



City of Maricopa

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Meeting Minutes - Draft City Council Regular Meeting

Mayor Christian Price
Vice-Mayor Marvin L. Brown
Councilmember Peggy J. Chapados
Councilmember Bridger Kimball
Councilmember Vincent Manfredi
Councilmember Nancy Smith
Councilmember Henry M. Wade Jr.

Tuesday, April 19, 2016

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular meeting was called to order at 7:06 p.m.

David and Lisa Anderson from World Outreach and Bible Training Center gave the invocation.

Mayor Price led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 7 - Mayor Christian Price, Vice Mayor Marvin L. Brown, Councilmember Peggy Chapados, Councilmember Bridger Kimball, Councilmember Vincent Manfredi, Councilmember Nancy Smith and Councilmember Henry Wade

3. Proclamations, Acknowledgements and Awards

After the Proclamation was read, Councilmember Wade stated that he and Councilmember Kimball were participating in the 22 Pushups for 22 Days Challenge in recognition of the 22 veterans who commit suicide per day. They stepped down to the lectern and challenged members of the audience and Council to do 22 push-ups with them.

3.1 [PROC 16-06](#) Relay for Life Proclamation

Mayor Price invited any Relay for Life participants in the audience to join him at the front. Next, he read the proclamation and proclaimed April 16th through the 30th as Paint the Town Purple Days. He encouraged participation in the activities and Relay for Life Coordinator, Tobi Smith announced that Relay for Life would take place on April 30th at Copper Sky from 6 p.m. to 11 p.m.

Read

4. Report from the Mayor

Mayor Price announced that the Planning and Zoning (P&Z) Commission held the first of two public hearings for the General Plan last week. He encouraged residents and business owners to read the draft plan and participate in the next P&Z Commission meeting on Monday, April 25th at 6 p.m. at the Maricopa Unified School

District (MUSD) administrative building. He directed anyone who would like more information to contact City staff or visit www.maricopa-az.gov. Next, he announced that the City won the Battle of the Burbs and elaborated on why it is important to the City. A video was played with highlights of the Battle of the Burbs concert. Next, he reported he had the opportunity to meet with Governor Lewis from the Gila River Indian Community to discuss matters that concern both communities such as the Regional Transportation Authority (RTA) and the floodplain.

5. Report from the City Manager

City Manager Rose recognized Community Services Director, Kristie Riester, Assistant to the City Manager, Jennifer Brown and Events and Marketing Manager, Niesha Whitman for organizing the concert.

6. Call to the Public

Merry and Evan Grace approached the lectern and invited Councilmembers Wade, Kimball and Manfredi to step down to the front. Merry stated that Evan took on the challenge; that if he could raise \$2,000 for the Relay for Life, Councilmember Wade, Kimball and Manfredi would join him in the event, and walk 2 laps as part of his Bras for a Cause team. She stated the Bras for a Cause was a way to promote breast cancer awareness and announced he raised \$2,501. She stated they would meet at 7:15 p.m. on April 30th, and they would walk 2 laps wearing bras at the Relay for Life, in honor of the women in their lives. Lastly they extended an invitation for the community to join them. They posed for pictures with the Councilmembers.

Shelly Gillespie approached the lectern and gave information on the Copa Shorts Film Fest. She stated the film fest would take place on February 17th through the 19th. She presented the Council with the opportunity to partner with Copa Shorts Film Fest in order to market the City in Film Freeway. She noted the project would consist of a contest for the best City documentary, in which the selected film would participate in the Film Festival. She emphasized that the event would be highly publicized and it would be a marketing opportunity for the City. She noted that former Intergovernmental Affairs Director, Paul Jepson encouraged the project. She stated she provided a packet of information to the Council and added she would be available for questions.

Joshua Babb approached the lectern and addressed the Mayor and Council. He thanked the City and staff for hosting the Fishing Derby on Saturday, April 16th. Next, he stated that on Saturday, April 23rd the members of the Community Emergency Response Training (CERT) class would complete their training. He stated the graduates received training from the Federal Emergency Management Agency (FEMA) and that the last drill would be on Saturday at the LDS Church in Homestead from 8 a.m. to noon. He invited the Council to participate in congratulating the graduates.

Director of For Our City Maricopa, founder of the Maricopa Business Council and Vet It board member, Eric Lacz approached the lectern and addressed the Mayor and Council. He reported that For Our City Maricopa hosted the First Responder Lunch on Wednesday, April 13th. He recognized the participating businesses: Papa John's Pizza, Walmart, ATA Karate, Chris Cahall's American Family Insurance, and all other volunteers. He explained that non-profits, veterans and small businesses constantly compete for funding sources and that he would like to challenge the City to find a way to work together. He proposed that the City join the Maricopa Business Council and support small businesses and veterans. He noted that it was not necessarily about funding, but about working together to find a way to make all organizations succeed.

Veteran, Paul Dygowski Jr. approached the lectern and thanked the Mayor, Council and the members of the audience who participated in the 22 Push Ups for 22 Days Challenge. He stated he participates in events to boost veterans' morale because he has lost many friends. He expressed appreciation for the community's support.

7. Minutes

- 7.1 [MIN 16-40](#) Approval of Minutes from the April 5, 2016 City Council Work Session.

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

- 7.2 [MIN 16-41](#) Approval of Minutes from the April 5, 2016 City Council Regular meeting.

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

8. Public Hearings

There were no public hearings.

9. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilmember Bridger Kimball, seconded by Vice Mayor Marvin L. Brown, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

- 9.1 [GRA 16-10](#) The Mayor and City Council shall hear and possibly take action to ratify the submission of multiple grant applications to the Gila River Indian Community. The grants will provide additional funding to Maricopa Fire Department, Police Department and Community Services Department. Discussion and Action.

This Consent to Apply for Grant was Approved.

- 9.2 [RES 16-12](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona appointing Charles Adornetto as a Judge Pro Tempore for the City of Maricopa Municipal Court, setting his compensation and providing a commencement date therefor. Discussion and Action.

This Resolution was Approved.

- 9.3 [RES 16-13](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona appointing Michelle O'Hair-Schattenberg as a Judge Pro Tempore for the City of Maricopa Municipal Court, setting her compensation and providing a commencement date therefor. Discussion and Action.

This Resolution was Approved.

- 9.4 [CON 16-15](#) The Mayor and City Council shall consider and possibly take action on approving a

Lease and Facility Usage Agreement with the Veterans of Foreign Wars Post # 12043 for the City facility located at 44240 W Maricopa-Casa Grande Highway. Discussion and Action.

This Contract was Approved.

- 9.5 [PUR 16-06](#) The Mayor and City Council shall discuss and possibly take action on approving the purchase of a 2015 Tandem Axle Dump Truck to replace a similar vehicle currently in service by the Streets Maintenance Division. This purchase, in an amount not to exceed \$24,720.86, will be funded from Highway User Revenue Fund (HURF), Heavy Equipment, PW 10 Yard Dump Truck (20055151-67740-35012). Pricing is based on Arizona State Contract No. ADOT014-063235, and is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

This Purchase was Approved.

- 9.6 [IGA 16-02](#) The Mayor and City Council shall discuss and possibly take action on a request to approve an Intergovernmental Agreement (IGA) with Pinal County for the purpose of providing election services for the fall 2016 elections. Discussion and Action.

This Intergovernmental Agreement was Approved.

- 9.7 [RES 16-14](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, adopting a fair housing policy, making known this commitment to the principle of Fair Housing Policy, and describing actions it shall undertake to affirmatively further fair housing. Discussion and Action.

This Resolution was Approved.

- 9.8 [MISC 16-17](#) The Mayor and City Council shall discuss and possibly take action on approving the allocation of up to \$10,000 in available matching funds to the applicants of the Maricopa Academic Scholarship Match Program from General Fund, Non-Departmental, Technical (10010000-53340). Staff also requests the Mayor and City Council to provide the authority to the City Manager to execute the agreements. Discussion and Action.

This Miscellaneous Item was Approved.

- 9.9 [GRA 16-12](#) The Mayor and City Council shall discuss and possibly take action to provide consent to submit a grant application to the Arizona Commerce Authority under the Rural Economic Development Enhancement (REDE) program. The grant application will not exceed \$25,000. Consent to submit an application provides the City Manager to sign all documents necessary to complete the grant process. Discussion and Action.

This Consent to Apply for Grant was Approved.

10. Regular Agenda

- 10.1 [ORD 16-03](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending Section 10-1-18 of the Maricopa City Code regarding weapons and providing for severability and the effective date thereof. Discussion and Action.

Mayor Price prefaced the ordinance. He invited the public to speak and indicate their positions.

Sandy Phillips did not wish to speak but submitted a speaker card indicating her position against the ordinance.

Gina D'Abella did not wish to speak submitted a speaker card indicating her position in support of the ordinance.

Eric Phillips approached the lectern and addressed the Mayor and Council. He spoke in opposition of the ordinance.

Gary Metivier approached the lectern and addressed the Mayor and Council. He spoke in support of the ordinance.

Mayor Price provided background of the bill moving through the legislature that could take away local control from cities and towns on the issue. He stated that the state might preempt anything decided tonight, but that the Council was being proactive by having the discussion.

Councilmember Smith stated that the ordinance language instructing citizens to keep concealed weapons on the person at all types should specify that it means physically on the person and not on a briefcase or bag. City Manager Rose responded. Next, Councilmember Smith indicated that previous discussion exempted the police stations and possibly the fire stations and special events as places in which firearms would be prohibited.

Councilmember Kimball supported the notion of exempting the police and fire stations by prohibiting firearms in their facilities. He explained that firearms were already prohibited in places, such as special events, where alcohol is served per Arizona Revised Statutes (§A.R.S). He suggested that a sign be posted at such events and that gun lockers are provided. City Manager Rose recommended adding specific language to the ordinance to prohibit firearms at special events. Councilmember Kimball stated that they should only be prohibited in events in which alcohol was served.

Councilmember Chapados shared the responses from an in-house survey of staff. She stated that out of 119 responses, the majority (2:1) were in opposition. Next, she requested that police and fire "stations" be replaced with "facilities" so that their administration buildings were included. She expressed concerns with allowing CCW permit holders to carry firearms into the library and argued against it.

Councilmember Kimball argued in favor of allowing CCW permit holders to carry firearms into the library.

Councilmember Wade supported Councilmember Chapados' concerns of allowing firearms inside the library. He also expressed concerns with allowing them at events, such as the Fishing Derby, due to the number of children present. Discussion ensued regarding the current "No weapons allowed" signs, in comparison to the signs posted at special events in which alcohol was served.

Councilmember Manfredi added that on-site security was usually present at special events where alcohol was served, and they could therefore provide protection. He spoke in support of allowing guns in the library, exempting police facilities, and suggested he would be okay with allowing firearms in the fire department facilities. He supported adding language to specify that weapons need to be physically on the body at all times.

Vice Mayor Brown stated that discussing the matter might be moot due to legislature. He supported prohibiting weapons in police and fire facilities. He stated that he does not see why weapons would be necessary at the library or when working out at

Copper Sky and elaborated. Councilmember Manfredi responded and discussion ensued regarding carrying concealed weapons in recreation areas.

Councilmember Chapados reiterated he opposition to allowing weapons inside the library. She stated that even trained professional might not be the most logical and reasonable people in a crisis situation. She stated she would rather not have weapons in any City buildings, and stated that unless there was consensus on where to limit weapons, she could not support the ordinance.

Councilmember Smith stated that the library should not be treated differently than other buildings. She stated that she would like the City to be prepared, budget wise, to provide active shooter training to staff before anything was approved. Discussion ensued regarding employee training. Chief Stahl stated that staff received very basic training and noted it would be insufficient. He stated that additional training similar to the one provided to the schools would cost a lot of money and require a lot of over time.

Councilmember Manfredi reiterated his support for the ordinance, including the library, and responded to opposing arguments.

Councilmember Wade provided statistics of people killed by firearms. He spoke in opposition of allowing guns inside public buildings and noted that staff at Copper Sky had approached him with concerns.

Councilmember Kimball asked the City Attorney on whether to amend the ordinance or table it to make the changes. Mrs. Vannucci responded it could be done either way. Councilmember Kimball spoke in support of approving the ordinance with amendments to exclude the police and fire facilities.

Mayor Price stated the proposed ordinance was modeled after the City of Gilbert's. He noted that their policy included a provision that weapons were only allowed in areas open to the public and posed the question to the Council. Next, he stated that the ordinance was written in a way, so as not to exclude employees and inquired how it would apply to fire department staff.

Chief Stahl stated that the City of Gilbert excluded city employees from carrying. He stated the City of Gilbert also provided paid staff for security at their council meetings. Chief Leffler stated that firefighters cannot carry firearms because it would interfere with their ability to perform their jobs. Mayor Price suggested adding language to amend the ordinance to exclude firefighters.

Councilmember Manfredi concurred with excluding fire staff and argued that language excluding the fire facilities should be sufficient. He reiterated his support for allowing firearms into the library and argued at length in support of CCW permit carriers to be able to carry in public buildings.

Councilmember Chapados stated that Human Resources (HR) should be excluded as well because staff would need extra protection when dealing with disciplinary action and possible dismissals. She asked for clarification of whether employees with CCW permits would be able to carry firearms into city buildings. Mayor Price responded that the ordinance did not exclude employees with CCW permits, except the fire department as previously discussed. City Manager Rose elaborated. A lengthy discussion ensued, including discussion on CCW permit regulations.

Councilmember Chapados asked Chief Stahl to weigh-in. Chief Stahl stated that it came down to whether Council wanted police officers protecting the citizens, or

citizens protecting citizens and whether they could afford to provide additional security. He reiterated that other cities that allowed CCW permit holders to carry inside public buildings also provide paid police officers to sit in council meetings. Councilmember Manfredi responded and further discussion ensued.

Councilmember Wade argued that the best way to protect the citizens was by not allowing guns into public buildings. Discussion ensued.

Councilmember Kimball made a motion to approve the ordinance with the following amendments: To include language to specify that concealed weapons should be kept physically on the person at all times and to exclude the police and fire facilities. Councilmember Manfredi seconded the motion.

Councilmember Smith reiterated that employees should receive some training and requested that City Manager Rose look into options.

A motion was made by Councilmember Kimball, seconded by Councilmember Manfredi, that this Ordinance be Approved as Amended. The motion carried by the following vote:

Aye: 4 - Mayor Christian Price, Councilmember Bridger Kimball, Councilmember Vincent Manfredi and Councilmember Nancy Smith

Nay: 2 - Councilmember Peggy Chapados and Councilmember Henry Wade

Abstain: 1 - Vice Mayor Marvin L. Brown

11. Executive Session

- 11.1 ES 16-13** 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 an offer from the Maricopa Sergeants Council Fraternal Order of Police Lodge #5 and the Maricopa Officers Council Fraternal Order of Police Lodge #78 related to holiday pay for Sergeants and Officers of the Maricopa Police Department and for legal advice regarding the same pursuant to A.R.S. §38-431.03(A)(3), (A)(4) and (A)(5).

12. Adjournment

A motion was made by Councilmember Bridger Kimball, seconded by Councilmember Vincent Manfredi, to Adjourn at 9:01 p.m. 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 19th day of April, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of May, 2016.

Vanessa Bueras
City Clerk