

NOTICE OF A PUBLIC MEETING

GILA BEND TOWN COUNCIL

February 23, 2022; 6:15 p.m.

Gila Bend Town Hall Conference Room

644 West Pima, Gila Bend, AZ 85337

WORK SESSION AGENDA

NOTE: Council Members of the Town of Gila Bend Town Council may attend either in person or by telephone or video communication

I. CALL TO ORDER **meeting called to order at 6:15 pm**

II. ROLL CALL
Mayor Tommy Sikes

Vice-Mayor James Turner

Council Member Fernando Fernandez
Council Member Clyde Kreeger
Council Member Chris Riggs

Council Member Scott Swanson
Council Member Donny Young
All Present

III. WORK SESSION (the Council cannot act on any of these subjects because they are on the agenda for **discussion only**)

A. **Town Code Review Title III Administration:** The Mayor and Town Council may discuss possible updates to Town Code Title III, Administration. **Discussion Only**

Council held discussions on Title III Chapter 30 by section.

Councilmember Donny Young discussed the possibility of commissions. Vice-Mayor James Turner - you can if there is no Town Manager otherwise interfering; Councilmember Chris Riggs - cannot direct staff and cannot direct managers; Vice Mayor Turner- does not want anything to do with commissions and just let the manager handle managing staff; Councilmember Young - would be a benefit and would be helpful where staff and public can ask the commissioner questions; Councilmember Riggs - what do you mean by help? You can't direct her and that would be interfering; Town Attorney Steve McClure- this has caused a lot of issues in the past with a strong manager and not being able to manage due to issues with commissioners. There would need to be discussion on what the role of the liaison would be.

Councilmember Young- section 30.25 (F) Reports by Officers; Councilmember Scott Swanson- do we have officers and what officers?; Town Clerk Beverly Turner- Council are elected officers; Town Attorney Steve McClure- need to be careful with discussions from department heads and discussion regarding items not on the agenda per open meeting laws; Councilmember Riggs- this is why it is now only the Town Manager, Fire Department, MCSO, and public safety; Councilmember Swanson asked what other officers we have; Town Clerk Beverly Turner- officers appointed by Town Council are the Town engineer, Attorney, Clerk, and Magistrate; Councilmember Young asked if Town Clerk Beverly Turner is an Officer; Town Clerk Beverly Turner- hired by the Council not appointed and no contract; Town Attorney Steve McClure- State Statute there must be a clerk; Councilmember Riggs- when Bev retires that position has to come to Council; Councilmember Young- why is Bev not under contract and Steve is?; who are all the contracted people?; Town Clerk Beverly Turner lists off the contracted employees.

Discussion is had on MCSO cost and facilities usage in town and the rights of the Town.

Councilmember Riggs and Vice-Mayor Turner- section 31.008 Police Chief needs to be changed to Marshal, entire section needs re-written; Town Attorney Steve McClure- will the Marshal be under the direction of the Town Manager?; Councilmember Riggs- appointed by Council.

Councilmember Young- Town Magistrate has a two-year contract why do we have to appoint?; Attorney Steve McClure- Magistrate has two roles and he is elected as Justice of the Peace and appointed by Council as Town Magistrate; Councilmember Swanson- can we appoint someone else?; Town Clerk Beverly Turner- You Can; Councilmember Riggs- you shouldn't.

Vice-Mayor Turner- Section 34.03 supersedes 34.04; Councilmember Young- is there an assistant Chief?; Vice-Mayor Turner- there should be but there is not.; Mayor Tommy Sikes- there should be no new Firefighters without certifications.; Councilmember Riggs- it is an insurance liability and what the insurance company will and will not allow.; Councilmember Young- gentleman down the road says there is no rule regarding having to be certified. Councilmember Riggs- it is not a State rule it is based on our insurance requirements.; Mayor Sikes- yes or they will drop us.; Councilmember Riggs- suggested discussing the insurance requirements with the insurance company.

Councilmember Swanson- section 37.02 revenue should go towards tourism and general fund?; Financial Director Stacey Young- Town Manager Rick Buss

changed that and revenue goes into general fund.; Council member Swanson- the tax revenue should go to tourism and the visitor center; Town Clerk Beverly Turner- Town fully funds the visitor center, used to go to the Galatin Site; Council member Swanson- requests the Town Clerk pulls everything we have regarding this tax and changes; Council member Riggs- requests a list of where the tax has gone in the last 5-20 years; Council member Swanson- will sponsor this ordinance to raise the bed tax up a %.

Council member Clyde Kreeger- section 38.03 purchase orders approval from finance and Town Manager, needs to be a signature approval from Town Manager and the Finance Department designee; Finance Director Stacey Young- AP clerk Heather created collusion by signing due to no checks and balances; Council member Riggs- anyone in finance should be able to check for sufficient funding and what if the designated person is not in the office?; Finance Director Stacey Young- the request can be sent by email; Council member Riggs- it needs to be a signature and anyone in finance should be able to do that; Finance Director Stacey Young- there need to be checks and balances between who approves the funds and potential collusion a statement of which can be obtained in writing from the auditor; Council member Swanson- does she sign the checks too? Then how is that collusion?; Mayor Sikes- all the POs were previously signed by Summer; Council member Riggs- signature approval can't be just one person as would disrupt day to day business; Finance Director Stacey Young- approvals can be emailed; Council member Riggs- could cause delays in the event of an emergency; Council member Swanson- suggested do sign; Council member Riggs- according to Town Code it has to be Town Manager and Finance Director and this needs to be changed to allow a designee; Mayor Sikes- when the Town Manager is gone the Mayor can sign; Attorney Steve McClure- have an accountant advise, show them the code and circumstances and they can provide guidance.

Town Clerk Beverly Turner- asked for a change- 38.12 Enforcement- Town Clerk needs to be taken out, this was from when the Town Clerk was also treasurer; Council member Riggs- yes, change 38.12 made sense in the past but the Ordinances need to grow with us.

Council member Riggs- section 38.13 and ARS 41-1279.07 (H) criminal offense for not having audits done on time, Class 1 MD, need to update this section with timelines so we don't miss the deadline again, would like everything ready for the auditor by October 1st giving them 2 months to complete and be done by January for approval; Attorney Steve McClure- make sure it is inline with State statute; Council member Riggs will write out in an email what should be included in the changes and send to Town Manager Katherine Vale nzuola to disperse; Council member Kreeger - mention of section 38.14; Town Clerk Beverly Turner- have to have this to receive Federal Funding

IV. ADJOURNMENT

Mayor Sikes adjourned the work session at 7:47 p.m.

Tommy Sikes, Mayor

ATTEST:

Beverly Turner, MMC
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the Council Work Session held on February 23, 2023 and that the meeting was duly called and posted and that a quorum was present.

Beverly Turner, MMC
Town Clerk

This agenda posted no later than 24 hours prior to the meeting at the following locations:

Town Website: [www ,gilabendaz.org](http://www.gilabendaz.org)

Gila Bend Post Office bulletin board: 109 W Papago

Gila Bend Town Hall lobby: 644 W Pima

Community Center lobby: 20 2 N Euclid