

**TOWN OF BUCKEYE
REGULAR MEETING
OCTOBER 20, 2009**

MINUTES

**Town Council Chambers
100 N. Apache Rd.
Buckeye, Arizona 85326
6:00 p.m.**

1. Call to Order/Pledge of Allegiance/Roll Call

Mayor Meck called the meeting to order at 6:00 p.m.

Members Present: Mayor Meck, Vice Mayor May, Councilman Rioux, Councilman Garza, Councilman Doster, Councilman McAchrán, and Councilman Hardesty.

Members Absent: None.

Departments Present: Interim Town Manager Stephen Cleveland, Assistant Town Manager Jeanine Guy, Town Attorney Scott Ruby, Town Clerk Lucinda Aja, Deputy Town Clerk Deborah Harrell, Deputy Town Clerk Nanci Dixon, Council Assistant Carol Conley, Fire Chief Bob Costello, Police Chief Bob Daniels, Community Development Director Suparna Dasgupta, Water Resources Director Damon Dequenne, Human Resources Director Nancy Love, Public Works Director Scott Lowe, Finance Director Gail Reese, Town Engineer Woody Scoutten, and Community Services Director Cheryl Sedig.

2A. Comments from the Public

Mr. Ian Horvath, (North 6th Street, Buckeye, Arizona), expressed his concerns regarding the All Mail Ballots and requested that the Town continue to offer traditional elections and polling locations.

2B. Awards/Presentations/Proclamations - None

3. Minutes

A motion was made by Councilman Rioux and seconded by Vice Mayor May to approve the minutes of the September 15, 2009 Council Workshop and Regular Council Meeting. Motion passed unanimously.

4. Expenditures

A motion was made by Vice Mayor May and seconded by Councilman McAchrán to approve the invoices due by the Town for payment. Councilman Garza, Councilman Doster, Councilman McAchrán, Vice Mayor May, and Mayor Meck voting aye. Councilman Rioux and Councilman Hardesty abstained from the Core Expenditure. Motion carried.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. Item *5F was pulled for discussion by Councilman Rioux. Item *5G was pulled for discussion by Councilman Garza. A motion was made by Councilman Doster and seconded by Councilman Hardesty to approve items *5A, *5B, *5C, *5D, and *5E. Councilman Rioux, Councilman Garza, Councilman Doster, Councilman McAchrán, Councilman Hardesty, and Mayor Meck voting aye. Vice Mayor May abstained from voting on Item *5E. Motion Carried.

***5. New Business**

***5A. Police Ammunition Purchase**

Staff Liaison: Charles Vince Griffis, Training Sergeant

District No. All

Council approved the purchase of ammunition from San Diego Police Equipment from State Contract No. SCC090003, to be funded from Account No. 010-60-1509 (Ammunition) in an amount not to exceed \$36,914.84.

***5B. Resolution No. 24-09 RZ08-20 Hayden Farms Rezone**
Staff Liaison: Brian K. Rose, Associate Planner
District No. 1

Council adopted Ordinance No. 24-09 amending the Zoning Map of the Town of Buckeye on approximately 157 acres, generally located on the northwest corner of Turner Road and Baseline Road, from Rural Residential (RR) zoning district to General Commerce (GC) zoning district.

***5C. Non-Profit Community Funding Subcommittee Grant Funding Recommendation**
Staff Liaison: Lindsay Yanko, Community Services Management Assistant
District No. All

Council approved the Non-Profit Community Funding Subcommittee recommendations for the Community Non-Profit Funding Program, to be funded from Account No. 010-51-1960 (Not for Profit Organization Program) in an amount not to exceed \$49,113.

***5D. Appointment of Sue Mros to the Community Services Board (Term Expiration of 2012), and Wendy Bertram to the Social Services Advisory Board (Term Expiration of 2013)**
Staff Liaison: Lucinda Aja, Town Clerk
District No. 2, 6

Council appointed Sue Mros to the Community Services Board with a term expiration of December 2012, and Wendy Bertram to the Social Services Advisory Board, with a term expiration of December 2013.

***5E. Change Order No. 4 with Petra Contracting for Town of Buckeye Contract No. PW-0409-CFS-0154 for the Construction of Connector Roads along SR-85**
Staff Liaison: Gail Reese, Finance Director
District No. All

Council approved Change Order No. 4, under Contract No. PW-04-09-CFS-0154, with Petra Contracting, to raise the east connector road to its final elevation and pave with asphalt concrete in lieu of double chip seal on the SR-85 Connector Roads Project through an Intergovernmental Agreement with Arizona Department of Transportation, to be funded from Account No. 042-50-2055 (ADOT IGA SR-85 Frontage) in an amount not to exceed \$232,929.12.

***5F. Consent to Assignment and Assumption of Elianto Community Facility District Development Agreement**
Staff Liaison: Christopher Schmaltz, Town Attorney
District No. N/A

This item was pulled from the Consent Agenda for discussion by Councilman Rioux. After a brief discussion regarding the transfer of ownership and the monies owed the Town, it was determined that more information is required before a decision can be made. A motion was made by Councilman Rioux and seconded by Vice Mayor May to lay on the table the Consent to Assignment and Assumption of Development, Financing Participation, and Intergovernmental Agreement No. 1 for the Elianto Community Facility District, from Elianto, LLC as Assignor, to Arizona Elianto Return, LLC, the Assignee. Motion passed unanimously.

***5G. Resolution No. 96-09 Directing Use of "Mail Ballot" Procedures in Town Elections, Providing an Exception**
Staff Liaison: Lucinda Aja, Town Clerk
District No. All

This item was pulled from the Consent Agenda for discussion by Councilman Garza. Town Clerk Lucinda Aja was available to answer Council's questions regarding all mail ballot elections. A motion was made by Councilman Rioux and seconded by Councilman Hardesty to adopt Resolution No. 96-09, of the Mayor and Town of Buckeye, Arizona, directing the use of "Mail Ballot" Election procedures in Town Elections, providing an exception. Mayor Meck, Vice Mayor May, Councilman Rioux, Councilman Doster, Councilman McAchran, and Councilman Hardesty voted aye. Councilman Garza voted nay. Motion carried.

6. Continued / Tabled Items-None

7. Public Hearings / Non-Consent - New Business

**7A. Action Resolution No. 101-09 Jackrabbit Trail Sanitary Sewer Improvement District Bonds
Staff Liaison: Gail Reese, Finance Director
District No. All**

Ms. Reese was available to answer Council’s questions regarding the proposed issuance of Jackrabbit Trail Sanitary Sewer Improvement District Bonds. A motion was made by Councilman Doster and seconded by Councilman McAchran to approve Resolution No. 101-09 authorizing the issuance of Jackrabbit Trail Sanitary Sewer Improvement District Bonds (Town of Buckeye, Arizona), Series 2009, in an amount not to exceed \$3,000,000; approving the form and authorizing the execution and delivery of a purchase contract relating to the bonds, and certain other documents pertaining to the bonds; approving the sale of the bonds to the underwriter; prescribing the terms and provisions of the bonds; ratifying all actions taken in preparing and disseminating a preliminary official statement relating to the bonds; approving a final official statement relating to the bonds; and declaring an emergency. Motion passed unanimously.

8. Town Manager’s Report

Mr. Cleveland reported that the construction of the traffic signal at the Inca Elementary School will begin Thursday, October 22, 2009.

Beginning November 3, 2009 the Council meetings will be held in the new Council Chambers, at 530 East Monroe Avenue, Buckeye.

Mr. Cleveland announced the Heritage Days Event will be October 24th and 25th from 9:00 a.m. to 4:00 p.m. and the Halloween Spooktacular will be October 30th beginning at 6:00 p.m.

9. Comments from the Mayor and Council

Councilman Rioux reported the Relay for Life Walk was a big success. He thanked Community Services for the Heritage Days Event and indicated more items are needed for the auction.

Councilman Garza thanked Public Works for their care of the streets and commended the Fire Department for their response and care provided to a firefighter injured last week in a house fire.

Councilman McAchran – None.

Councilman Hardesty commented he was glad to report the sprinklers at Buckeye Town Park are working. Ms. Guy indicated that it was a combined effort between Water Resources and Community Services and confirmed it is not potable water.

Vice Mayor May – None.

Mayor Meck reported the Town Hall Open House was a great success and the Relay for Life raised more than \$160,000. Mayor Meck commended the Fire Department and the action by Fire Chief Bob Costello for their response and care given to a firefighter injured last week.

10. Adjournment

There being no further business to come before Council, a motion was made by Vice Mayor May and seconded by Councilman McAchran to adjourn the meeting at 6:34 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Council Regular Meeting held on the 20th day of October, 2009. I further certify that a quorum was present.

Lucinda J. Aja, Town Clerk