



City of Maricopa

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Meeting Minutes - Draft 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, July 1, 2014

7:00 PM

Council Chambers

1. Call to Order

The City Council regular meeting was called to order at 7:14 p.m.

Mayor Price asked for a moment of silent in lieu of the invocation.

Vice Mayor Farrell 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

4. Report from the Mayor

Mayor Price reported that the Maricopa Wells National Junior Honor Society will be hosting a sock drive to assist Blue Star Moms of Maricopa in sending packages to the men and women in the arm forces. He encouraged the community to donate plain white or dark solid colors, but no patterned socks starting from July 7 to the 28th. He added that donation boxes will be set up at Maricopa Wells office, Hey Maricopa TV office, Tortosa HOA, and City Hall.

5. Report from the City Manager

City Manager Rose invited Interim Human Resources Director Rick Clore to present the City of Maricopa Employee Awards of Excellence.

Mr. Clore gave information on the awards and acknowledged the 27 employees that were nominated.

Ricardo Alvarado, Vannessa Belland, Patricia LaCombe, and Mary Witkofski were presented with awards and a \$500 check by Mr. Rose and the heads of their departments.

Mr. Rose acknowledged all the nominees and concluded his report.

6. Call to the Public

Evelyn Clark, Program Director and founder of ECI Maricopa, approached the podium and addressed Council. She stated ECI is a non-profit organization that provides youth empowerment programs. She stated that Councilwoman Gusse is in support of the organizations mission and has invited them to be a part of the Lets Move program. She reported they participated in last weeks dance fitness and that on Thursday, July 03, 2014 from 6 p.m. to 7 p.m. at Copper Sky, the Lets Move dance will be presented for national submission. She encouraged participation and added that ECI will be hosting a girls camp from July 7th to the 11, for girls ages 6 to 16.

Rich Vititello approached the podium and addressed Council and thanked them for considering public safety on tonight's agenda. He stated he supports giving the Police Department all the resources they need to keep the public safe.

Georgia Frencher approached the podium and addressed Council. She expressed concerns regarding squatters in the community and noted she was a recent victim. She stated the individuals were allowed to get ED#3 and Global Water utility services under their names on a property without a lease or rental agreement. She stated she's trying to get them to change their policies and would like the support from Council.

Chad Chadderton, owner of Ahwatukee Realty & Property Management, approached the podium and addressed Council. He stated that Chief Stahl hosted an emergency meeting with representatives from ED#3, Global Water, Maricopa Domestic Water, the press, and Supervisor Anthony Smith to address the squatter issue. He stated that Supervisor Smith presented research that indicated that the offenders turned on utilities in their name and then go to the Recorder's Office and file for adverse possession. He stated the meeting was productive in finding ideas in how to solve the problem.

Councilmember Brown inquired whether the offenders involved families or individuals.

Chief Stahl reported that the offenders do not involve families, and it is mostly opportunistic individuals. He stated the Maricopa Police Department is working on the problem by increasing communication between utility companies, the county, and all those involved.

Peg Chapados, event consultant, approached the podium and addressed Council. She announced the Second Maricopa New Resident Reception will be held on Saturday July 19th in the Council Chambers, from 8 to 10 a.m. She noted the event will feature the non-profit Maricopa Historical Society, representatives from various City departments, and service utility providers.

7. Minutes

7.1 MIN 14-49

Approval of Minutes from the May 29, 2014 City Council Special meeting.

A motion was made by Councilmember Brown, seconded by Councilmember Chapados, that the Minutes be Approved. The motion carried by a unanimous vote.

- 7.2 **MIN 14-50** Approval of Minutes from the June 17, 2014 City Council Work Session.

A motion was made by Councilmember Brown, seconded by Councilmember Chapados, that the Minutes be Approved. The motion carried by a unanimous vote.

- 7.3 **MIN 14-51** Approval of Minutes from the June 17, 2014 City Council Regular meeting.

A motion was made by Councilmember Brown, seconded by Councilmember Chapados, that the Minutes be Approved. The motion carried by a unanimous vote.

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. The motion carried.

- 9.1 **GRA 14-05** The Mayor and City Council shall discuss and possibly take action to provide consent to submit a grant application to the Arizona Department of Emergency Management (ADEM) for the Pre-Disaster Mitigation Grant Program in an amount not to exceed \$250,000 for the Tortosa Flood Assistance Project. Consent to submit an application includes completion of all necessary paperwork for the application process and designates the City Manager to sign all documents. There is a 25% matching requirement to the grant or \$62,500 which is available in the adopted FY15 Capital Improvement Plan, Grants, Transportation, Improvements Other than Buildings (35244146-67730). Discussion and Action.

This Consent to Apply for Grant was Approved.

- 9.2 **MISC 14-55** The Mayor and City Council shall discuss and possibly take action authorizing City Manager Rose to utilize discretionary funding in an amount not to exceed \$50,000 for the purchase of a video camera monitoring solution for the Copper Sky Regional Park and a budgetary transfer in an amount not to exceed \$50,000 from General Fund, General Government, Contingency (10010000-99000) to General Fund, Office of the Chief, Computer Equipment/Software (10022121-67744). Discussion and Action.

This Miscellaneous Item was Approved.

- 9.3 **RES 14-24** A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving the renaming of DR Horton Drive, which is located within the Homestead North subdivision in the City of Maricopa, to Homestead Drive. Discussion and Action.

This Resolution was Approved.

- 9.4 **MISC 14-56** The Mayor and City Council shall discuss and possibly take action to approve entering into a Stipulated Final Judgment in condemnation action CV 2013-00631 against Esther A. Vidal and authorizing the City Manager to execute such Stipulated Final Judgment in a form substantially similar to that attached to this agenda item.

Discussion and Action.

This Miscellaneous Item was Approved.

- 9.5 **MISC 14-57** The Mayor and City Council shall discuss and possibly take action to approve entering into a Stipulated Final Judgment in condemnation action CV 2013-00629 against Maricopa Land Company, LLC, a Michigan limited liability company, and authorizing the City Manager to execute such Stipulated Final Judgment in a form substantially similar to that attached to this agenda item. Discussion and Action.

This Miscellaneous Item was Approved.

10. **Regular Agenda**

- 10.1 **APP 14-05** The Mayor and City Council shall discuss and possibly take action to appoint one citizen to fill a vacancy on the Industrial Development Authority Board. Discussion and Action.

Economic Development Director Micah Miranda stated the Industrial Development Authority Board (IDA) consists of 7 members and there are currently several vacancies. He stated Quintin Smith submitted an application for the opportunity to serve on the board.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Frank, that this Appointment be Appointed. The motion carried by a unanimous vote.

- 10.2 **RES 14-26** A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, supporting a Maricopa Age-Friendly Maricopa Initiative. Discussion and Action.

City Manager Rose presented information as discussed on June 17th on the Maricopa Age-Friendly Initiative. He stated the program will focus in three areas: Transportation, information referrals, and recreational opportunities.

Councilwoman Gusse read an email from a concerned resident opposed to the program because it would appear as a special favor for a single community group. Councilwoman Gusse clarified it was not her opinion and she does not see it as a special favor, but wanted to acknowledge the resident's concerns.

Mr. Rose stated there are different critical issues to address for different sections of the community, and this one just happens to address seniors. He noted that there will also be programs that address youth needs. He emphasized that transportation, recreation opportunities, and referrals are a critical need for the senior community.

Mayor Price stated he also received the email by the concerned citizen and emphasized that the initiative will create an advisory board to increase communication with the section of the community.

Councilmember Chapados spoke in favor of the initiative and moved to approve. Councilwoman Gusse seconded.

Councilmember Kimball inquired about the employee that will be hired for the project.

Mr. Rose responded that a volunteer will be recruited for the long term, however the employee will be hired to start up the program. He elaborated.

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

- 10.3 BDGT 14-04** The Mayor and City Council shall discuss and possibly take action on approving a budgetary transfer in an amount not to exceed \$30,000 from General Fund, General Government, Contingency (10010000-99000) to General Fund, City Manager, Regular Employees (10011115-51100) to fund a part-time position to coordinate the Age-Friendly Maricopa Initiative. Discussion and Action.
- Mayor Price stated that the idea is to utilize MAG because it is already a resource that is available to the City. City Manager Rose concurred and stated that the intention is that it will be a part-time temporary position.*
- Councilmember Brown inquired about specifics of the e employee. Mr. Rose clarified.*
- A motion was made by Councilmember Kimball, seconded by Councilwoman Gusse, that this Budgetary Transfer be Approved. The motion carried by a unanimous vote.**
- 10.4 MISC 14-54** The Mayor and City Council shall discuss and possibly take action on approval of a temporary event traffic plan for the Great American 4th Event at the Copper Sky park facility. This traffic plan will operate on July 4th, 2014 from the hours of 2pm and 11pm. Discussion and Action.
- Commander Hughes presented the proposed traffic plan for the Great American 4th event. He discussed the challenges and detailed the plan.*
- Mayor Price asked if there will be officers stationed on both entry points, and addressed Desert Cedar's Home Owner's Association (HOA) concerns of parking in the residential zones. Commander Hughes replied that there will officers stationed to address specific issues. Discussion ensued. Chief Stahl clarified issues about parking in public streets, and stated the HOA is aware.*
- Councilmember Chapados inquired whether the electronic road signs can be used to notify the public when the parking lot is full and the amount of cars that can be accommodated in the overflow area.*
- Commander Hughes explained that all 4 electronic road signs will be deployed at the event and will address public safety concerns. He clarified that the overflow parking is approximately the same square footage as the south lot. Discussion ensued.*
- Mayor Price inquired whether there would be measures in place so that there is no parking on Bowlin Road. Commander Hughes concurred.*
- A motion was made by Councilwoman Gusse, seconded by Councilmember Chapados, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.**
- 10.5 ORD 14-04** An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adding Section 3-99 of the Maricopa City Code regarding the use of Off-Duty Police Officer for Traffic Control and providing for severability and the effective date thereof. Discussion and Action.
- Chief Stahl presented on the addition of Section 3-99 of the Maricopa City Code regarding the use of Off-Duty Police Officers for Traffic Control and providing for severability and the effective date thereof.*
- Councilwoman Gusse inquired if officers will be wearing their uniforms. Chief Stahl responded that they would, and elaborated.*
- Councilwoman Gusse inquired about volunteers. Chief Stahl explained why*

volunteers would not be included.

Councilmember Chapados inquired about the amount of off-duty police officers available. Chief Stahl responded that more than one off-duty officer would be available and elaborated. Discussion ensued.

Mayor Price inquired if there would be an internal policy so that all officers have the opportunity, including those that live out of Maricopa. Chief Stahl stated that it would be a voluntary option for police officers, but regulations would be put in place.

Councilmember Brown asked if it would affect fair labor act. Chief Stahl stated that it would not and elaborated.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, 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

10.6 RES 14-27

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Chapter 17 Development Fees" of the Maricopa City Code, relating to the administration, calculation and collection of development fees on new development within the City of Maricopa and amending the Maricopa City Code by amending Chapter 17 of the previously adopted City Code. Discussion and Action. ITEM RELATED TO ORD 14-06

Finance director Brian Ritschel explained that the resolution amends Chapter 17 of the City Code to match the development impact fees that were approved on May 2014.

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

10.7 ORD 14-06

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Chapter 17 Development Fees" by reference which amends Chapter 17 of the Maricopa City Code and providing for the severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 14-27

There were no questions or concerns.

A motion was made by Councilmember Brown, 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

11. Executive Session

11.1 ES 14-19

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 a Stipulated Final Judgment in condemnation action CV 2013-00631

against Esther A. Vidal pursuant to A.R.S. §38-431.03(A)(3).

- 11.2 ES 14-20** 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 a Stipulated Final Judgment in condemnation action CV 2013-00629 against Maricopa Land Company, LLC, a Michigan limited liability company, pursuant to A.R.S. §38-431.03(A)(3).
- 11.3 ES 14-21** 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 attorney and representatives regarding entering into an Intergovernmental Agreement, and the potential terms thereof, with Maricopa Domestic Water Improvement District and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.4 ES 14-22** 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 attorney and representatives regarding entering into an Intergovernmental Agreement, and the potential terms thereof, with Seven Ranches Domestic Water Improvement District and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

12. Adjournment

The City Council regular meeting adjourned at 8:07 p.m.

A motion was made by Councilmember Bridger Kimball, seconded by Councilwoman Julia R. Gusse, to Adjourn. The motion carried unanimously.

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 1st day of July, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of July, 2014.

Vanessa Bueras
City Clerk