

TOWN OF GILA BEND

Minutes of the April 27, 2010 regular Council meeting.

I. CALL TO ORDER

- A. **Mayor Henry called the meeting to order at 6:00pm**
- B. **The Pledge of Allegiance was led by Mayor Henry**
- C. **The invocation was led 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
Council Member James "Bud" Turner
Council Member Donny Young-absent

Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Finance Director Young, Public Works Director Parsi, Community Development Director Fitzer, Parks & Recreation Director Hoffman, Fire Chief Birchfield, 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. **Council Member J. Turner moved to approve. Motion seconded by Vice Mayor Hull. It was noted that the \$1,000 annual membership renewal with Westmarc is a good deal. Motion passed unanimously; 6-0.**

- A. Approval of April 6, 2010 and April 13, 2010 Council meeting minutes. The Mayor and Town Council shall discuss and possibly take action on the approval of the minutes from the Town Council's April 6 2010 Special Meeting and the April 13, 2010 regular meeting. . **Discussion and Action (WHITE)**
- B. WESTMARC Membership. The Mayor and Town Council shall discuss and possibly take action to renew annual membership (2010) with WESTMARC in the amount of \$1,000.00. **(BLUE)**

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

- A. Independent Contractor Agreement. The Mayor and Council shall discuss and possibly take action on the approval of an independent contractor agreement between David Birchfield and the Town of Gila Bend to serve as Fire Chief of the Gila Bend Volunteer Fire Department. **Discussion and Action (YELLOW) Town Manager Buss commented that this is long overdue for Chief Birchfield and that a decision on whether the Fire Chief should be paid as an employee or as a contractor with the same type of contract as Airport Manager Drury and Asst. Public Works Director Baldenegro with scope of services different should be made by the Council. Fire Chief Birchfield noted that there were some questions that needed to be resolved: 1) insurance cost would be substantial; 2) what portion of insurance costs will the Town pick up; 3) billing persons living within the city limits would be a new duty; and 4) would he be responsible for doing the billing. Town Manager Buss commented that the billing issue is in the future and would be brought before the Council prior to implementation, the EMS services are still getting in-line, and that more research would have to be done. Discussion on tabling or removing this item until Fire Chief Birchfield's questions are resolved. Council Member C. Turner moved to remove this item from the agenda. Motion seconded by Vice Mayor Hull. Motion to remove Item A. from the agenda passed unanimously; 6-0.**
- B. Mechanical and Electrical Services RFP. The Mayor and Council shall discuss and possibly take action on the approval to issue a request for proposals (RFP) for on-call mechanical and electrical services. **Discussion and Action (PINK) Discussion on the occasional need for mechanical and electrical services and several different service companies rather than just one independent service company may be more beneficial due to availability and**

response time, service providers would be "on-call" and on a rotation basis. Discussion on putting out an RFP for Fee Schedules, that some routine maintenance would be included, and the fire house should be included in the mechanical service. Vice Mayor Hull moved to approve. Motion seconded by Council Member Fernandez. Motion passed unanimously; 6-0.

- C. Waterline and Fire Hydrant Project. The Mayor and Town Council shall discuss and possibly take action to approve a Professional Engineering Services Agreement with PBSJ for the Waterline and Fire Hydrant Project. **Discussion and Action (GREEN) Town Manager Buss reported that funding closed with Rural Development (RD), there is a meeting on Wednesday, May 5th with RD, approval from RD is required for each of the three projects: 1) Waterline, 2) Butterfield Trail, and 3) Brine Ponds, and a standard form of agreement will be used for each project. Vice Mayor Hull moved to approve the Professional Engineering Services Agreement with PBS&J. Motion seconded by Council Member J. Turner. Motion passed unanimously; 6-0.**

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)

Council Member Fernandez had no report but asked how many Deputies are specified on the Town's contract with MCSO. Town Attorney McClure noted that the number of Deputies is .5.

Council Member Gonzalez: no report

Vice Mayor Hull noted that he attended a meeting the night before (Mon., April 26th) that focused on the things the State is doing with and for the Veterans on the federal level.

Council Member C. Turner reported that two ambulance audits were just completed in the past week, had perfect scores for both, and there is one more audit to go.

Council Member J. Turner: no report

Mayor Henry asked if there were any reports from:

Town Clerk Turner: Census takers will be starting to go door-to-door and to please make sure that you are counted.

Public Works Director Parsi: Advertising for the Street Improvements Project with the bid opening to take place on May 6th. Street Improvements Project is actually three different projects: 1) Six roads, 2) Wall St., and 3) First & Second Streets at an approximate cost of \$150,000

Community Development Director Fitzer reported that the application for the Pedestrian Bridge has been submitted and as it is one of only two state projects submitted, it will automatically go to the State for review.

Finance Director Young: By the next meeting she should be able to submit, to the Council, the independent audit report and financial statement

Parks & Recreation Director Hoffman: pool is on schedule and the crack(s) were not as bad as they feared

Fire Chief Birchfield: People have completed the certification

VI. TOWN MANAGER REPORT

Town Manager Buss reported that he received a call from AMEC (ADOT) that they have run into extra funds, \$1.5 million with 0% match from town, to do landscape enhancements that could include solar lighting, attached or detached sidewalks, and Ironwood and Mesquite trees are being considered for use in the landscape enhancements. Town Manager Buss reported on the possible availability of \$1.25 million for Transportation Enhancement Project that will eventually attach to and continue down Pima throughout the town. He spoke on the solar pedestrian lighting and that ADOT had budgeted approximately \$299,000 for the lighting. He noted that it will be Town responsibility of maintaining all improvements, repairs are needed on Maricopa Rd near Milepost 1 as Town is responsible for approximately 2.9 miles of the road, and that MAG was looking at CMAC funds that are not available to Gila Bend. Also reported was that the Town should know sometime next week about the awarded bids, stimulus funds and the additional available funds to continue the landscaping enhancement.

- 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.*) **Brian Davis asked whether a traffic control light is going to be installed. Community Development Director Fitzer noted that he has not seen anything on it yet but there may be a temporary lights wired for hook-up as needed.**
- 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 Council Member J. Turner. Motion passed unanimously; 6-0. Time: 6:37pm**
- IX. ADJOURNMENT
Council meeting reconvened at 6:46pm. Council Member J. Turner moved to adjourn. Motion seconded by Council Member Fernandez. Motion passed unanimously: 6-0. Time of adjournment: 6:47pm.

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 April 27, 2010, and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, CMC
Town Clerk