

NOTICE OF A PUBLIC MEETING

GILA BEND TOWN COUNCIL

Tuesday May 28, 2024; 6:00pm

Gila Bend Unified School District Media Center

308 North Martin Avenue

MINUTES

I. CALL TO ORDER

- A. Call to Order **meeting called to order at 6:00 pm**
- B. Pledge of Allegiance **was led by Mayor Tommy Sikes**
- C. Invocation **was given by Councilmember Clyde Kreeger**

II. ROLL CALL

| | |
|----------------------------------|---|
| Mayor Tommy Sikes | Councilmember Chris Riggs Absent |
| Vice Mayor James Turner | Councilmember Scott Swanson Phone/6:13 |
| Councilmember Fernando Fernandez | Councilmember Donny Young Absent |
| Councilmember Clyde Kreeger | |

III. 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.)

Resident Fred Hull spoke about his experience with a younger Town employee and ensuring flags are not falling over or laying on the floor and ensuring staff are trained on flag etiquette. Mr. Hull also spoke about Town employees trimming trees in Town but not being utilized to fix water leaks that are occurring on the south side of Town.

Resident Amanda Litwhiler spoke about how great the cemetery looks, the trees look great and she is very happy to see that. Ms. Litwhiler also spoke about the water leaks and if manpower is an issue than maybe utilize volunteers and if the parks and rec department needs tools and supplies that she hopes it will be mentioned during budget sessions. Ms. Litwhiler spoke about the quality of work being done to patch the roads which is frustrating and shows a lack of training or lack of proper tools.

IV. CONSENT AGENDA (all items subject to approval by a single motion; any Councilmember may require any of these items to be voted on separately).

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the May 14, 2024 regular council meeting minutes. **Discussion and possible action**
- B. **Payment of Claims:** The Mayor and Town Council may discuss and possibly take action to ratify claims in the amount of \$172,802.25 and approve claims in the amount of \$58,139.73 for the period of May 8, 2024 through May 21, 2024. **Discussion and possible action**

**Vice-Mayor James Turner moved to approve the Consent Agenda as presented
Second by Councilmember Clyde Kreeger
Motion to approve the Consent Agenda as presented passed (5-0)**

**For: Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers
Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: 0

Abstain: 0

Absent: Councilmembers Chris Riggs and Donny Young

Item VI. MCSO Report taken at this time

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

A. **Logan Simpson Contract Amendment 2:** Mayor and Town Council may discuss and possibly take action to waive bidding requirements, pursuant to Title 3, Chapter 38, Section 38.09(B) and to approve Contract Amendment No. 2 to include in-person on call appointments, social media management, and website maintenance and extend the contract end date to June 30, 2025. **Discussion and possible action**

**Vice-Mayor James Turner moved to approve the Logan Simpson Contract
Amendment 2 as presented**

Second by Councilmember Fernando Fernandez

Councilmember Scott Swanson spoke about his experience with more than one entity working on marketing and the importance of branding and fonts and ensuring everything is being coordinated with the current person and ensuring active communication.

Town Manager Katherine Valenzuela informed Mayor and Council that the distinction is that Logan Simpson will be sure that we are adhering to the different guidelines for public hearing notices and ensuring that public notices are factual and objective notices without any sort of subjectivity for planning and zoning activities. The other updates that are going on there are website pages that need to be updated significantly and it is important that all pages tie into these updates.

Vice-Mayor James Turner asked about item A and on- call services and how much the cost will go up.

Town Manager Katherine Valenzuela explained the different comments received from residents that would like these in- person services.

Vice-Mayor James Turner also asked about the original cost and asked for Town Manager Katherine Valenzuela to provide this information at a later date.

Vice-Mayor James Turner asked about all of the agreements and why we are not going out to bid

Town Attorney Allen Quist spoke about professional services and the exception that bidding requirements can be waived under the code. There is a provision that allows for a waiver of bidding.

Vice-Mayor James Turner is just asking about waiving bids left and right

Town Manager Katherine Valenzuela explained the time sensitive projects that are going on in the town and this is why we need to have these contracts in place and when the development clocks starts there are X amount of days according to statute and the clock does not stop due to needing to go out for bid.

With no further discussion Mayor Sikes called for the vote

Motion to approve the Logan Simpson Contract Amendment 2 passed (5-0)

**For: Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers
Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: 0
Abstain: 0
Absent: Councilmembers Chris Riggs and Donny Young

B. **Logan Simpson Consultant Agreement Zoning Code Update:** Mayor and Town Council may discuss and possibly take action to waive bidding requirements pursuant to Title 3, Chapter 38, Section 38.09(B) and to approve a consultant agreement between the Town of Gila Bend and Logan Simpson for FY24 through FY25 in the amount of \$60,624.00 for a comprehensive update to the Town's zoning code and subdivision regulations, and the creation of a digitized official zoning map. **Discussion and possible action**

Vice-Mayor James Turner moved to approve the Logan Simpson Consultant Agreement Zoning Code Update as presented

Second by Councilmember Fernando Fernandez

Vice-Mayor James Turner asked about the contract amount and what

Experience and background Logan Simpson has

Town Manager Katherine Valenzuela responded that Logan Simpson has a new staff member on board with experience with town code updates and the zoning code is their area of expertise.

With no further questions Mayor Sikes called for the vote

Motion to approve the Logan Simpson Consultant Agreement Zoning Code Update passed (5-0)

For: Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson

Against: 0

Abstain: 0

Absent: Councilmembers Chris Riggs and Donny Young

C. **Logan Simpson Consultant Agreement Town Code Update:** Mayor and Town Council may discuss and possibly take action to waive bidding requirements pursuant to Title 3, Chapter 38, Section 38.09(B) and to approve a comprehensive Town Code Update agreement between the Town of Gila Bend and Logan Simpson for FY24 through FY25 in the amount of \$51,000. **Discussion and possible action**

Vice-Mayor James Turner moved to approve the Logan Simpson Consultant Agreement Town Code Update

Second by Councilmember Fernando Fernandez

Vice-Mayor James Turner asked if the dollar amounts change for the code updates if something else happens or if this is a bottom dollar amount.

Town Manager Katherine Valenzuela confirmed that no this is a bottom line dollar amount

Councilmember Scott Swanson understands waiving bids and is on board with all of this and asked about the name of the company that does this now and if American Legal does this service now. What is the fair amount?

Vice-Mayor James Turner understands that they are already in place

Town Manager Katherine Valenzuela responded that as we work with new developers we need to make sure that the codes are current and meet state statute and are not contradictory as they are now which creates confusion for staff. Vice-Mayor James Turner asked if they will bring the changes back to council and Town Manager Katherine Valenzuela confirmed that Council will be able to comment on it and this is their area of expertise and the dollar amounts are large but this will update codes from 1985 and the updates will be current and the dollar amount is higher now for one-time costs to do this update.

Councilmember Scott Swanson mentioned the ten steps for the process and the involvement of Council.

With no further questions Mayor Sikes called for the vote

Motion to approve the Logan Simpson Consultant agreement Town Code Update passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: **0**

Abstain: **0**

Absent: **Councilmembers Chris Riggs and Donny Young**

D. **Willdan Contract Agreement:** Mayor and Town Council may discuss and possibly take action to waive bidding requirements pursuant to Title 3, Chapter 38, Section 38.09(B), and to approve a contract agreement between the Town of Gila Bend and Willdan Engineering for permitting and inspection services for the Town, including on-call building official services. **Discussion and possible action**

Vice-Mayor James Turner moved to approve the Willdan Contract Agreement as presented

Second by Councilmember Fernando Fernandez

Vice-Mayor James Turner asked if we are going to have the same issues with Willdan that we had with Brown and Associates? If they get called out for an inspection and are they not going to do the inspection and call out other violations? Town Manager Katherine Valenzuela responded that we have not had that experience with Willdan going out to the property and coming back with more violations. Vice-Mayor James Turner if that is going to be the case then everyone in this community is going to have to go through this same process. Town Manager Katherine Valenzuela responded that they will ensure that they will not be responding to residents in the same way and not overly concerned with aesthetics.

With no further discussion Mayor Tommy Sikes called for the vote

Motion to approve the Willdan Contract Agreement passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: **0**

Abstain: **0**

Absent: **Councilmembers Chris Riggs and Donny Young**

E. **Gatlin Cultural and Natural Resource Park Award:** Mayor and Town Council may discuss and possibly take action to award the Gatlin Cultural and Natural Resource Park public facilities design and development plan to Wilder Landscape Architects in an amount not to exceed \$40,000. **Discussion and possible action**

Vice-Mayor James Turner moved to approve the Gatlin Cultural and Natural Resource Park Award as presented

Second by Councilmember Fernando Fernandez

Councilmember Scott Swanson asked if this was the same guy from Southwest Archaeology and Parks and Recreation Manager Pat Riggs confirmed that this is Bill Doelle who was hired as a consultant for this project and this is his recommendation. This is also the ones who did the Heritage Park grant and they had a very good proposal and will be finished by August 24th.

With no further discussion Mayor Tommy Sikes called for the vote

Motion to approve the Gatlin Cultural and Natural Resource Park award passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**
Against: **0**
Abstain: **0**
Absent: **Councilmembers Chris Riggs and Donny Young**

F. **Municipal Airport Entitlement Funds Transfer:** Mayor and Town Council may discuss and possibly take action to approve the transfer of \$150,000 in FAA Entitlement Funds to Scottsdale Airport. **Discussion and possible action**

Vice Mayor James Turner moved to approve the Municipal Airport Entitlement Funds Transfer as presented

Second by Councilmember Fernando Fernandez

Councilmember Scott Swanson inquired if this meant that we have \$150,000 and we didn't spend it and Town Manager Katherine Valenzuela confirmed as we did not have a shovel ready project as required by the FAA and it has to be used or the FAA will take it away and any airport that has not used their entitlement can transfer to another airport. Councilmember Swanson asked about projects and Town Manager Katherine Valenzuela confirmed that we do not have any projects ready and this has been the case in past years. Councilmember Swanson asked about the white trucks at the airport and it was confirmed that those are DPS for their training. Vice-Mayor James Turner asked if this \$150,000 transfer affects us to be able to get the money in the future and Town Manager Katherine Valenzuela confirmed that it does not.

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: **0**

Abstain: **0**

Absent: **Councilmembers Chris Riggs and Donny Young**

VI. MCSO REPORT

(This is the time MCSO may present a brief summary on MCSO crime statistics, data, and cases. The Council may not propose, discuss, deliberate, or take any legal action on the information presented)

April Report

This Item was taken after the Consent Agenda

Lt. Chris Scott gave the April report. There was an uptick in fire calls and Lt. Scott has asked a deputy to look into these to ensure no signs of arson. There has been an uptick in citations and traffic stops which have doubled since March and quadrupled since February. There was an uptick in calls for service with 89 calls. There was a dog bite to a kid that was riding his bike and animal control is following up. There was also a call of a train hitting a pedestrian.

VII. FIRE CHIEF REPORT

(This is the time the Gila Bend Fire Chief may present a brief summary on fire statistics, data, and incidents. The Council may not propose, discuss, deliberate or take any legal action on the information presented.)

No Report

VIII. MAYOR AND COUNCIL MEMBER'S REPORT ON CURRENT EVENTS

(This is the time Councilmember'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 except that an individual Councilmember may ask that an item be placed on a future agenda.)

Mayor Tommy Sikes attended the Memorial Service on Monday and Pat did a really great job and wished more people would have come out

Councilmember Scott Swanson has found a veterinarian that will come to Gila Bend to do vaccinations of which Councilmember Swanson will sponsor free rabies shots but as of now there are only three interested people. Councilmember Swanson spoke about the puppies that have died of parvo in town and the need to get these dogs vaccinated. Hearing about the dog bite is ridiculous and we cannot have that out here as it is getting out of hand. Councilmember Swanson thinks we need to get at least 20-30 people interested for the veterinarian to come out here and he can coordinate with the Community Center. Councilmember Swanson also spoke about the cell phone towers by the park and one is completely pitch black and this is not good for the airport and we need to check the lights on our towers.

IX. TOWN MANAGER REPORT

(This is the time the Town Manager may present a brief summary on current events. The Council may not propose, discuss, deliberate, or take any legal action on the information presented except that an individual Councilmember may ask that an item be placed on a future agenda.)

Town Manager Katherine Valenzuela reported that Canyon State will continue their town wide safety programming and to date they have done heat safety and next they will be doing PPE and chemical handling which is important as we have some pretty caustic chemicals used by various departments. There was an update from the League on finance and there are no budget discussions yet and the State is looking at their deficit growing and they may try to claw back HURF and there will be a hiring freeze by the State as a result of the deficit. Town Manager Katherine Valenzuela is also continuing to try and schedule a meeting with Animal Care and Control as they have been focused on their Mesa shelter. There will also be a meeting with Captain Hilliker to address some of the service call issues and next steps for enforcement.

X. FUTURE AGENDA ITEMS

(This is the time Councilmembers may request items be placed on future agendas. Requests for future agenda items that are supported by at least 3 Councilmembers shall be added to future agendas. No discussion or voting shall occur on future agenda items.)

No future agenda items

Special Meeting: Mayor and Council will convene into a Special Meeting for a Board of Adjustment Variance hearing.

Vice-Mayor James Turner moved to enter into a Special Meeting for the Board of Adjustment Variance Hearing

Second by Councilmember Fernando Fernandez

Motion to convene into a Special Meeting for a Board of Adjustment Variance Hearing passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: **0**

Abstain: **0**

Absent: **Councilmembers Chris Riggs and Donny Young**

A. **Church Hill Apartments Variance:** The Applicant/owner is requesting approval of setback variances for a duplex dwelling and four covered carports that have already been built at the property located at 220 W. Stout Street in the R-1 Single Family Residential Zoning District. Approval of the variances would allow for zoning approval

of the existing structures. **Discussion and action**

Sandra Hoffman with Logan Simpson presented Mayor and Council with the details of the Church Hill Apartments Variance and conditions to secure the necessary permits for the work that has been done.

Councilmember Scott Swanson commented that improvements like this are great for the community and asked if the neighbors have any say and Sandra Hoffman confirmed that a sign was posted to the property and notices were mailed out.

Councilmember Fernando Fernandez commented that the improvements look good.

Councilmember Fernando Fernandez moved to approve the Church Hill Apartments Variance application

Second by Vice-Mayor James Turner

Motion to approve the Church Hill Apartments Variance passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: **0**

Abstain: **0**

Absent: **Councilmembers Chris Riggs and Donny Young**

B. **201 N Martin Variance:** The Applicant/Owner is requesting approval of a setback variance to an existing single-family dwelling and garage at the property located at 201 N Martin Ave in the R-4 four plex residential zoning district. A single family dwelling is a permitted use and a private garage is a permitted use and a private garage is a permitted accessory use in the R-4 zoning district. Both structures are historically sited, and approval of the variances would memorialize the location of the existing structures.

Discussion and action

Sandra Hoffman with Logan Simpson presented Mayor and Council with the details of the 201 N Martin Variance and stipulations that any new structures must meet the requirements of the R-4 zoning district as amended and obtain the necessary permits for any further building.

Councilmember Fernando Fernandez commented that the building has been there since before 1993 and Sandra Hoffman confirmed that she is aware.

Vice-Mayor James Turner moved to approve the variance

Second by Councilmember Fernando Fernandez

Town Attorney Allen Quist recommended that the motion reflect the stipulations referenced by Sandra Hoffman as well.

Vice-Mayor James Turner amended his motion to include the stipulations referenced by Sandra Hoffman

Motion to approve the 201 N Martin Variance to include the stipulations passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: **0**

Abstain: **0**

Absent: **Councilmembers Chris Riggs and Donny Young**

Vice-Mayor James Turner moved to re-convene the regular Council meeting at 6:48 pm

Second by Councilmember Fernando Fernandez

Motion to re-convene into the regular Council meeting at 6:48 pm passed (5-0)

For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: 0
Abstain: 0
Absent: **Councilmembers Chris Riggs and Donny Young**

XI. **Executive Session:** Mayor and Town Council may convene into executive session pursuant to A.R.S. § 38-431.03(A)(3)&(4) for discussion and consultation concerning a development agreement with Aluminum Dynamics. **Discussion only**

XII. **ADJOURNMENT**

Councilmember Fernando Fernandez moved to adjourn the meeting at 7:32 pm

Second by Vice-Mayor James Turner

Motion to adjourn the meeting at 7:32 pm passed (5-0)

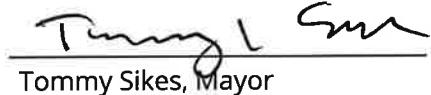
For: **Mayor Tommy Sikes, Vice-Mayor James Turner, Councilmembers Fernando Fernandez, Clyde Kreeger and Scott Swanson**

Against: 0

Abstain: 0

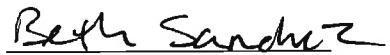
Absent: **Councilmembers Chris Riggs and Donny Young**

NOTE: The Council may go into Executive Session for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).



Tommy Sikes, Mayor

ATTEST:



Beth Sanchez
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the Council Meeting held on May 28, 2024 and that the meeting was duly called and posted and that a quorum was present.



Beth Sanchez
Town Clerk

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

Town Website: www.gilabendaz.org

Gila Bend Post Office bulletin board: 109 W Papago

Gila Bend Town Hall lobby: 644 W Pima

Community Center lobby: 202 N Euclid