Council shall discuss and possibly take action to move the regularly scheduled Council meeting of March 8, 2011 to Monday, March 7, 2011 at 12:00 pm (noon), due to the Gila Bend Primary Election. **Discussion and Action (BLUE)**
- C. Payment of Claims: The Mayor and Town Council shall discuss and possibly take action to ratify claims in the amount of \$74,806.42 for February 1, 2011 through February 15, 2011. **Discussion and Action (GOLDENROD)**

## IV. BUSINESS - Discussion and possible action on the following items:

- A. AAA Contract: The Mayor and Town Council shall discuss and possibly take action on a request to submit a proposal to Area Agency on Aging to provide Senior Center Services to the elderly population of the Town of Gila Bend for F/Y 2011-2012. **Discussion and Action (PINK) Vice Mayor Hull moved to approve. Motion seconded by Councilmember J. Turner. Discussion on how the progress was going with Social Services Director Dempsey noting that she and Finance Director Young were working on it and it is going well. Director Dempsey also noted that they now have an Americorp program for seniors, the numbers of those participating in the program are increasing and that Americorp hired Judy Hollowell. No further discussion. Motion to approve Item A. passed unanimously; 6-0**
- B. Donation-Gila Bend Parent Teacher Organization: The Mayor and Town Council shall discuss and possibly take action to approve a request for donation from the Gila Bend Parent Teacher

Organization. Discussion and Action (YELLOW) Councilmember C. Turner motioned to approve. Motion seconded by Councilmember Fernandez. Discussion on the amount of donation to the Parent Teacher Organization last year being \$500.<sup>00</sup> and donating the same amount of \$500.<sup>00</sup> this year. No further discussion. Motion to approve a \$500.<sup>00</sup> donation to the Parent Teacher Organization passed unanimously; 6-0

**Vice Mayor Hull requested that Item D. Gila Bend Environmental Services, Inc. Property Lien be discussed and voted on prior to Item C.**

- C. **Economic Development Opportunity:** Council consideration requested for authorization of \$19,800 in funding for Gila Bend to possibly be included in the television series "Profiles with Terry Bradshaw's" upcoming segment called "Building the Best Business and Lifestyle Climate" and "Hidden Gems in Economic Development" series. The funds have already been budgeted in economic development. Discussion and Action Vice Mayor Hull moved to approve Item C. Motion seconded by Councilmember Fernandez. Town Manager Buss noted that this is a great opportunity for Gila Bend, showed a short video trailer of program and noted that this would be showed on 20 stations including CNN and Fox Business News. Discussion on what would be filmed, why was Gila Bend chosen, and chances of negative portrayal of Gila Bend. Town Manager Buss noted that the segment would be scripted, the Town would have approval of script and that a conference call with them is scheduled for this Thursday (February 24<sup>th</sup>) where questions can be answered. Discussion on cost, funding and revenue from lien (Item D.) being used to cover cost. Finance Director Young was asked about availability of funds with her responding that there is money available for this from the GPEC membership line item that was not used. A vote on the motion to approve failed due to a tie vote of 3 yea – 3 nay. Voting nay were Councilmember J. Turner, Councilmember C. Turner and Mayor Henry.
- D. **Gila Bend Environmental Services, INC. Property Lien:** The Mayor and Town Council shall discuss and possibly take action on offer to settle the Gila Bend Environmental Services property lien. Discussion and Action (GREEN) Vice Mayor Hull moved to approve Item D. Motion seconded by Councilmember Fernandez. Town Attorney McClure summarized the history of the 'Dirt Burner' and noted that a Judgment and Lien for \$25,000.<sup>00</sup> was put on the property with the Town of Gila Bend as the lien holder. When the property was foreclosed on the Town of Gila Bend had not been added as a lien holder. The property is getting ready to sell again and they offer something to us. Town Attorney McClure recommended that we accept the offer of \$7,500.<sup>00</sup> and if Council approves their offer, he recommends that a time limit for payment of 60 days be included. Discussion on using ordinances to enforce clean-up and the potential of the property. Councilmember C. Turner moved to accept the offer of \$7,500.<sup>00</sup> with payment to be made within 60 days or revert to the \$25,000.<sup>00</sup>. Motion seconded by Councilmember J. Turner. Vice Mayor Hull requested that Councilmember C. Turner amend the motion to include that the funds go toward the cost of Item C., **Economic Development Opportunity.** Motion to approve passed unanimously; 6-0
- E. **Final Street Names:** The Mayor and Town Council shall discuss and possibly take action on approving the final street names for the Town. Council approved the Town of Gila Bend's street sign criteria, naming guidelines, and color options on January 11, 2011. Discussion and Action (SALMON) Councilmember C. Turner moved to approve Item E. Motion seconded by Councilmember J. Turner. Public Works Director Menard spoke on the list of name changes, location of street and noted that there were a few very specific issues of changes and new names; change Indian Road to Linda-Corine Way, Chili Downs and Airport Lane. Vice Mayor Hull asked what the history of Indian Rd is and whether there are two roads named Indian Rd. Councilmember Gonzalez questioned whether the Historical Preservation Commission was consulted about the changing and naming of streets with Director Menard responding no. Councilmember Gonzalez spoke about the lack of street names representing Hispanic and black families. Discussion on new streets named after families, providing two historic family names to be used and bringing this matter before the Council again. A vote on the motion to approve failed due to a tie vote of 3 yea – 3 nay. Voting nay were Councilmember Fernandez, Councilmember Gonzalez and Vice Mayor Hull.

- F. Redevelopment District: The Mayor and Town Council shall discuss and possibly take action to recommend a Redevelopment District Boundary and to authorize the preparation of a Redevelopment District Plan. **Discussion and Action Councilmember J. Turner moved to approve Item F. Motion seconded by Councilmember C. Turner. Town Manager Buss noted that Bob Logan was brought on as a consultant, according to state statutes 5% of town can be utilized as a redevelopment district and it is an enticement to industry. Manager Buss emphasized that a redevelopment district does not raise taxes but can lower them and that this is just an approval to move forward and not to actually establish the redevelopment district. Discussion on how is the 5% of property determined with the response that Planning Director Fitzer measured it out. Discussion on district being application specific with Council take each application on its own merits, most communities have and that most property is owned by Town. Loren Brown, resident, asked if the percent includes annexation with Town Manager responding affirmative and that questions could be directed toward Planning Director Fitzer. No further discussion. Motion to approve passed unanimously; 6-0**
- G. Town Financial Report: Staff will present a fiscal year-to-date financial report to Council for fiscal year 2010/2011. **Discussion Only Town Manager Buss noted that several council members requested a status report on where we stand financially and that the figures presented are mid-year. Manager Buss gave a PowerPoint presentation on the Town's finances. Manager Buss noted that two and a half years ago the Town was on the brink of bankruptcy, today we are financially sound and have a surplus, reports and audits are all up-to-date with no deficiencies and that this year our budget is \$18 million. Discussion on the \$18 million dollar budget includes grant money we receive that has to be added to our budget before it can be spent. Discussion on federal and state cut backs targeting social service programs, Gila Bend Use Tax being paid for the first time by the power plant and that the Town will work with industries make it beneficial for them to locate here while at the same time looking after the Town's best interests.**

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: Congratulated Beverly. Reported that she will be attending CDBG meeting tomorrow and noted that Planning Director Fitzer has done a wonderful job.**

**Vice Mayor Hull: Congratulated Beverly. Reported that next month is Colon/Rectal Cancer Screening Month and that he is a survivor and spoke on the importance of screening.**

**Councilmember J. Turner: Thanked Beverly on a great job**

**Councilmember C. Turner: Reported that he had his screening and it was negative. He stressed the importance of screening.**

**Mayor Henry: Thanked Councilmember Gonzalez for the good work and diligence to attending the CDBG meetings.**

**Town Clerk Turner: Reported one new business license issued, early voting is underway and Clerk's office will be hosting a breakfast for the West Valley Clerks on March 17<sup>th</sup>.**

**Finance Director Young: Reported that she attended a conference last week.**

**Parks & Recreation Director Turner: Reported Butterfield Stage Days is moving along good, rodeo grounds clean-up and repairs almost done, Flag Football is doing well.**

**Public Works Director Menard: Reported Water Tank bid will be advertised beginning March 7<sup>th</sup>, new vehicles are right on track, new doors put up for security at library and shop area, working with Director Young on equipment insurance list, there are several pieces of equipment down and the garbage truck is being repaired.**

**Airport Manager Drury: Reported that all is going well, with spring training going on there will be more action at the airport and the March 19<sup>th</sup> and 20<sup>th</sup> are Luke Days.**

VI. TOWN MANAGER REPORT

**Thanked Heather Goebel for all the research she has done on the solar job opportunities, there is a job fair tomorrow at the Community Center, and thanked Captain Brice for his support. Reported we are waiting on signatures on the Care First agreement; First Things First agreement goes before their board, Paloma Solar Plant approved and is the third one in Gila Bend, a volunteer Spay/Neuter clinic will begin in April.**

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.*) **MCSO Lieutenant Anglin here to answer questions. Heather Goebel asked about barking dogs; response was to contact MCSO and they will talk to pet owner. Social Services Director Dempsey mentioned the CAP building tagged again and Parks & Recreation Director Turner mentioned that they can be identified by what they tag; response is that MCSO will speak to suspected taggers. No further public comment.**

VIII. EXECUTIVE SESSION: 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); for the purpose of obtaining legal advice regarding litigation pursuant to the Helm/Sabre Aircraft v. Town of Gila Bend pursuant to A.R.S. 38-431.03(A)(4); and for the purpose of discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. 38-431.03(A)(7) **Councilmember C. Turner moved to go into Executive Session. Motion seconded by Vice Mayor Hull. Motion passed unanimously; 6-0. Time: 7:11pm**

**Meeting reconvened at 7:43pm.**

IX. ADJOURNMENT  
**Vice Mayor Hull moved to adjourn. Motion seconded by Councilmember Fernandez. Motion passed unanimously; 6-0. Time of adjournment: 7:43pm.**

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Ron Henry, Mayor

ATTEST:

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Beverly Turner, CMC  
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held February 22, 2011, and the meeting was duly called and posted and that a quorum was present.

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Beverly Turner, CMC  
Town Clerk