



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

City Hall
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Mayor Christian Price
Vice-Mayor Marvin L. Brown
Councilmember Peggy J. Chapados
Councilwoman Julia R. Gusse
Councilmember Vincent Manfredi
Councilmember Nancy Smith
Councilmember Henry M. Wade Jr.

Tuesday, October 3, 2017

7:00 PM

Council Chambers

1. Call to Order

The City of Maricopa regular meeting was called to order at 7:07 p.m. Reverend Arnold Jackson with Mount Moriah Church gave the invocation and Mayor Price led attendees in the Pledge of Allegiance.

2. Roll Call

Present: 6 - Councilmember Peggy Chapados, Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price and Councilmember Nancy Smith
Absent: 1 - Vice Mayor Marvin L. Brown

3. Proclamations, Acknowledgements and Awards

3.1 [PROC 17-15](#) Community Planning Month Proclamation

Mayor Price invited Kazi Haque, Zoning Administrator to the front. He read the proclamation and proclaimed the month of October 2017 as Community Planning Month in conjunction with the celebration of National Community Planning Month.

Read

3.2 [PROC 17-16](#) Domestic Violence Awareness Month Proclamation

Mayor Price invited everyone representing the Maricopa Police Department Bloom Crew to the front. He read the proclamation and proclaimed the month of October 2017 as Domestic Violence Awareness Month. Mary Witkofski, Community Program Manager introduced members of the Bloom Crew recognizing Bloom 365 and stated that the first event was October 21st at Copper Sky. The Bloom Crew Youth Facilitators mentioned were Alex Hurley, Taylor Cochran, Elisa Jimenez, Dreama King and Priscilla Mojarro. The Adult Mentors were Tracy Slider with the City of Maricopa, Renee Miller with Empact, Tonya Matthews with Empact, James Tippitt with Maricopa Unified School District, Heather Lozano with City of Maricopa, Henry Pollock with City of Maricopa, Julie Mineer with Assurance Health and Wellness.

Councilmember Wade asked for clarification on the time of the event. Ms. Witkofski replied that it would be from 3 to 6 p.m. and registration was available online.

Read**4. Report from the Mayor**

Councilmember Chapados announced that informational cards are available for the 3rd Annual Senior Info/ Expo to be held on Saturday, January 20th from 10 a.m. to 2 p.m at City Hall. She also announced that the Maricopa Police Department partnered with the Pinal County Attorney's Office to hold a Medication Surrender and Community Shred- A-Thon on October 14th from 8 a.m. to 10 a.m.

Mayor Price announced that he has appointed Vice Mayor Brown and Councilmember Manfredi to join him on the Legislative Affairs Subcommittee. He also invited the community to the State of the City Address to be held on October 4th at 6 p.m. and elaborated.

5. Report from the City Manager

Brady Leffler, Fire Chief announced the Fire Prevention Week Display informational booth to be held on Saturday October 7th from 10 a.m. to 1 p.m at Fry's. He stated there would be a fire truck displayed, home safety brochures, fire prevention information and giveaways. He invited the community to attend and meet the Maricopa Firefighters and stated that the event will kick off National Fire Prevention Week from October 8th to October 14th. He stated that this years fire safety message was "Every second counts, plan two ways out" and elaborated.

6. Call to the Public

Joanna (JC) VanDerPool with the Cultural Affairs Committee thanked everyone for their support and announced the closing activity for the Hispanic Heritage Month. She invited all to attend a Meet and Greet Event on October 6th at Copper Sky from 6 p.m. to 8 p.m. She stated there would be work by local artists, music and light snacks would be provided. She stated that flyers were available and listed some events.

Shelley Gillespie provided an update on the Copa Short Film Fest and stated that through public relation efforts they were featured on Public Broadcasting Service (PBS) on September 28th. She also announced that Friday October 13th was the last day to submit films and screen plays. She stated that they were interested in businesses that would want to be featured or sponsor the event. She discussed partners for the event and elaborated on the types of films they have received. She stated the event would be from October 16th through the 18th and announced the need for additional volunteers and donations. She announced that more information would be available on their website.

Tori Anderson with Against Abuse thanked Mayor Price and the members of City Council for their continued support in Domestic Violence Awareness efforts and encouragement of the program. She provided a handout to Council with domestic violence statistical data. She also recognized members of the Maricopa Police Department for using traffic stops as teaching tools and for keeping children safe and elaborated.

7. Minutes

- 7.1** [MIN 17-92](#) Approval of Minutes from the September 19, 2017 City Council Work Session.

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

- 7.2 [MIN 17-93](#) Approval of Minutes from the September 19, 2017 City Council Regular meeting.

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

8. **Public Hearings**

9. **Consent Agenda**

Approval of the Consent Agenda

A motion was made by Councilmember Nancy Smith, seconded by Councilmember Henry Wade, to Adopt the Consent Agenda . The motion carried unanimously.

- 9.1 [CUP17-02](#) The Mayor and City Council shall discuss and possibly take action to approve Conditional Use Permit case # CUP17-02 Arizona Wood Grinding and Recycling LLC, requesting a use permit to operate a wood-chip recycling yard on 6.40 acres of land located at the Northeast corner of Ralston Road and State Route 238. Discussion and Action.

This Conditional Use Permit was Approved.

- 9.2 [PUR 17-20](#) The Mayor and City Council shall discuss and possibly take action on approving the payment to Gila River Water Storage, LLC for Long-Term Storage Credits for Delivery Year 2017 for the irrigation of the Copper Sky Recreation Complex in an amount not to exceed \$191,750.00. Funding for the delivery of the third year water storage credits of 500 acre-feet of water in the amount of \$191,500.00 will be paid from Copper Sky Fund, SRF Recreation, Technical (23033131-53340) and funding for the transfer fee in the amount of \$250.00 will be paid from Copper Sky Fund, Park Maintenance, Water/Sewerage (23033132-54411). Discussion and Action.

This Purchase was Approved.

- 9.3 [SPEVLIQ 17-06](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor Licenses and Control for an Application submitted by Pat Kieny on behalf of Native Grill & Wings to host a beer garden for the Mud Run on Saturday, October 28, 2017, at Copper Sky Regional Park located at 44345 W Martin Luther King Blvd. Discussion and Action.

This Special Event Liquor License was Approved.

- 9.4 [CON 17-48](#) The Mayor and City Council shall discuss and possibly take action on approving a 12 month lease agreement from October 1, 2017 to September 30, 2018 between the City of Maricopa and Transition Investments, LLC for commercial space for the Maricopa Center for Entrepreneurship (MCE) at The Shops at Maricopa Fiesta. Funding for the lease agreement, the amount \$2,232.79 plus taxes, insurance, common area operating expenses (NNN Charges) and all applicable sales or rental taxes will be paid from

FY17-18 General Fund, Non-Departmental, Professional and Occupational (10010000-53320). Discussion and Action.

Councilwoman Gusse asked if the Northern Arizona Center for Entrepreneurship and Technology (NACET) contract should be approved first before a location was established. Denyse Airheart, Economic Development Director replied that it had been discussed in previous executive session discussions to move forward with the lease agreement and that these were two separate items. Councilwoman Gusse offered clarification to the public that no decisions were made during executive session. She elaborated on her question on whether a program should be established before a location was leased. Ms. Airheart asked if there was further direction on the proposed item from Council. Councilwoman Gusse elaborated on the City being responsible for the lease agreement for the year if a program was not approved and readdressed her question.

City Manager Rose stated that City Council allocated funds for the space through the budget process. He stated that Mayor and Council may reverse course at any time but stated that not approving the lease may cause more difficulty in continuing with an incubator program without a space and elaborated.

Councilwoman Gusse asked if any of the funding was going towards the lease. Mr. Rose stated that he did not believe any of the funding went towards the lease. Ms. Airheart elaborated on the terms of the contract. Councilwoman Gusse asked if the current rent paid was going towards Maricopa Center for Entrepreneurship (MCE) administration and whether future funds would be coming back to the City. Ms. Airheart replied yes and elaborated. Councilwoman Gusse asked if any of the multi-purpose rooms at Copper Sky produced similar rent. Ms. Airheart responded that she was not familiar with the rental rates for use of Cooper Sky Facilities. Ms. Airheart also clarified that the rate discussed was the base rate and did not include taxes and elaborated. Councilwoman Gusse stated that she was not in favor of the item going forward and elaborated.

Councilmember Manfredi asked when MCE would need to vacate the property if the contract was not approved. Ms. Airheart replied that their lease expired 3 days prior. Councilmember Manfredi asked if there was an ability to have a month-to-month lease. Ms. Airheart responded that it was not customary for some of the major landowners to have a month-to-month lease and elaborated.

Mayor Price stated that although it was ideal for contracts to fall in a logical order but it was not always the case. He discussed direction given from the Community and Council to provide tweaks to the program and elaborated on working towards finding additional information. He stated that it was never the intention of Council to shut down the program and discussed the goal to seek additional information in order to tweak and better the program and elaborated. Ms. Airheart discussed the decision to change the details of the lease contract. Mayor Price stated that as Master Leaser the City has more flexibility. Ms. Airheart responded yes.

Councilmember Wade asked what penalties the City have to pay if we the lease was not approved. Ms. Airheart responded that she would have to review the lease or speak to the broker for this information. Councilmember Wade asked if notice had been given to the owner. Mayor Price clarified that an extension had been given and elaborated.

City Manager Rose clarified information on the current lease and recommended that if the contract was terminated with the broker that the City compensate NACET for the

period of time the program still remains in the facility.

Councilmember Manfredi asked if the item was not approved then if MCE would no longer be in Maricopa. Ms. Airheart elaborated on incubator program goals within Economic Development and discussed the importance of the type of program to the City and elaborated. Councilmember Manfredi asked if the item was not approved if MCE had land available to continue and if not would the program end. Ms. Airheart responded that the space would not exist.

Councilwoman Gusse stated that the program was essential to the City and stated that her concern was with the location not the program and elaborated. She discussed budget concerns and utilizing the Copper Sky Multi-Purpose rooms.

Mayor Price discussed the difficulty in taking space away from Copper Sky and visibility and traffic concerns for MCE. He discussed tweaking the program and the importance of the space. He discussed the utilization of the multi-purpose rooms and elaborated on additional considerations.

Ms. Airheart clarified the details of the contract and stated the City would not be spending additional funds.

Councilmember Smith discussed the importance of the program and the visibility of the location. She stated that a 12 month lease was not a big risk to the City and she made a motion to approve the item.

A motion was made by Councilmember Smith, seconded by Councilmember Wade, that this Contract be Approved. The motion carried by the following vote:

Aye: 5 - Councilmember Peggy Chapados, Councilmember Vincent Manfredi, Councilmember Henry Wade, Mayor Christian Price and Councilmember Nancy Smith

Nay: 1 - Councilwoman Julia R. Gusse

10. Regular Agenda

- 10.1 [MISC 17-46](#) The Mayor and City Council shall discuss and possibly take action on proceeding with the request, by Brian Foose on behalf of 45030 LLC, for abandonment of portions of Wilson Avenue (Papago Street) and McDavid Road. Discussion and Action.

Bill Fay, Public Works Director discussed the details on the proposed abandonment and right of way easement, He stated that the intent was to abandon the right of way then conduct appraisals on the existing properties and do a land exchange. He discussed the mutual benefits of the proposal and he elaborated.

A motion was made by Councilmember Smith, seconded by Councilmember Manfredi, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.

- 10.2 [RES 17-33](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting the updated Pinal County Multi-Jurisdictional Hazard Mitigation Plan 2016 and replacing all previously approved mitigation plans. Discussion and Action.

Eddie Rodriguez, Deputy Fire Marshal gave a PowerPoint presentation on the Multi Jurisdictional Hazard Mitigation Plan. He stated that the plan was a Federal

Emergency Management Agency (FEMA) requirement and elaborated on the process. He discussed historical local flooding and the long term effects. He explained the Hazard Mitigation Plan and discussed identifying and preventing risk and vulnerability and outlined strategies for protection and elaborated. He discussed common mitigation actions, the mitigation strategy for Maricopa and the why it was important to update the Plan. He invited questions from Council.

Councilmember Wade asked what type of mitigation plan was in effect to abate fissures. Mr. Rodriguez stated that it cannot be prevented but the hazard could be reduced by not building in those areas. Councilmember Wade asked if those areas have been identified. Mr. Rodriguez stated it has been identified in the Mitigation Plan and elaborated on the process.

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

11. Executive Session

A motion was made by Councilmember Peggy J. Chapados, seconded by Councilmember Nancy Smith, to enter in to Executive Session at 8:07 p.m. The motion carried unanimously.

- 11.1 ES 17-36** 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 real estate purchase agreement with Durkee and Company, LLC and the potential terms thereof, to give staff direction on how to proceed with this agreement and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.2 ES 17-37** 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 the dedication of land and the potential terms thereof, to give staff direction on how to proceed with this agreement and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

12. Adjournment

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 3rd day of October, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of October, 2017.

*Vanessa Bueras
City Clerk*