



City of Maricopa

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Meeting Minutes - Final City Council Regular Meeting

Mayor Christian Price
Vice-Mayor Edward Farrell
Councilmember Marvin L. Brown
Councilmember Peggy J. Chapados
Councilmember Dan Frank
Councilwoman Julia R. Gusse
Councilmember Bridger Kimball

Tuesday, September 2, 2014

7:00 PM

Council Chambers

1. Call to Order

The City Council regular meeting was called to order at 7:13 p.m.

Pastor Steve Adamson, from Maricopa Community Church, gave the invocation.

Councilmember Brown led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball, Councilmember Peggy Chapados and Councilmember Dan Frank

3. Proclamations, Acknowledgements and Awards

3.1 [PROC 14-08](#) Proclamation proclaiming September 1-6 as Paint the Town Red Week and September 5th as Ram Pride Day.

Mayor Price read the proclamation and presented it to students from Maricopa High School.

The Maricopa High School Student Council presented the Mayor and Councilmembers with gifts and a short performance by the high school band.

The Proclamation was read.

4. Report from the Mayor

Councilwoman Gusse announced that The Streets Don't Love You Back Movement will be holding an event on Saturday, September 6. She stated the event is called Stand Up Arizona and that she will be a guest speaker. She noted the event is a gang, drug, violence, and abuse awareness conference that will be held in Mesa. She added that there would be a Meet and Greet on Friday at Native New Yorker.

Mayor Price stated that as part of the Paint the Town Red activities there will be a parade tomorrow at Copper Sky at 6 p.m. followed by the flag-football game between the Maricopa High School alumni led by Vice Mayor Farrell and Mayor's Price team made up of staff. He encouraged participation in the events.

Next, he reported attending the AZ League of Cities and Towns Annual Conference, an ADOT meeting in Page regarding Highway 89, and the grand opening of Loop 303/I-10 interchange. He noted that he was accompanied by Council to the AZ League of Cities conference in which they attended various informative sessions. He stated he was granted the privilege to moderate sessions on innovative finance strategies and the I-11 corridor. He reported participating in a speed networking breakfast with other cities and towns and in conclusion he thanked the Councilmembers who attended the sessions he moderated.

5. Report from the City Manager

City Manager Gregory Rose welcomed new Human Resources Director Kathy Haggerty and the new Chief Information Officer Cary Gielniak.

Next, he requested that Agenda Item 9.12 be moved from consent to the end of the regular agenda so it could be discussed after a brief executive session.

6. Call to the Public

Marla Lewis, with the Maricopa Chamber of Commerce, approached the podium and addressed Council. She invited everyone to attend the September 25th Connect 2014 American Indian Chamber Conference and Trade Show at Harrah's Ak-Chin Casino. She gave details on the conference and noted that speakers would include Chairman Manuel and Mayor Price among others. She directed anyone with questions to contact the Chamber of Commerce and noted the event starts at 7:30 a.m. and that the costs would vary.

Maricopa Unified School District (MUSD) Superintendent Dr. Steve Chestnut approached the podium and addressed Council. He announced that enrollment is up over last year and that the Maricopa Class of 2014 finished with over \$2.7 million in scholarships. He reported that MUSD maintained a Grade B, and while the goal is to be an A district school, there is great progress. He reminded the public that the 5 percent override will be on the November ballot and elaborated on the override. He directed anyone with questions to the school's website.

Rachel Leffall approached the podium and addressed Council. She reported that Tortosa Teams hosted a Laser Tag Showdown on Saturday and commended the event. Next, she reported that on Sunday the Families First Community Development Corporation hosted a back-to-school event and that they still have school supplies left over to give out on Monday, September 8th from 6:30 to 8 p.m. at Pacana Park. She introduced the corporation's Chief Executive Officer, Yolanda Ewing.

Yolanda Ewing approached the podium and addressed Council. She stated that Families First Community Development Corporation has served the community for over 5 years and that part of their mission is to empower and educate families so they can have a better quality of life. She added that they provide after-school mentoring programs in basic etiquette, financial literacy, college prep, communication skills, and a class for parents called, Parent Talk. She stated that they also have a continuous prom dress drive that has been very successful as well as the Just for You Meal Service. She noted that they need more funding and support from the community.

7. Minutes

- 7.1 [MIN 14-64](#) Approval of Minutes from the August 5, 2014 City Council Work Session.

A motion was made by Councilmember Brown, seconded by Councilwoman Gusse, that the Minutes be Approved. The motion carried by the following vote:

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball and Councilmember Dan Frank

Recused: 1 - Councilmember Peggy Chapados

- 7.2 [MIN 14-65](#) Approval of Minutes from the August 5, 2014 City Council Regular meeting.

A motion was made by Councilmember Brown, seconded by Councilwoman Gusse, that the Minutes be Approved. The motion carried by the following vote:

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball and Councilmember Dan Frank

Recused: 1 - Councilmember Peggy Chapados

8. Public Hearings

9. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilmember Bridger Kimball, seconded by Councilwoman Julia R. Gusse, to Adopt the Consent Agenda with the exception of Agenda item 9.12 (which will be moved to the end of the Regular Agenda). The motion carried unanimously.

- 9.1 [IGA 14-09](#) The Mayor and City Council shall discuss and possibly take action to enter into an intergovernmental agreement (IGA) between the City of Maricopa Police Department and the Department of Public Safety (DPS) for a one (1) year contract to enhance law enforcement services concerning vehicle theft through cooperative efforts. Funds are available for this IGA under the Grants Fund, Police Uniform Services, Regular Employees (22022122-51100) and the General Fund, Police Operations, Regular Employees (10022122-51100). Discussion and Action.

This Intergovernmental Agreement was Approved.

- 9.2 [CON 14-26](#) The Mayor and City Council shall discuss and possibly take action to approve a contract renewal with Albert Holler and Associates for Transaction Privilege Tax (TPT) services in an amount not to exceed \$36,000 and funding will be from General Fund, Financial Services, Professional and Occupational (10011313-53320). Discussion and Action.

This Contract was Approved.

- 9.3 [CON 14-27](#) The Mayor and City Council shall discuss and possibly take action to approve a Contract Amendment to FCI Constructors, Inc. for Design and Construction Services for phase three of the Fire Station 572 project in an amount not to exceed \$250,000 and the approval of a budgetary transfer in an amount not to exceed \$164,489 from

½ Cent County Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005) to General Government CIP Fund, Fire Support Services, Buildings, Fire Station 572 (35022528-67720-32010). This award is based on The Cooperative Purchasing Network contract #R5148 and is in accordance with City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing. The funding for the project will be from the General Government CIP Fund, Fire Support Services, Buildings, Fire Station 572 (35022528-67720-32010). Discussion and Action.

This Contract was Approved.

- 9.4 [SPR14-02](#) The Mayor and City Council shall discuss and possibly take action to approve Site Plan Review case # SPR14-02 Fire Station 572. Discussion and Action.

This Site Plan Review was Approved.

- 9.5 [RES 14-32](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing the imposition and collection of fees for permits for use of alcohol in the regional park during rental of facilities and softball league and to host special events at the multigenerational center and amending the Copper Sky Multigenerational/Aquatic Center fee schedule to include these fees. Discussion and Action.

This Resolution was Approved.

- 9.6 [RES 14-35](#) A Resolution of the Mayor and City Council of Maricopa, Arizona authorizing the submission of an application for the Rural Economic Development Grant to construct certain street infrastructure improvements for the Estrella Gin Business Park, authorizing the execution of documents needed for the grant application, and agreeing to accept public improvements and maintenance responsibility for said infrastructure. Discussion and Action.

This Resolution was Approved.

- 9.7 [CON 14-28](#) The Mayor and City Council shall discuss and possibly take action to approve an Award of Contract to Total Transit/ValuTrans for operation of transit services, beginning October 1, 2014 and ending September 30, 2015. This contract, in an amount not to exceed \$160,950, will be funded from the following line items: Not to exceed 58% (\$93,351) from Grants Fund, Transportation Technical, Section 5311 (22044146-53340-15401); and not to exceed 42% (\$67,599) from General Fund, Transportation, Technical, Section 5311 (10044146-53340-15401). This Award of Contract is in compliance with City of Maricopa Purchasing Code Article IV, Sec. 3-215. Discussion and Action.

This Contract was Approved.

- 9.8 [CON 14-29](#) The Mayor and City Council shall discuss and possibly take action to approve a change order with Haydon Building Corp for Design-Build Construction Services in an amount not to exceed \$188,677 for the Regional Park/Sports Complex project. The funding for the project will be drawn from Parks Bond-Facilities, Improvements other than Buildings, Regional Park & Sports Complex (33055158-67730-33010). Discussion and Action.

This Contract was Approved.

- 9.9 [CON 14-30](#) The Mayor and City Council shall discuss and possibly take action to approve a contract with CPC Construction, Inc., for various asphalt patchwork, maintenance, and repairs throughout the City. This contract, in an amount not to exceed \$75,000,

will be funded from ½ Cent County Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005), is based on City of Chandler Contract No. ST2-745-3039, and is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

This Contract was Approved.

9.10 [CON 14-31](#)

The Mayor and City Council shall discuss and possibly take action on approving a contract with Crafc0, Inc. for purchase of rubber crack seal material to be used in upcoming crack sealing of City streets. This contract, in an amount not to exceed \$90,000, will be funded from ½ Cent County Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005), is based on Arizona Department of Transportation Contract Number ADSP013-035060, and is in compliance with City of Maricopa Purchasing Code, Article IV, Section 3-223, "Cooperative Purchasing." Discussion and Action.

This Contract was Approved.

9.11 [CON 14-32](#)

The Mayor and City Council shall discuss and possibly take action to approve an award of contract to MakPro Services for public outreach for the SR 347 Grade Separation project in an amount not to exceed \$66,285. This award is based on the City of Peoria contract ACON23213A for Public Information and Public Outreach Services and is in accordance with City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing. The funding for the project will be from Transportation DIF, Street Project Design, SR347 Overpass Project - Honeycutt Road from SR347 to MCG Highway Improvements (32444146-67755-35021). Discussion and Action.

This Contract was Approved.

9.12 [CON 14-33](#)

The Mayor and City Council shall discuss and possibly take action to approve an Award of Contract to Carnation Building Services, Inc. in an amount not to exceed \$201,203.76 for janitorial services at City Hall, Copper Sky Recreation Complex, Maricopa Public Library, and Pacana Park. Funding for this contract will be split between 10055158-54420 General Fund, Facilities, Cleaning Services (\$96,372); 23033130-54423 Copper Sky, Community Service Administration, Custodial (\$100,931.76); and 23033132-54423 Copper Sky, Park Maintenance, Custodial (\$3,900). This Award of Contract is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedures." Discussion and Action.

A motion was made by Councilmember Kimball, seconded by Councilwoman Gusse to enter into executive session at 7:52 p.m. The meeting reconvened at 8:13 p.m.

Councilwoman Gusse inquired if any employees would loose their jobs. Public Works Director Bill Fay responded and added that most of the workers affected are contracted out.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Kimball, that this Contract be Approved. The motion carried by a unanimous vote.

9.13 [LIQ 14-04](#)

The Mayor and City Council shall discuss and possibly take action recommending approval to the Arizona Department of Liquor License and Control regarding an application for a person/location transfer license submitted by Theresa Morse on behalf of O'Shays Pub & Grill located at 20800 N. John Wayne Parkway #101, Maricopa, Arizona 85139. Discussion and Action.

This Liquor License was Approved.**10. Regular Agenda**

- 10.1** **APP 14-07** The Mayor and City Council shall discuss and possibly take action on appointing one citizen to fill a vacancy on the Planning and Zoning Commission. Discussion and Action.

Councilmember Brown nominated Jim Irving (not present) to fill the Planning and Zoning Commission vacancy. He noted that Mr. Irving has been instrumental in the MUSD Board and will be a great asset to the commission.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this appointment be made. The motion carried by a unanimous vote.

- 10.2** **RES 14-33** A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring as a public record those certain documents filed with the City Clerk and entitled "Article 8-6 Auctioneers, Pawnbrokers, Scrap Dealers, and Secondhand Dealers" and "Article 8-7 Tobacco Retail Establishments" of the Maricopa City Code relating to the enactment of rules and procedures to regulate auctioneers, pawnbrokers, scrap dealers, secondhand dealers and tobacco retail establishments within the City of Maricopa and amending the City Code by inserting Article 8-6 and Article 8-7 in Chapter 8 of the City Code. Discussion and Action. ITEM RELATED TO ORD 14-11

Economic Development Director Micah Miranda reviewed the agenda item and invited questions from Council.

Councilwoman Gusse asked if the business licenses would be transferrable. Mr. Miranda responded that licenses would be non-transferrable.

A motion was made by Councilwoman Gusse, seconded by Councilmember Kimball, that this Resolution be Approved. The motion carried by a unanimous vote.

- 10.3** **ORD 14-11** An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Article 8-6 Auctioneers, Pawnbrokers, Scrap Dealers, and Secondhand Dealers" and "Article 8-7 Tobacco Retail Establishments" by reference as Articles 8-6 and 8-7 of Chapter 8 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 14-33

Mayor Price read the ordinance.

A motion was made by Councilmember Frank, seconded by Councilwoman Gusse, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball, Councilmember Peggy Chapados and Councilmember Dan Frank

- 10.4** **RES 14-34** A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing the imposition and collection of fees for licensing Auctioneers, Pawnbrokers, Scrap Dealers, Secondhand Dealers and Tobacco Retail Establishments and establishing the Special Business License Fee Schedule. Discussion and Action.

There were no comments or concerns.

A motion was made by Councilmember Brown, seconded by Councilmember Kimball, that this Resolution be Approved. The motion carried by a unanimous vote.

10.5 **[RES 14-38](#)**

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring and adopting the results of the Primary Election held on August 26, 2014. Discussion and Action.

City Clerk Vanessa Bueras presented the official results of the Primary Election held on Tuesday, August 26. She announced that Mayor Price and Councilmember Chapados received the necessary votes and presented them with Certificates of Election and noted that they will be sworn in until the 1st meeting in December. Next, she announced that Henry Wade, Vincent Manfredi, Rachel Leffall and Marty Hermanson received the necessary number of votes to move on to the General Election ballot and presented them with Certificates of Nomination for the 4-year term. Finally, she announced that Nancy Smith and Rich Vitiello received the necessary number of votes to move on to the General Election ballot and presented them with Certificates of Nomination for the 2-year term.

A motion was made by Councilmember Brown, seconded by Councilmember Kimball, that this Resolution be Approved. The motion carried by a unanimous vote.

11. Executive Session

The City Council entered into executive session at 8:15 p.m.

A motion was made by Councilmember Bridger Kimball, seconded by Councilwoman Julia R. Gusse, to enter in to Executive Session. The motion carried unanimously.

11.1 **ES 14-26**

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney to consider its position and instruct representatives regarding the sale, lease or development of real property pursuant to ARS 38-431.03 (A)(3) and (A)(7).

11.2 **ES 14-27**

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney and Attorney Bill Sims regarding the Investigation Report concerning allegations of violations of the Code of Ethics set forth in Chapter 2, Article VIII of the Maricopa City Code pursuant to A.R.S. §38-431.03(A)(2) and (A)(3).

11.3 **ES 14-28**

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City attorney and designated representatives of the City in order to consider its position and instruct its representatives regarding entering into an agreement for recycling and household hazardous waste collection services, and the potential terms thereof, with Environmental Concerns Organization, Inc. and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

11.4 **ES 14-29**

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney regarding Section 3-221 of the City Code regarding local preferences in purchasing and potential amendments or policies related thereto, pursuant to A.R.S. §38-431.03(A)(3).

11.5 **ES 14-30**

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney regarding the process for

appointment of the Interim Presiding Judge of the Municipal Court as set forth in the Maricopa City Code pursuant to A.R.S. §38-431.03(A)(3).

12. Adjournment

The City Council regular meeting was Adjourned.

Certification of Minutes

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Maricopa, Arizona, held on the 2nd day of September, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of September, 2014.

Vanessa Bueras
City Clerk