

# TOWN OF GILA BEND

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## Minutes of the April 13, 2010 regular Council Meeting

### I. CALL TO ORDER

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

### II. ROLL CALL

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

Council Member Chuck Turner-iv on call  
6:10pm / return 6:29pm  
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

### 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 C. turner moved to approve. Seconded by Vice Mayor Hull. Motion passed unanimously; 6-0**)

- A. Approval of March 23, 2010 meeting minutes The Mayor and Town Council shall discuss and possibly take action on the approval of the March 23, 2010 meeting minutes. **Discussion and Action (WHITE)**
- B. Approval of Agreement: The Mayor and Town Council shall discuss and possibly take action to approve an agreement between the Town of Gila Bend and Native Environmental LLC in an amount of \$1,485.12 to remove and dispose of asbestos roofing materials from the Airport Storage Building located at 2855 N Highway 85 At the Gila Bend Municipal Airport. **Discussion and Action (LILAC)**

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

- A. Ordinance 10-03. An Ordinance by the Mayor and City Council of the Town of Gila Bend, Maricopa County, Arizona amending the Town of Gila Bend Municipal Code, adding Section 5.04.080, requiring a signature approval as part of the Business License Applications Process. **Discussion and Action. (SALMON) Vice Mayor Hull motioned to approve. Motion seconded by Council Member J. Turner. Discussion on this Ordinance being one on a list to get done prior to awarding Codification which will save money. Discussion on the length of time it will take to process a business license application should be approximately one week, currently Town Clerk issues, and this process should cut down on planning and zoning and other discrepancies. Motion passed unanimously; 6-0.**
- B. ADOT Transportation Enhancement. The Mayor and Town Council shall discuss and possibly take action on requesting staff to submit an application and selecting a project or projects for staff to submit for consideration by MAG and ADOT for Transportation Enhancement Funding. **Discussion and Action (YELLOW) Council Member C. Turner moved to approve and motion seconded by Vice Mayor Hull. Community Development Director Fitzer noted that there are five (5) different options, all projects must be federally designated routes, the program is for projects not usually done by transportation departments, State projects can apply for \$1 million maximum and Local projects can apply for \$750,000 maximum, and that MAG recommends applying for project #5**

*(Pedestrian Bridge at Martin Ave. over Pima St.). Mr. Fitzer commented that plans this project has been in the works for awhile and that this project is most needed due to safety concerns. Community Director Fitzer noted that four (4) of the projects are state projects with the Park & Ride being a local project, and that he is looking for direction from Council. Discussion on: 1) submitting more than one (1) project but not beneficial to the town to do so; 2) concern about oversize (height) vehicles and tight approaches on the NW corner and the possibility of opening up the approach; 3) Pedestrian Bridge will be a \$1 million bridge with a 5.7% local match not to exceed \$57,000., 4) April 21<sup>st</sup> is the deadline for submission of project and awarded in October 2010; and 5) if costs are too high, the Town can withdraw. Town Manager Buss thanked Community Director Fitzer for the work done to have this ready for submission by the deadline. Motion passed unanimously; 5-0.*

- C. Resolution 10-06: A resolution by the Mayor and Town Council of the Town of Gila Bend, Arizona Approving and application for the Maricopa Association of Governments (MAG) and Arizona Department of Transportation (ADOT) Transportation Enhancement Funds for the inclusion of Design, Environmental Clearance, Utility Relocation, possible Right-of-Way Acquisition and Construction of a Pedestrian Grade Separation at Martin Avenue and Pima Street (State Route 85 (SR85)) . **Discussion and Action (PINK) Community Development Director Fitzer stated that Resolution 10-06 is not needed until August and recommended tabling it until a later date. Vice Mayor Hull motioned to remove from the agenda. Motion seconded by Council Member Gonzalez. Motion passed unanimously; 5-0.**
- D. GPA01.10 Hettinga Major General Plan Amendment. The Mayor and Town Council shall be presented with the Hettinga Major General Plan Amendment in accordance with the Major Amendment Criteria as set forth in the Town of Gila Bend General Plan. **Discussion Only (GREEN) Community Development Director Fitzer stated that this is a Major General Plan Amendment to change the Land Use Designation of 160+ acres from current designation of Rural, Rural Residential to the designation, Heavy Industrial request from Hein Hettinga. Hein Hettinga stated that there would be mining jobs associated with this change and tax incentives, will be getting gravel and sand along with a batch plant located on property, he has spoken with Solana and other projects coming to the area, this could take off in 6 months time, currently has four (4) employees working with his deal with the dairies but with bigger jobs he could have 16 – 20 employees, and that he has core-drilled and knows that the materials are there. Mr. Hettinga stated that he is here to stay and wants long-term planning, will be going to Planning & Zoning for a formal hearing, has done the required check for artifacts and been cleared and that he would like to get rolling to bid on and secure jobs.**
- E. Fair Housing Proclamation. Mayor Henry will read a proclamation declaring April 2010 to be Fair Housing Month. **(BLUE) Mayor Henry read the Fair Housing Proclamation declaring April 2010 to be Fair Housing Month.**
- 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)  
**Council Member Fernandez – no report**  
**Council Member Gonzalez reported that she will be attending another meeting with CDAC tomorrow regarding CDBG.**  
**Vice Mayor Hull - no report**  
**Council Member C. Turner – no report**  
**Council Member J. Turner thanked Airport Manager Drury for the good job he did with the Air Fair.**  
**Mayor Henry thanked Airport Manager Drury and Parks & Recreation Asst. Dishman for the great job putting the Air Fair together, that it was a neat thing for Gila Bend to have over 50 planes fly in and 500 people attend and that next year should be even bigger.**

**Mayor Henry asked if there were any reports from:**

**Public Works Director Parsi reported that he had a meeting with PBS&J regarding the waterline at Butterfield Trail that will tie the 8" pipe extension to the 6" pipe, there have been some Right-of-Way issues that are being addressed, Town Manager Buss and Mayor Henry have authorized him to start, the lines will be going under the railroad, and he should have a report on the progress by the next council meeting.**

**Community Development Director Fitzer reported that yesterday, the sign on Maricopa Road was cleared.**

VI. TOWN MANAGER REPORT

**Town Manager Buss thanked Airport Manager Drury and Parks & Recreation Asst. Dishman for great job with the Air Fair. He commented that it was great to have people from Belgium and that the word has been spread to 110 countries about the new training facilities and training planned at the Shooting Range. Town Manager Buss reported that on March 28<sup>th</sup> he was appointed to the Domestic Violence Council by the Maricopa County Assoc. of Governments, there have been 41,000 hits per month on the Town's website with 24% of the hits coming from businesses, currently waiting on the County permits for the pool, and will be meeting with Mr. Mosley and the MCSO.**

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, resident, thanked Airport Manager Drury and Parks & Recreation Asst. Dishman on the great job and the success of the Air Faire and noted that it was to bad that it was not well-attended by the locals as they missed a first rate event with the dog demo's, huge plane, planes coming and going, lawn mower racing, and an all around really nice day.**

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) 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

**Council Member C. Turner moved to go into Executive Session. Motion seconded by Vice Mayor Hull. Motion passed unanimously; 6-0. Time: 6:34pm The regular meeting reconvened at 6:50pm.**

IX. ADJOURNMENT

**Council Member J. Turner moved to adjourn. Motion seconded by Council Member Gonzalez. Motion passed unanimously; 6-0. Time of adjournment: 6:50pm.**

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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 April 13, 2010, and the meeting was duly called and posted and that a quorum was present.

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Beverly Turner, CMC  
Town Clerk