



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

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

City Hall
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Mayor Christian Price
Vice-Mayor Edward Farrell
Councilmember Marvin L. Brown
Councilmember Peggy Chapados
Councilwoman Julia R. Gusse
Councilmember Bridger Kimball
Councilmember Leon Potter

Tuesday, January 15, 2013

7:00 PM

MUSD Board Room

1. Call to Order

The City Council Regular Meeting was called to order at 7:16 p.m.

Chuck Simonson with Discover Community Church gave the invocation.

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

2. Roll Call

Present: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilwoman Julia Gusse, Councilmember Bridger Kimball, Councilmember Leon Potter and Councilmember Peggy Chapados

3. Proclamations, Acknowledgements and Awards

3.1 [PROC 13-01](#) Proclamation honoring Dr. Martin Luther King Jr's Birthday.

Mayor Price asked Councilmember Brown to read the proclamation. Councilmember Brown spoke in support of Maricopa's first proclamation proclaiming January 15, 2013 as Martin Luther King Jr. Day. He then read the proclamation.

City Manager Brenda Fischer announced that February is Black History Month and that the City would be recognizing the event at the next city council meeting.

4. Report from the Mayor

Mayor Price gave the floor to Councilwoman Gusse.

Councilwoman Gusse and Pattie LaCombe representing the Maricopa Auxiliary Unit presented Michelle Potter with the Arizona American Legion Auxiliary Good Deed award for her volunteer work in the community.

Mayor Price then asked Debbie Cadu and Brian Killen with the Alterra Home Owner's Association to approach the podium. Ms. Cadu and Mr. Killen presented City of Maricopa Police Department Volunteer Joi Ashlee Gibbs for her dedication to the

community.

Mayor Price announced that the City would be holding their first Zoning Code Rewrite Public Open House on January 22nd from 6-8 p.m. at the Southern Dunes. He added that the purpose was to allow public input on zoning changes.

Next, Mayor Price reported on the Regional park ground breaking that was held January 12. He stated that it was a great event.

5. Report from the City Manager

City Manager Brenda Fischer introduced Public Information Officer LaTricia Woods who unveiled the City's 10th Anniversary logo. Ms. Woods stated that the logo would be used to celebrate the city's 10 years of incorporation.

Next, City Manager Fischer invited Economic Development Specialist Jaclyn Arons-Cooke who spoke about the City's Shop Local program. Ms. Arons-Cooke then randomly selected Frida Sarappo as this month's winner.

6. Call to the Public

Mark Montgomery approached the podium and addressed the Council. He promoted his websites homebargin.com and heymaricopatv.com. He then introduced Melanie Rogers as a recurrent syncope patient. He described her disease and her need for assistance.

Ms. Rogers introduced herself to the Council. She elaborated on her debilitating disease. She explained that she was advised to obtain a service dog for her health and safety. She discussed the benefits of having a service dog.

Councilmember Brown inquired as to Ms. Rogers treatments. Ms. Rogers explained that she continues to take medication, but that the medication is not working. She added that she is considering a shunt placement.

Mayor Price thanked Ms. Rogers for sharing her experience.

Keith Kirkman with Orbitel approached the podium and addressed the Council. He introduced John Shurz as the new manager and president of Orbitel Communications. Mr. Shurz thanked Mr. Kirkman for his service to Maricopa and to Orbitel. He provided a background to his family's company which took over ownership of Orbitel Communications last year.

Cynthia Portrey approached the podium and addressed the Council. She announced that Maricopa Artisans would be hosting an "Art on the Veranda" event on Saturday March 16, 2013 at the Duke at Rancho El Dorado from 11:00 a.m. to 5:00 p.m. She encouraged the community to attend.

7. Minutes

7.1 [MIN 13-04](#)

Approval of Minutes from the December 18, 2012 City Council Work Session.

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

7.2 [MIN 13-05](#)

Approval of Minutes from the December 18, 2012 City Council Regular Meeting.

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

8. Public Hearings

- 8.1 [PH 13-01](#) The Mayor and City Council shall hold a public hearing as required by A.R.S. §9-471 (L) for Case #ZON12-03, a proposed change in zoning classification from County to Municipal Zoning for all properties within the recently completed Annexation 11-01, as approved by the City Council with Ordinance 12-06.

Mayor Price opened and then closed the public hearing at 7:44 p.m. No one spoke during the Public Hearing.

9. Consent Agenda

- 9.1 [GRA 13-01](#) The Mayor and City Council shall hear and possibly take action to provide consent to submit a grant application to the Assistance to Firefighters, Fire Prevention and Safety Grant Program in an amount not to exceed \$13,000 and to approve a contingency transfer of up to \$1,300, which is a ten percent (10%) match requirement, if the grant is successfully awarded, from General Fund, Contingency (10010000-99000) to General Fund, Fire Prevention, Non-Capital Equipment (10022526-55690). Providing consent to submit a grant application designates the City Manager authority to sign all documents necessary to complete the application process. Discussion and Action.

This Consent to Apply for Grant was Approved.

- 9.2 [CON 13-01](#) The Mayor and City Council shall consider and may take action to enter into an Option and Land Lease Agreement with Gila River Partnership for a wireless antenna on City owned property at Pacana Pack located at 18800 N. Porter Road. Discussion and Action.

This Contract was Approved.

- 9.3 [BDGT 13-02](#) The Mayor and Council shall consider approval of a transfer of funds in an amount not to exceed \$20,000 from General Fund, Contingency (10010000-99000) to Development Services, Administration (10044140-various salary and employee related expenses) for the provision of temporary agency administrative support for the Development Services Department. Discussion and Action.

This Budgetary Transfer was Approved.

- 9.4 [BDGT 13-03](#) The Mayor and City Council shall discuss and possibly take action to approve a contingency transfer to fund expenses related to professional services for assistance in the recruitment of the Director of Development Services position with the City of Maricopa in an amount not to exceed \$20,000. Funding would be provided from a transfer of \$20,000 from General Fund, Contingency (10010000-99000) to General Fund, Development Services Administration, Professional and Occupational (10044140-53320). Discussion and Action.

This Budgetary Transfer was Approved.

- 9.5 [IGA 13-01](#) 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.

Discussion and Action.

This Intergovernmental Agreement was Approved.

Approval of the Consent Agenda

A motion was made by Councilmember Bridger Kimball, seconded by Councilmember Peggy Chapados, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

10. Regular Agenda

10.1 [RES 13-01](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona authorizing and directing the acquisition of all property necessary for the completion of the widening of Honeycutt Road within the city limits of Maricopa by dedication, donation, purchase exchange or under the power of eminent domain as a matter of public necessity. Discussion and Action.

Assistant City Manager Danielle Casey presented.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Resolution be Approved. The motion carried by the following vote:

Aye: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilwoman Julia Gusse, Councilmember Bridger Kimball, Councilmember Leon Potter and Councilmember Peggy Chapados

10.2 [ORD 13-01](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, zoning certain property described in zoning case ZON12-03 for approximately 251.16 acres generally situated west of Anderson Road, south of Peters and Nall Road, east of the legal limit of the Ak-Chin Indian Community and along the Maricopa-Casa Grande Highway within the City of Maricopa incorporated limits. The parcels of land are situated in a portion of section 15 of township 5 south, range 4 east of the Gila and Salt River base and meridian, Pinal County, Arizona. Discussion and Action.

Planning Manager Kazi Haque presented.

Councilwoman Gusse asked if any opposition from the Planning and Zoning Commission. Mr. Haque indicated that there had not been any.

A motion was made by Councilmember Kimball, 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 Brown, Councilwoman Julia Gusse, Councilmember Bridger Kimball, Councilmember Leon Potter and Councilmember Peggy Chapados

10.3 [RES 13-02](#)

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 "Article V - Home Detention and Continuous Alcohol Monitoring Program" of the Maricopa City Code, relating to the enactment of a program to allow the court to substitute home detention or a continuous alcohol monitoring for a portion of a jail term and amending the Maricopa City Code by inserting Article V in Chapter 5 of the City Code. Discussion and Action. ITEM RELATED TO ORD 13-02

Assistant to the City Manager Paul Jepson presented. He explained how he and City

Magistrate Judge Scott Sulley drafted the home detention bill with the support of Representative Frank Pratt. He added that the program allows defendants to serve a portion of their jail sentence at home.

Councilmember Potter asked what the cost was to the defendant. Mr. Jepson stated that the program provides a significant savings for defendant. He stated that monitoring is \$10 a day and detention is \$72 a day, adding that the defendant would be saving more than half in total costs.

Councilwoman Gusse asked if there were any added burdens to the police department. Mr. Jepson stated that the monitoring company and the courts are responsible and that the police would only be involved if the defendant needed to be picked up, or detained.

Councilmember Chapados asked if the monitoring included testing as well as other devices. Judge Sulley explained that the defendant would have a GPS and a portable breathalyzer that is used.

Mayor Price clarified that the program involves the defendant being detained in their own home.

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

10.4 **ORD 13-02**

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Article V-Home Detention and Continuous Alcohol Monitoring Program" by reference as Article V of Chapter 5 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 13-02

There were no questions or comments from the Council.

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

Aye: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilwoman Julia Gusse, Councilmember Bridger Kimball, Councilmember Leon Potter and Councilmember Peggy Chapados

10.5 **BDGT 13-01**

The Mayor and City Council shall discuss and possibly take action on approving a budgetary transfer totaling \$5.0 million to General Governmental CIP, Capital Projects-City Manager, City Services Complex (35011115-31003) from various CIP fund projects for completion of the City Services Complex project. Discussion and Action.

Finance Director Tom Duensing presented. He discussed how the city services complex project is ahead of the original construction schedule.

Councilmember Potter asked for clarification on the amount requested. Mr. Duensing explained that the \$550,000 additional cost had been identified in the process. He added that additional safety and security upgrades including card access and security cameras for the building were determined to be in need.

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

- 10.6 [PUR 13-01](#) The Mayor and City Council shall discuss and possibly take action to award, as part of a Cooperative Contract, the Office Furniture package for the new City Hall to Knoll, Inc. in an amount not to exceed \$619,407.96. The funding will be drawn from General Governmental CIP, Capital Project Fund - City Manager, Furniture Fixtures & Equipment, City Services Complex (35011115-67743-31003). Discussion and Action.

Development/CIP Manager Brad Hinton presented.

There were no questions or comments from the Council.

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

- 10.7 [PUR 13-02](#) The Mayor and City Council shall discuss and possibly take action to award, as part of a Cooperative Contract, the Seating package for the new City Hall to Haworth, Inc. in an amount not to exceed \$232,785.18. The funding will be drawn from General Governmental CIP, Capital Project Fund - City Manager, Furniture Fixtures & Equipment, City Services Complex (35011115-67743-31003). Discussion and Action.

There were no questions or comments from the Council.

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

- 10.8 [PUR 13-03](#) The Mayor and City Council shall discuss and possibly take action to award, as part of a Cooperative Contract, the Ancillary Furniture package for the new City Hall to Facilitec, Inc. in an amount not to exceed \$115,475.48. The funding will be drawn from General Governmental CIP, Capital Project Fund - City Manager, Furniture Fixtures & Equipment, City Services Complex (35011115-67743-31003). Discussion and Action.

There were no questions or comments from the Council.

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

- 10.9 [PUR 13-04](#) The Mayor and City Council shall discuss and possibly take action to award, as part of a Cooperative Contract, the Specialty Furniture and Equipment package for the new City Hall and Police Buildings to Interior Solutions in an amount not to exceed \$234,623.93. The funding will be drawn from General Governmental CIP, Capital Project Fund - City Manager, Furniture Fixtures & Equipment, City Services Complex (35011115-67743-31003). Discussion and Action.

There were no questions or comments from the Council.

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

- 10.10 [MISC 13-01](#) The Mayor and City Council shall discuss and possibly create a Task Force Committee to provide vision and guidance for the City of Maricopa Zoning Code Re-write project and to advise the Planning Commission and City Council on these matters until the adoption of the new Zoning Code. Discussion and Action.

Planning Consultant Dana Burkhardt presented.

Mayor Price stated that he asked Councilmembers Potter and Chapados join him on the task force.

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

10.11 MISC 13-02

The Maricopa City Council shall discuss and possibly take action on a request to approve the City of Maricopa's 2013 State Legislative Agenda. Discussion and Action.

Assistant to the City Manager Paul Jepson presented. He discussed some of the expectations of some of the bills that may be decided on during the next legislative session and the affects of those bills on the city. He focused on the potential tax simplification bill which would greatly reduce tax revenue for the City of Maricopa.

Discussion ensued.

The Mayor encouraged council and the public to reach out to state legislators to voice their concerns about the possible bill. Mr. Jepson stated that he has met with representatives and that they have been receptive to hearing the city's concerns.

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

10.12 REP 13-01

The Mayor and City Council shall discuss and possibly take action to adopt the 2013-2016 Strategic Plan. Discussion and Action.

Assistant City Manager Danielle Casey presented.

Mayor Price encouraged the public to review the strategic plan.

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

11. Executive Session

The City Council entered into Executive Session at 8:41 p.m.

A motion was made by Councilmember Bridger Kimball, seconded by Councilmember Peggy Chapados, to enter in to Executive Session . The motion carried unanimously.

11.1 ES 13-01

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 13-02

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 13-03

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).

- 11.4 ES 13-04** The Maricopa City Council may go into executive session for the purpose of consultation with its attorneys and to consider its position regarding a proposed Development and Settlement Agreement with Meritage Homes of Arizona, Inc. and Metro Red-1 pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

12. Adjournment

The City Council regular meeting adjourned at 9:15p.m.

A motion was made by Vice Mayor Edward Farrell, seconded by Councilmember Marvin L. Brown, to Adjourn. The motion carried unanimously.