



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

Meeting Location
44150 W. Maricopa-Casa
Grande Highway
Maricopa, AZ 85138

City Hall
45145 W. Madison Avenue
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Mayor Christian Price
Vice Mayor Edward Farrell
Councilmember Marvin Brown
Councilwoman Julia Gusse
Councilmember Bridger Kimball
Councilmember Alan Marchione
Councilmember Leon Potter

Tuesday, September 4, 2012

7:00 PM

MUSD Board Room

1. Call to Order

The City Council Regular Meeting was called to order at 7:00 p.m.

George Farrell gave the invocation.

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

2. Roll Call

Present: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilwoman Julia Gusse, Councilmember Bridger Kimball, Councilmember Alan Marchione and Councilmember Leon Potter

Absent: 1 - Councilmember Marvin Brown

3. Proclamations, Acknowledgements and Awards

There were no proclamations, acknowledgements or awards.

4. Report from the Mayor

Mayor Price announced that there would be a flag raising ceremony at 8 a.m. at the Veteran's Center on September 11th at 8:00 a.m.

Next, he announced that there would be prostate screenings offered at a mobile site at City Hall on Saturday, September 15, 2012 from 8:00 a.m. to 1:00 p.m. and Tuesday, September 18, 2012 from 1:00 p.m. to 6:00 p.m.

The Mayor then announced that the Council will be making selections for the boards committees and commission at the September 18th Regular City Council meeting.

Mayor Price had Vice Mayor Farrell pull the name of the September winner of the Maricopa Shop Local program. The winner was Frieda Sarapo.

5. Report from the City Manager

There was no report from the City Manager.

6. Call to the Public

Fire Fighters led by Dan Ashton representing Local 4561 recognized City Manager Brenda Fischer for her dedication to the city. He stated that the organization is excited to continue to support Ms. Fischer during her tenure in Maricopa. Ms. Fischer stated that she was honored to have been able to work with such a wonderful group of professionals. She thanked them for their recognition.

Patrick Melvin approached the podium and addressed the Council. He stated that the New Beginnings Church will be held at the Copa Center in Maricopa. He asked Council to reconsider allowing community members to rent the center more than just once a month.

Victor Myers approached the podium and addressed the Council. He read a poem in commemoration of September 11th.

Brent Murphree approached the podium and addressed the Council on behalf of the Maricopa Historical Society. He invited all to participate in a golf tournament on Sunday October 21st at the Duke. He stated that more information could be found at www.mhs50.com. The next event he announced would be held on November 3rd at the Zephyr followed by a Christmas social fundraiser on December 8th at the Duke. He stated that there is a need to keep the Zephyr in Maricopa and that there are other entities interested in obtaining it. He asked for support from the community.

Dr. Donahue invited everyone to attend the 5th annual Kids Day in Maricopa on Saturday September 15th at 4:00 p.m. at Maricopa Wells Middle School.

Rosalinda O'hare approached the podium and addressed the Council. She stated that she is upset with the City Council. She stated that the current scandal in Maricopa is embarrassing for the City. She stated that there needs to be some kind of system keeping such issues in the city. She told the Mayor that he needed to figure out what the problem was and address it.

The following comment was provided in writing after the call to the public had already been closed:

As a resident of Maricopa, I was quite frankly appalled at the comments made about Mr. Marchione on live TV. This is not something that should have been said without a conviction. This is slander of someone who has served our country in the military. Councilmembers are supposed to support one another. We should strive as adults to behave appropriately at all times, which has not been done. Please try to now mend and bring positiveness among the councilmembers. Maybe an apology should take effect?? Remember to have integrity in each of our lives also. Mr. Marchione should not resign and stand up for his character and family. Lastly, I do not know Mr. Marchione personally.

Belinda Valdez, Thank you.

7. Minutes

- 7.1 [MIN 12-077](#) Approval of Minutes from the August 21, 2012 City Council Work Session.

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

- 7.2 [MIN 12-078](#) Approval of Minutes from the August 21, 2012 City Council Regular Meeting.

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

8. Public Hearings

9. Consent Agenda

- 9.1 [RES 12-66](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting the first amendment to the Intergovernmental/Development Agreement between the City of Maricopa and Pinal County Community College District, a non-profit public education institution of the State of Arizona, in compliance with A.R.S. §9-500.05. Discussion and Action.

This Resolution was Approved.

- 9.2 [GRA 12-020](#) The Mayor and City Council shall discuss and possibly take action to provide consent to submit a grant application to the United States Department of Transportation , Federal Motor Carrier Safety Administration, High Priority Grants in an amount not to exceed \$500,000 to start commercial vehicle enforcement efforts in Maricopa over a two year period. There is a 20% match requirement or \$100,000 which will be met through an in-kind match of staff time, vehicles, training, fuel, and maintenance costs. Consent to submit a grant application includes designating the City Manager to sign all documents necessary to complete the process. Discussion and Action.

This Consent to Apply for Grant was Approved.

- 9.3 [MISC 12-070](#) The Mayor and City Council shall discuss and possibly take action on approving a Lots 1 and 2, a Final Plat for Dignity Health Maricopa Medical Campus; more specifically described as a Replat of a Portion of Tract "NN" of Rancho El Dorado, recorded in Cabinet C, Slide 172, Pinal County Records, being a portion of the Southwest Quarter of Section 15, Township 4 South, Range 3 East of the Gila and Salt River Basin and Meridian, Pinal County, Arizona. Discussion and Action.

This Miscellaneous Item was Approved.

Approval of the Consent Agenda

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

10. Regular Agenda

- 10.1 [BDGT 12-009](#) The Mayor and City Council shall hear a presentation, discuss and possibly take action on approving a contingency transfer for costs related to emergency purchases of supplies and services as empowered by declaration of a state of emergency by the Mayor on August 22, 2012, in an amount not to exceed \$50,000 from General Fund,

non-Departmental, Contingency (10010000-99000) to General Fund, Engineering (10044145) when final costs are determined. Discussion and Action.

City Engineer Chris Salas presented. He provided a map of the affected areas.

Vice Mayor Farrell asked if the pond shown in the map was within the city limits. Mr. Salas indicated that it was.

Councilmember Potter asked what the situation would be for the city if a state of emergency had not been issued. Mayor Price explained that the purchasing code protects the public by requiring purchasing standards and timelines for staff to make purchases. He further stated that the declaration of a state of emergency allows staff to bypass that code in order to more urgently serve the needs of the community.

Mayor Price thanked city staff and Local Boys Scout Troop 6977 led by Scott Morrow for their efforts in assisting during the flood.

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

10.2 [APP 12-005](#)

The Mayor and City Council shall discuss and possibly take action on appointing one citizen to fill the vacancy on the Merit Board. Discussion and Action.

Human Resources Director Karen Shaffer presented. She commended the Merit Board for their work. She recognized the commitment of exiting member Clifford Reedy. She then recognized the work of alternate member and applicant Ken Hunt.

A motion was made by Councilmember Marchione, seconded by Councilmember Kimball, that applicant Ken Hunt be Appointed. The motion carried by a unanimous vote.

10.3 [ORD 12-08](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, amending Section 2-52 of the Maricopa City Code based on possible adoption of a recommendation to modify the City's resign-to-run requirements as presented by the Council Task Force on Boards, Committees, and Commissions. Discussion and Action.

Assistant to the City Manager Paul Jepson presented.

Councilmember Potter asked if the resign to run rule would apply only to elected officials or if volunteers would also be affected. Mr. Jepson explained that the rule only applied to paid elected officials. Discussion ensued.

Councilmember Marchione suggested tabling the ordinance so that it may be taken further. Mayor Price stated that the Board, Committees and Commission Task Force discussed the need to bring the policy in line with state code which resulted in the proposed ordinance. Further discussion ensued.

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

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilwoman Julia Gusse, Councilmember Bridger Kimball, Councilmember Alan Marchione and Councilmember Leon Potter

10.4 [MISC 12-071](#)

The Mayor and City Council shall discuss and possibly take action on recommending full build-out of the a) regional park/sports complex and b) multi-generational/aquatics center projects and initiating the process to issue General Obligation bonds, to finance the projects, once the costs are finalized. Additionally, staff recommends

proceeding with cash financing City Hall to provide capacity in the General Fund for the additional, ongoing operation and maintenance costs of the fully built-out park. Discussion and Action.

Finance Director Tom Duensing and Development Services Director Brent Billingsley presented.

Mr. Duensing discussed the various financing options and discussed why staff recommends cash financing the project.

Vice Mayor Farrell asked if the City currently owned the commercial site outlined by Mr. Duensing. Mr. Duensing explained that the City did own the site in question but that the site is not authorized for commercial use and that any commercial development would require the land to be bought out right. City Manager Brenda Fischer added that funding would have to be transferred from the general fund to cover the cost. Discussion ensued.

Vice Mayor Farrell asked if the operation and management costs included the multigenerational center. Mr. Duensing stated that it did. An at length discussion ensued regarding the history of the project and the involvement of the Budget Operations and Finance Council Subcommittee as well as the Vekol Oversight Committee as well as committee recommendations versus council action.

Council took a short break to clarify previous council action.

Development Services Director Brent Billingsley attempted to clarify. He stated that staff created an RFI, Request for Information, because previous requests for other examples of such service through the RFP, Request for Proposal process, had not resulted in any responses. He went on to explain that as part of the oversight committee meetings it was conveyed that the scope may need to be reevaluated because the scope in place may not have been what the public wanted. He shared his recollection of the previous council presentation regarding the operations and management of the multi-generational center. He stated that he recalled informing Council that it was not necessary to hire a third party entity immediately because the City had hired Brailsford Dunlavey to conduct an analysis of the project.

Vice Mayor Farrell asked City Clerk Vanessa Bueras to read the minutes from the previous meeting. Ms. Bueras read aloud "Mayor Smith summarized the Council's direction to move forward with pursuing a third party contract for the operation of the multigenerational center."

Vice Mayor Farrell motioned to approve option 3 to cash finance city hall, with the stipulation that the decision that was made on May 1st be honored.

Councilmember Marchione questioned whether the previous council action was to move forward with an RFI or RFP. He stated that he was under the impression that the vote was to give staff direction to gather information so that a third party operated facility could be considered. He asked Ms. Bueras to read the motion again from the May 1st meeting again. Ms. Bueras again complied. City Attorney Fitzgibbons read from the body of the minutes indicating that an RSOQ, Request for Statement of Qualifications, process had been discussed. Mayor Price asked Ms. Bueras to read the agenda language Ms Bueras read aloud "The Mayor and City Council shall discuss and possibly take action to approve an operations philosophy for managing and operating the new Multigenerational/Aquatics Facility."

Vice Mayor Farrell stated that his motion stood.

A motion was made by Vice Mayor Farrell, seconded by Councilmember

Kimball, that this Miscellaneous Item be Approved as Amended. The motion carried by the following vote:

Aye: 4 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Bridger Kimball and Councilmember Leon Potter

Nay: 2 - Councilwoman Julia Gusse and Councilmember Alan Marchione

11. Executive Session

There was no Executive Session.

11.1 ES 12-001 The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's Attorney on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).

11.2 ES 12-002 The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's attorney and to consider its position and instruct representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(7).

11.3 ES 12-005 The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorney to consider its position and instruct representatives regarding the pending claims and lawsuits filed against the City pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).

12. Adjournment

The City Council Regular Meeting adjourned at 9:04 p.m.

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