

TOWN OF GILA BEND

Minutes of the May 25, 2010 regular Council Meeting

I. CALL TO ORDER

- A. Mayor Henry called the meeting to order at 6:00pm
- B. Pledge of Allegiance was recited at the beginning of the work session
- C. Invocation was given at the beginning of the work session

II. ROLL CALL

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

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

Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Public Works Director Parsi, Finance Director Young, Parks & Recreation Director Hoffman, Community Development Director Fitzer, Airport Manager Drury, Fire Chief Birchfield, Parks & Recreation Assistant Dishman, Records Clerk Eisenberger, Counter Services Smith

Mayor Henry stated that he wanted to congratulate Council Member (Coach) Young and the Gila Bend baseball team for winning the first 1A State Championship in the schools history.

- III. PRESENTATION: Matt Nisbet of Desert Operations Tactical Training will present Mayor Henry with credentials identifying him as an Honorary Member of the International Bodyguard & Security Services Association. **It was noted that Mr. Nisbet had not yet arrived and that the presentation would be made upon his arrival.**

- IV. 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 Vice Mayor Hull. Council Member Gonzalez requested that Item D. be removed for further discussion. Council Member J. Turner moved to amend his motion to approve items A, B, C, E, and F and pull Item D for further discussion. Vice Mayor Hull seconded the amended motion. Motion passed unanimously; 6-0.**

- A. Approval of May 11, 2010 Council meeting minutes The Mayor and Town Council shall discuss and possibly take action on the approval of the May 11, 2010 Council meeting minutes. **Discussion and Action (WHITE)**

- B. Maricopa County Animal Care and Control for Field Enforcement Services IGA: The Mayor and Town Council shall discuss and possibly take action on the approval of an intergovernmental agreement (IGA) between the Town of Gila Bend and Maricopa County for Fiscal Years 2011 through 2013. The FY 2010/2011 cost to the Town is \$7,295.40, per the IGA. **Discussion and Action (BLUE)**

- C. Maricopa County Community Services IGA: The Mayor and Town Council shall discuss and possibly take action on the approval of an intergovernmental agreement (IGA) between the Town of Gila Bend and Maricopa County Community Services for Community Action Program Services F/Y 2010/2011. **Discussion and Action (SALMON)**

- D. Professional IT Services: The Mayor and Town Council shall discuss and possibly take action on the approval of an agreement with All Covered for Professional IT Support in the amount of \$1,200.00 per month. **Discussion and Action (GREEN) Council Member Gonzalez questioned whether we are getting less for what we are paying since going to the four-day work week. Discussion on the service now provided includes tech support available 24/7 with support through the internet, updates to all units are done on the weekend,**

daily back-ups, task lists provided for each service call and request, Social Services has a five-day work week, actual hours open for business has increased by approximately 5,000 hours/yr, more stations in operation, calls for assistance/service are triple than expected, and that with the extra hours, stations and services provided the Town is actually paying less than they did for the previous service provider. Discussion on the need to look at off-site back-up of information even though expensive to safeguard against losing it all in an emergency situation. Vice Mayor moved to approve. Motion seconded by Council Member Fernandez. Motion passed unanimously; 6-0.

- E. Insurance Claim #13011453 Replacement of canopy at Community: The Mayor and Town Council shall discuss and possibly take action to approve a budget amendment for Insurance Claim #13011453 relative to the wind damage which destroyed the shade canopy at Community Park. **Discussion and Action (YELLOW)**
- F. Insurance Claim #13011320 Replacement of Community Park Dugout: The Mayor and Town Council shall discuss and possibly take action to approve a budget amendment for Insurance Claim #10311320 relative to the wind damage to the dugout at Community Ball Field. **Discussion and Action (PINK)**

ITEM D. of the consent agenda was taken and opened for discussion:

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

- A. Peddler and Solicitor License Application: The Mayor and Town Council shall discuss and possibly take action on approval of a peddler and solicitor license for Tim Micklin Rugs and Blankets; per Town of Gila Bend Code, Section 5.08.060. **Discussion and Action (LILAC) Community Services Director Fitzer noted that Mr. Micklin's license expired in December, was sent a Notice of Violation that he responded to immediately, he really should have a business license, peddlers licenses are \$100/day, and his outside display is not in compliance with Town Code which allows for a display of 10%. It was also noted that Mr. Micklin has been very responsive and cooperative to the Town's concerns. Discussion on Mr. Micklin's need to move from that location as it is where the new road will be constructed, allowing him to remain in location until space no longer available, previously paid \$120 for license, and options for renewing license for 30 days. Vice Mayor Hull moved to allow Mr. Micklin to remain in present location for 30 days for the fee of \$120/month. Motion seconded by Council Member Gonzalez. Motion passed unanimously; 6-0.**
- B. Section 5311 Rural Transit Funding: The Mayor and Town Council shall discuss and possibly take action on providing the 20% local match of 5311 Funds, in an amount of \$2,806, to construct a new Americans with Disabilities Act (ADA) compliant Bus Shelter at the CAP Office for the Ajo-Gila Bend Route 685; to relocate the existing Bus Stop; and to utilize the Lacor/Streetscape Horizon 13' Shelter with 2 sided Kiosk bus shelter design. **Discussion and Action (BLUE) It was noted that this is a joint effort between Directors Dempsey and**

Fitzer. Council Member J. Turner moved to approve. Motion seconded by Vice Mayor Hull. Discussion on non-compliance to ADA standards of the current bus stop, available funding with a 20% local match (approximately \$2,800) that is specific to shelters and platforms, and ADA compliance is the responsibility of the Town. Discussion on relocation of stop, curb demolition, Town to re-do sidewalk, need to redesign as original design is no longer available, and the motion has to be amended to exclude the design portion. Council Member J. Turner moved to amend his motion to approve to include the verbiage, "and to utilize the Lacor/Streetscape Horizon 13' Shelter with 2-sided Kiosk bus shelter design" be excluded. Motion seconded by Vice Mayor Hull. Motion passed unanimously; 6-0.

- C. Martin Avenue Pedestrian Landscape Plans: The Mayor and Town Council shall discuss and possibly take action on approving the Martin Avenue Pedestrian and Landscaping Plans. Funding for the project is via HURF and SRTS. **Discussion and Action (SALMON) Council Member J. Turner moved to approve. Motion seconded by Council Member Fernandez. Discussion on E-Group doing work, funds will be through HURF and Transportation Enhancement funds and the SRTS funds not awarded. Town Manager Buss noted that he was informed yesterday that the Town did not receive the SRTS funding, reasoning behind non-award of funds is "sketchy" and incorrect, will be sending them a letter detailing where they erred, It was noted that there is \$300,000 to spend along Martin, parking lots will be redone to a 45 degree angle for safety issues, creating a "sense of place" using ironwood trees, current budget is set as \$5301,000 but target is \$465,000, costs reduced through trees available at a lower cost and the Town-s "in-kind", and that the council packets do not include some of the plans due to size but plans are available if needed. Discussion on local bidders usually much lower than state bids, costs to do parking can be done for approximately \$100,000 rather than the \$200,000 shown, and that Desierto Verde quoted a price of \$90/ironwood tree not the \$240/tree estimated. Council Member J. Turner moved to approve. Motion seconded by Council Member Fernandez. Motion passed unanimously; 6-0**
- D. Request for Proposal Award: The Town Council shall discuss and possibly take action on the award of a Request for Proposal to American Legal Publishing Corporation for the provision of Codification Services. American Legal was unanimously scored the highest per an objective review by the RFP review panel. **Discussion and Action (GREEN) Vice Mayor Hull moved to approve. Motion seconded by Council Member Gonzalez. Town Manager Buss informed the Council that a panel and matrix was put together to rank bidders. Discussion on American Legal Publishing having a large attorney pool rather than depending on clerical personnel, recommended by Tom Belshie from the League and they can put on-line and host at \$225/yr. Motion passed unanimously; 6-0.**
- E. Well #4 Repair: The Mayor and Town Council shall discuss and possibly take action to approve the repair of Well #4: declaring an emergency: waive bidding requirements and award contract to repair Well #4 to Southwest Waterworks Contractors Inc. in the amount of \$48,883.01. **Council Member Young moved to approve. Motion seconded by Vice Mayor Hull. Discussion and Action (YELLOW) Public Works Director Parsi noted that there has been no water available from Well #4, four companies recommended to pull the pump, Southwest Waterworks had fastest response. He commented that this was the lowest bidder, videoed well and found the casing to be ruptured in one spot and columns are rough. He noted that he did receive a bid from Gilbert Pump that was slightly lower but recommended going with Southwest as they have already pulled the pump and videoed the well and that Gilbert did not respond in good time. Discussion on motor repairs not needed, that the well be videoed when repairs completed, and the possibility of having the second video "thrown in" or half-price. Council Member Young moved to amend his motion to approve to include that a video of the well be done after work completed. Vice Mayor Hull seconded and the motion passed unanimously; 6-0**
- F. Budgetary Transfer: The Mayor and Town Council shall discuss and possibly take action to approve a budgetary transfer from the Town Manager Contingency Line (GL10-46-700) for the

repair of Well #4, as per Southwest Waterworks Contractors proposal of \$48,883.01.
Discussion and Action (PINK) Council Member J Turner moved to approve. Motion seconded by Council Member Fernandez. Discussion on this is required for Item E and that if Southwest Waterworks Contractors will not throw the second video of the well in at no cost to the Town that the extra expense will be included and resubmitted to Council at the next meeting. Motion passed unanimously; 6-0

G. Acceptance of ADOT Property Purchase Agreement: The Mayor and Town Council shall discuss and possibly take action on approving a Purchase Agreement in the amount of \$9,500.00 between the Town of Gila Bend and the Arizona Department of Transportation (ADOT) of approximately 1.184 acres (51,591 sq ft) of land for Maricopa Road Right-of-Way purposes due to the State Route 85, Business Route 8 (B-8) and Maricopa Road Realignment project. **Discussion and Action (LILAC) Motion to approve by Vice Mayor Hull. Motion seconded by Council Member Gonzalez. Discussion on the acquisition of approximately one mile of new road near the airport is benefit of purchase. Motion passed unanimously; 6-0**

H.. F/Y 2008-2009 Draft Audit Report. The Mayor and Town Council shall discuss and possibly take action to accept the F/Y 2008-2009 Draft Audit Report prepared by Colby & Powell. **Discussion and Action (GOLDENROD) Vice Mayor Hull moved to approve. Motion seconded by Council Member Gonzalez. Town Manager Buss thanked Finance Director Young for all of the hard work she had done and that due to her efforts the Town has come a long way in a short time. Motion passed unanimously; 6-0**

VI. 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 Gonzales thanked Council Member "Coach" Young for hard work and great job with the baseball team

Vice Mayor Hull: no report

Council Member J. Turner: no report

Council Member Young thanked everyone for their support and this has taught the kids that you can accomplish much with hard work. He noted that this is the first time ever that a school has had four boys (three of them seniors) on an All State team, they broke eight state records and that three boys will play in the All Star game, whereas other schools only have one to two players chosen.

Mayor Henry asked about the status of the Town pool. Parks & Recreation Assistant Dishman commented that the pool is full of water and will be ready to fire up in the morning.

VII. TOWN MANAGER REPORT

Town Manager Buss reported that Social Services Director Dempsey is on vacation for two weeks beginning today and that she is working on the First Things First program that focuses on programs for 0 – 5 year olds. He noted that a monthly newsletter will be going out this month with the utility billing, Records Management Clerk Eisenberger will be doing it and getting the information from the department heads, and that it will be available on the website. Reported the staff training at the Community Center was successful. Also reported on was a meeting with Abengoa and the rising amount of interest in Gila Bend shown by solar companies, the grant for the second solar bee was submitted and that recycling bins for paper have been placed for Town office and CAP employees.

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.)

Clyde Kreeger, resident, commented that a 2-3 inch fire hose, from a fire hydrant, is being used to water the park and that there could be safety issues with a senior or child being hurt. He questioned if the ice cream truck that operates on weekends has a business or peddler's license to do business. He commented that it appears to him that the public works crew takes lunch anywhere from 10:00am – 3:00 pm as he has seen a town truck parked at the Title and Registration building for several hours and he asked whether they were there doing personal business or at lunch and isn't Friday the day when Town employees should be conducting personal business.

IX. 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) **No Executive Session called.**

X. ADJOURNMENT
Council Member Young moved to adjourn. Motion seconded by Council Member Fernandez. Motion passed unanimously; 6-0. Time of adjournment: 7:00pm

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 May 25, 2010, and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, CMC
Town Clerk