

TOWN OF GILA BEND

Minutes of the March 23, 2010 regular Council meeting.

I. CALL TO ORDER

- A. The meeting was called to order by Mayor Henry at 6:00pm.
- B. The Pledge of Allegiance was led by Mayor Henry.
- C. Invocation by Vice Mayor Hull.

II. ROLL CALL

Mayor Ron Henry
Vice-Mayor Fred Hull
Council Member Fernando Fernandez-
absent
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, Public Works Director Parsi, Community Development Director Fitzer, Parks & Recreation Director Hoffman, Fire Chief Birchfield, Airport Manager Drury, Parks & Recreation Asst. Dishman, Records Management Clerk Eisenberger, Counter Operations 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 ***Vice Mayor moved to approve the Consent Agenda. Motion seconded by Council Member Gonzalez. No discussion. Motion passed unanimously; 5-0.***

- A. Approval of March 9, 2010 meeting minutes. The Mayor and Town Council shall discuss and possibly take action on the approval of the March 9, 2010 work session and regular meeting minutes. **Discussion and Action (WHITE)**
- B. August 24, 2010 Council Meeting. The Mayor and Town Council shall discuss and possibly take action to move the regular Council meeting of August 24, 2010 to August 25, 2010 in order to allow Maricopa County Elections Department use of the Council Chambers as a polling place for the 2010 County and State Elections. **Discussion and Action (BLUE)**

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

- A. SR85 Construction Routes. The Mayor and Council shall discuss and possibly take action on selecting between two options of construction routes during SR85 construction at the overpass and Pima Street. **Discussion and Action (PINK) Community Development Director Fitzer reviewed the option discussed during the March 9, 2010 Work Session and Council Meeting. Discussion on leaving the Business route open and having a longer construction time. Council Member C. Turner motioned to approve leaving the Business Route open. Motion seconded by Vice Mayor Hull. Motion passed unanimously; 5-0.**
- B. SR85 Landscape Improvements. The Mayor and Council shall discuss and possibly take action on accepting the installation of landscape improvements pursuant to the SR85 construction, and to direct staff to enter into negotiations to amend the current intergovernmental agreement (IGA) for the Town to provide maintenance and irrigation of the landscape improvements. **Discussion and Action (YELLOW) Council Member C. motioned to enter into an IGA for the Town to provide maintenance and irrigation of the landscape improvements. Motion seconded by Vice Mayor Hull. Community Development Director Fitzer reviewed the landscape improvement materials of decomposed Granite – Desert Rose. Motion passed unanimously; 5-0.**

- C. SR85 Decorative Wall. The Mayor and Council shall discuss and possibly take action on selecting a wall theme, design, and color for a decorative retaining wall to be installed in conjunction with the SR85 construction. **Discussion and Action. (GREEN) Community Development Director Fitzer reviewed the vertical rustification theme and the two color options available: Tan and Koala. Discussion on Koala color being recommended as a better match. Vice Mayor Hull moved to approve the vertical rustification theme with the recommended color, Koala. Motion seconded by Council Member J. Turner. Motion passed unanimously; 5-0.**
- D. United States Border Patrol Station. The Mayor and Council shall discuss and possibly take action relative to the future use of the United States Border Patrol Station, located at SR 85 and SR 238. **Discussion and Action (SALMON) Town Manager Buss noted that the property was approved by application for use as an animal shelter, grants had been applied for and denied, and the Town can amend an application as the definition for use is broad. Discussion on amending an application, purchasing and making payments, or allowing it to revert back to the federal government. Discussion on environmental and structural issues, proximity to airport has no value except for water availability, cost effectiveness of pursuing, good property value, and on it becoming an eyesore if it reverts back. Council Member C. Turner moved to pursue negotiating a deal with the federal government without environmental issues being the Town's responsibility. Council Member J. Turner seconded. Motion passed unanimously; 5-0.**
- E. Award of Bid for the Gila Bend Pool Remodeling Project. The Mayor and Town Council shall discuss and possibly take action to award a bid to the lowest responsive bidder for the refurbishing of the Town's community swimming pool (hull). **Discussion and Action (BLUE) Council Member J. Turner moved to approve. Motion seconded by Vice Mayor Hull. Discussion on actual cost, set a not to exceed amount, and the cost does not include issue with the crack. Discussion on coming back to Council with an addendum for cost or adding to the current amount now and keeping the Memorial Day Opening timeframe. Council Member Turner moved to amend his motion to approve acceptance with a not to exceed amount of \$47,607.00. Vice Mayor Hull seconded. Motion passed unanimously; 5-0.**
- F. Budgetary Transfer. The Mayor and Town Council shall discuss and possibly take action on the authorization of a budgetary transfer from the Town Manager's Department, "contingency" fund (Budget Line Item No. 10-46-700) to the Parks and Recreation Department, "swimming pool repairs" fund (Budget Line Item No. 10-84-661), in the amount of \$35,207.00. **Discussion and Action (SAME AS ITEM E.) Council Member C. Turner moved to approve with a not to exceed amount of \$47,607.00. Motion seconded by Council Member J. Turner. Motion passed 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.
- VI. TOWN MANAGER REPORT
Town Manager Buss spoke about the importance of completing the Census 2010 forms that are now in the mail. He encouraged everyone to complete the form and noted that if anyone needs assistance there is information on the Town website or they can come to the office for assistance from staff. He noted that each person provides \$300 of funding to their community.
- 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.)

Dianne Henry thanked Samantha Sikes and the FCCLA for the wonderful job they did on the cemetery clean-up. Mayor Henry added thanks to the prisoners from Lewis Prison for their assistance and hard work in cleaning up the cemetery.

Wayne Knutson commented on the building permit he has been trying to get for three months. He stated that he has met all of the requirements. He asked where his plans are that the Town has had for two weeks, why is there an \$833.00, and why he hasn't had an answer from Community Development Director Fitzer? Community Development Director Fitzer responded to the criticism. He reminded Mr. Knutson that he has met with him and went over the building permit process and standard fees. Director Fitzer stated that Mr. Knutson's plans arrived late this afternoon and were approved. Director Fitzer noted that Mr. Knutson requested that he be provided with an in-depth explanation of fees and that as requested by Mr. Knutson, he has been researching the statutes, amounts of the fees and preparing a letter to Mr. Knutson.

VIII. EXECUTIVE SESSION: The Town Council may go into executive session pursuant to A.R.S. 38-431.03(A)(3) and A.R.S. 38-431.03(A)(4) for purpose of obtaining legal advice from Bill Sims, Attorney regarding possible litigation pursuant to the Helm/Sabre Aircraft v. Town of Gila Bend notice of claim as well as the Town Attorney on any of the above agenda items and A.R.S. 38-431.03(A)(1) personnel matters regarding the Parks and Recreation Director.. **Council Member C. Turner moved to go into Executive Session. Motion seconded by Council Member J. Turner. Motion passed unanimously; 5-0. Time: 6:25pm.**

IX. ADJOURNMENT
Regular Council meeting reconvened at 7:04pm. Vice Mayor Hull move to adjourn. Seconded by Council Member C. Turner. Motion passed unanimously; 5-0. Time of adjournment: 7:05pm.

Ron Henry, Mayor

ATTEST:

Beverly Turner, CMC
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held March 23, 2010, and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, CMC
Town Clerk