



City of Maricopa

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Meeting Minutes - Final City Council Regular Meeting

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

Tuesday, September 4, 2018

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular Meeting was called to order at 7:12 p.m. Candace Yafetta of The Church of Jesus Christ of Latter-Day Saints gave the invocation, the Maricopa High School band performed the national anthem and Councilmember Manfredi led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 7 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Vice Mayor Peggy Chapados and Councilmember Marvin L. Brown

3. Proclamations, Acknowledgements and Awards

3.1 [PROC 18-09](#) Paint the Town Red Proclamation

Mayor Price invited everyone present for the Proclamation to the front. He read the proclamation and proclaimed September 10th through the 14th as Paint the Town Red Week and September 14, 2018 as Ram Pride Day. He encouraged participation and presented the proclamation to the Maricopa High School Student Council.

Read

4. Report from the Mayor

Mayor Price reported on the Arizona League of Cities and Towns Conference that he attended with other members of the Council. He added that he led a discussion on transportation and elaborated. He reported he spent a lot of time getting to know the incoming leadership in the Arizona State House and Arizona State Senate. He reported meeting with Senator Bowie, State Representative Rusty Bowers and Senator Fann. Next, he discussed education and stated he met with two new schools that were looking to come to the City of Maricopa.

5. Report from the City Manager

City Manager Horst reported that he, Mayor Price and Economic Development Director,

Denyse Airheart participated in the Maricopa Unified School District (MUSD) Strategic Planning last week. He reported staff was actively working on the agenda.

6. Call to the Public

May McCarthy gave information on Kids Day Maricopa. She thanked the Council and the event sponsors.

Councilmember Wade thanked the citizens of Maricopa for his recent re-election.

Erin Leslie Meehan expressed concerns from the Glennwilde Groves block watch regarding the notification of register sex offenders living in the area. She thanked the Maricopa Police Chief for answering their questions and helping them understand the notification process. She thanked the City for the opportunity to have a block watch. She encouraged residents who were part of an Home Owners Association (HOA) to get involved in a block watch.

May McCarthy reminded everyone that Kids Day Maricopa would be on Saturday, September 15 from 10 a.m. to 4 p.m. at Maricopa Wells Middle School and gave further details on the activities.

7. Minutes

- 7.1 [MIN 18-74](#) Approval of Minutes from the August 7, 2018 City Council Work Session.

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

- 7.2 [MIN 18-75](#) Approval of Minutes from the August 7, 2018 City Council Regular meeting.

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

8. Public Hearings

- 8.1 [PH 18-06](#) The Mayor and the City Council shall hear public comment on a proposed text amendment to the Zoning Code, (TXT)18-01 Article 410.24 Residential and Group Care Homes, Article 601 Use Classifications and Article 602.02 List of Definitions.

Zoning Administrator, Kazi Haque presented information on the proposed text amendment. He stated that requests were received from an assisted living place and foster care home operators. He explained that the foster home was limited from fostering 6 siblings because the current zoning code only allowed 5 residents in the house. He elaborated on the similar issues with assisted living places. He stated that Arizona State Legislature recently passed a law that allowed up to 6 residents. He stated that after conducting research and consulting with the City Attorney, staff proposed moving the cap forward to a minimum of 6 residents. He stated that anything over 6 residents would require a zoning permit and would be dealt in a case by case basis. He stated the applicants were present and invited any questions.

Margaret Jordan, founder of Dream Group Homes, Inc., stated her organization was a

sibling only group home with 2 locations in Maricopa. She recounted the story of the 6 siblings who ended up in the care of the state. She stated that she was not able to provide a home to all 6 siblings due to the zoning code ordinance. She stated they were able to finally house all 6 siblings but not together. She went on to describe other instances in which they were unable to accommodate sibling groups. She passed out brochures and opened the floor for questions. The public hearing was opened for comment at 7:50 p.m.

Councilmember Manfredi expressed concerns that it took so long. City Manager Horst echoed the concern and stated the City was acting actively on it. Mayor Price inquired if having an additional live-in person affected the total number. Clarification ensued that the limit of 6 occupants applied to children, not care keepers. Mayor Price clarified that the amendment was meant to align with state law.

Councilmember Wade inquired why the Zoning Code was different than state law in the first place. It was clarified that the law recently changed and City Manager Horst stated that he would recommend that in the future code includes a caveat that states, "or State Code."

Mary A. Jordan, Program Manager for Dream Group Homes stated that other cities such as Phoenix and Scottsdale allowed up to 10 occupants, excluding care keeper. Councilmember Smith clarified they allowed up to 10 with the installation of fire sprinklers.

There were no additional public comments. This Public Hearing was closed at 7:55 p.m.

The Public Hearing was held.

8.2 [PH 18-07](#)

The Mayor and the City Council shall hear public comment on a proposed text amendment to the Zoning Code, (TXT)18-02 Article 205 Industrial Districts, and Article 401.08 Exceptions to Height Limits.

Zoning Administrator, Kazi Haque stated there was a new industrial project near the ethanol plant. He explained the proposed text amendment was meant to allow for heavy industry such as silos and mills. He stated the amendment left the required height open to allow a case by case basis and would require a Conditional Use Permit (CUP).

The Public Hearing was open for comments at 7:56 pm. There were no additional comments. The Public Hearing was closed at 7:56 p.m.

The Public Hearing was held.

9. Consent Agenda

Approval of the Consent Agenda

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

9.1 [PUR 18-12](#)

The Mayor and City Council shall discuss and possibly take action on approving a purchase of five (5) 2019 Ford Police Interceptors from Peoria Ford for the City of Maricopa Police Department in an amount not to exceed a total of \$211,463.05. This purchase is in accordance with the City of Maricopa Purchasing Code, Article IV,

Section 3-223, Cooperative Purchasing and will be paid from the following accounts \$195,613.05 funded by Capital Project fund, Police Uniform Services, Police Replacement Vehicles (35022122-67742-38012) and \$15,850.00 funded by Capital Project Fund, Ballistic Protection for Vehicles, (35022122-67742-38013). Funding for this purchase has been approved in the FY19 budget. This purchase will be using a portion of these budgeted funds. Discussion and Action.

This Purchase was Approved.

9.2 [PUR 18-13](#)

The Mayor and City Council shall discuss and possibly take action on approving a purchase of one (1) 2019 Ford Police Interceptor from Peoria Ford for the City of Maricopa Police Department in an amount not to exceed a total of \$40,892.72. This purchase is in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing and will be paid from the following accounts \$37,722.72 funded by account Capital Project Fund, Police Uniform Services, Police Replacement Vehicles (35022122-67742-38012) and \$3,170.00 funded by Capital Project Fund, Ballistic Protection for Vehicles, (35022122-67742-38013). Funding for this purchase has been approved in the FY19 budget. This purchase will be using a portion of these budgeted funds. Discussion and Action.

This Purchase was Approved.

9.3 [PUR 18-14](#)

The Mayor and City Council shall discuss and possibly take action on approving a purchase of one (1) 2019 Ford F350 Crew Cab XLT with a SWAB animal control body from Peoria Ford for the City of Maricopa Police Department in an amount not to exceed a total of \$64,943.73. This purchase is in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing and will be paid from the following accounts \$55,000.00 funded by account Capital Project Fund, Vehicles (35022122-67742-40007) and \$9953.73 funded by Capital Project Fund, Police Replacement Vehicles, (35022122-67742-38012). Funding for this purchase has been approved in the FY19 budget. This purchase will be using a portion of these budgeted funds. Discussion and Action.

This Purchase was Approved.

9.4 [IGA 18-07](#)

The Mayor and City Council shall discuss and possibly take action on approving the First Amendment to the Amended and Restated Intergovernmental Agreement to Plan, Design Construct, Operate, Maintain and Finance the Regional Wireless Cooperative (RWC). Discussion and Action.

This Intergovernmental Agreement was Approved.

9.5 [CON 18-39](#)

The Mayor and City Council shall discuss and possibly take action on approving a Third Amendment to the agreement with Wilson and Company for services related to the Area Transportation Plan Update to extend the term to December 31, 2018 in accordance with Arizona State Cooperative Contract ADSP018-00007887. There is no monetary change related to this item. Discussion and Action.

This Contract was Approved.

9.7 [PUR 18-15](#)

The Mayor and City Council shall discuss and possibly take action on approving the purchase of one 2018 Chevrolet 2500HD utility truck from Midway Chevrolet to be used by Public Works' Facilities division. This purchase, in an amount not to exceed \$45,000, will be funded from General CIP, Public Works, Vehicles (35055158-67742-40013). This purchase is based on Arizona State Cooperative Contract ADSP014-063239 and complies with City of Maricopa Purchasing Code

Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

This Purchase was Approved.

- 9.9 [MISC 18-18](#) The Mayor and City Council shall discuss and possibly take action on approving changes to the City Investment Policy to update the policy to include an Investment Committee as well as update responsibility titles. Discussion and Action.

This Miscellaneous Item was Approved.

- 9.10 [CON 18-43](#) The Mayor and City Council shall discuss and possibly take action on approving a contract amendment with TPC Group Inc., DBA The Planning Center, in an amount not to exceed \$84,813, which is an additional \$25,044 from the original contract. The contract amendment is for continued planning consulting services to update the City's Subdivision Ordinance for the City of Maricopa. This contract will be funded through the General Fund for Development Services and complies with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedure." Discussion and Action.

This Contract was Approved.

- 9.11 [RES 18-21](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring and adopting the results of the Primary Election held on August 28, 2018. Discussion and Action.

This Resolution was Approved.

- 9.12 [CON 18-44](#) The Mayor and City Council shall discuss and possibly take action on approving an amendment to the existing contract with Superior Supply for purchase of rubber crack seal material, extending the term through November 30, 2018. No additional funding is being requested at this time. This contract was originally approved on February 20, 2018 in an amount not to exceed \$300,000 funded by ½ Cent County Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30055155-67750-34005). This amendment is based on Yavapai County Contract No. 1722593, and is in compliance with City of Maricopa Purchasing Code, Article IV, Section 3-223, "Cooperative Purchasing." Discussion and Action.

This Contract was Approved.

- 9.13 [CON 18-45](#) The Mayor and City Council shall discuss and possibly take action on an Award of Contract with Commercial Cleaning Systems (CCS) for janitorial services at Copper Sky Multigenerational Center. Funding for this contract, in an amount not to exceed \$170,540.33 will be drawn from Copper Sky Fund, Community Services Administration, Janitorial Services (23033130-54423). This Award of Contract is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedures." Discussion and Action.

This Contract was Approved.

- 9.14 [CON 18-46](#) The Mayor and City Council shall discuss and possibly take action on approving the agreement with TishlerBise, Inc. for preparation of a Development Impact Fee Study and related Infrastructure Improvement Plan at a total cost of \$94,630. This agreement will be funded from Park DIF 2CS, Professional & Occupational, DIF Study (34133131-53320-34012) - \$19,152; Police DIF, Professional & Occupational, DIF Study (34322121-53320-34012) - \$4,754; Fire DIF, Professional & Occupational, DIF Study (34422528-53320-34012) - \$9,284; Transportation DIF 2, Professional &

Occupational, DIF Study (34644146-53320-34012) - \$61,440. Discussion and Action.

This Contract was Approved.

- 9.16 [CON 18-47](#) The Mayor and City Council shall discuss and possibly take action on approving a contract renewal with Granicus Inc in an amount not to exceed \$38,407.23 to be paid from the General Fund, Marketing and Communications, Technical (10011116-53340). Discussion and Action.

This Contract was Approved.

10. Regular Agenda

- 9.6 [MOU 18-07](#) The Mayor and City Council shall discuss and possibly take action on approving a Memorandum of Understanding with the Maricopa Economic Development Alliance, an Arizona non-profit corporation, to partner on the State of City Event. Discussion and Action.

Councilwoman Gusse inquired about Maricopa Economic Development Alliance's (MEDA) role with sponsorship and attendance for the event. MEDA representative Doctor Morfessis responded and clarified that their role was as a fiscal agent.

Councilwoman Gusse asked who would be responsible for seeking sponsorships. Administrative Services Director, Jennifer Brown responded that a news release would go out seeking sponsorships and elaborated. Discussion ensued. Councilwoman Gusse inquired why sponsorships could not be solicited from other organizations that the City pays memberships for, such as the Pinal Partnership. Mayor Price elaborated that in the past the City opened sponsorships spots to all businesses. Discussion ensued. Mayor Price stated it was a good point to reach to some organizations and elaborated. Discussion ensued regarding previous costs. Mayor Price elaborated on the way sponsorships work.

Councilmember Wade asked if the event was discussed in the Budget, Finance and Operations Subcommittee (BFO). Mayor Price elaborated that it does have a line item in the budget and the goal was to reduce the number with sponsorships. Discussion ensued.

Councilmember Smith stated she was under the impression that MEDA was going to help with the development and distribution of marketing materials. She asked for clarification of MEDA's role. Dr. Morfessis elaborated. Councilmember Smith stated a timeline was missing and she would like that to be part of the process. Mrs. Brown elaborated that up to date information would be available.

A motion was made by Councilmember Brown, seconded by Councilmember Wade, that this Memorandum of Understanding be Approved. The motion carried by a unanimous vote.

- 9.8 [CON 18-41](#) The Mayor and City Council shall discuss and possibly take action on an Award of Contract with PBC Phoenix, Inc., dba Commercial Cleaning Systems for janitorial services at City Hall, Copper Sky Regional Park, Maricopa Public Library, Pacana Park, Fire Administration, and Public Works/Fleet Maintenance. Funding for this contract, in an amount not to exceed \$158,602.23, will be drawn from General Fund, Facilities, Cleaning Services (10055158-54420). This Award of Contract is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedures." Discussion and Action.

Councilmember Wade asked if there was a reason there was an overlap in services for Copper Sky. Public Works Director, Bill Fay stated that the overlap was an error and clarified that it was two completely separate solicitations and elaborated. Councilmember Wade asked if the contracts for the 2 separate facilities would be tied due to it being the same organization. Mr. Fay explained they were 2 completely separate contracts and could decide to extend or terminate individually.

A motion was made by Councilmember Wade, seconded by Councilmember Brown, that this Contract be Approved. The motion carried by a unanimous vote.

9.15 **MISC 18-21**

The Mayor and City Council shall hear a presentation, discuss and possibly take action on approving costs related to emergency purchases of supplies and services as empowered by declaration of a state of emergency by the Mayor on August 15, 2018, in an amount not to exceed \$185,000 from General Fund, Park Maintenance, Repair and Maintenance (10033132-54430) and \$65,000 from General Fund, Park Maintenance, Rental of Equip and Vehicles (10033132-54442). Discussion and Action.

Councilmember Smith expressed concerns that she was not aware that a state of emergency was declared and added she would like a change of code that would require Council to be notified within a 24 hour period. City Manager Horsts stated they would consult with the City Attorney to make text amendments if the Council desired. Mayor Price explained the state of emergency declaration process.

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

9.17 **CON 18-48**

The Mayor and City Council shall discuss and possibly take action on the approval of a Master Planning and Marketing Agreement with J & J Commercial Properties Inc. doing business as CPI (Arizona) for the planning, design, marketing, disposition and future development of Copper Sky Commercial for a mixed-use site to include a hotel user in the first phase. The Agreement is for three years ("Initial Term") with a possibility to extend for three (3) additional one (1) year terms. Discussion and Action.

Councilmember Smith clarified she asked that this agenda item be pulled from consent because a presentation would be beneficial to the public. Economic Development Director Denyse Airheart gave a PowerPoint presentation. She stated the project covered 18.3 acres for commercial development adjacent to State Route (SR) 347 at the Copper Sky entrance. She gave a brief history and detailed the following timeline: She stated a Request for Proposal (RFP) went out on February 14 followed by a pre-bid conference on February 26. She stated proposal responses were due on March 22 and the Evaluation Committee reviewed them on March 28. She stated vendors were invited to present on April 12 and on May 30th they selected CPI through a tentative award letter. She stated the Scope of Work was to sell or ground lease for development certain properties strategically to advance development. She stated ultimately they were looking for a firm with vision, experience, financial strength and capacity to transform the Copper Sky Commercial Site into a high quality mixed-use destination. She detailed the vendor evaluation criteria which included 10 areas. She discussed CPI's proposal. She discussed the master planning and marketing and added that Phase I would include a hotel. She stated the 3 year agreement would include 3 additional 1 year terms and that it would be at no cost to the City.

Councilmember Smith inquired about the timeline of the development. Mrs. Airheart elaborated. Councilmember Wade asked if the developer had already identified potential partners. A brief discussion ensued. Cecil Yates, with CPI gave a brief

presentation and stated they could be turning dirt in approximately a year to 18 months. City Manager Horst acknowledged Mrs. Airheart and CPI.

A motion was made by Councilmember Smith, seconded by Councilmember Wade, that this Contract be Approved. The motion carried by a unanimous vote.

9.18 [CON 18-40](#)

The Mayor and City Council shall discuss and possibly take action to approve a contract with Entellus, Inc. in an amount not to exceed \$277,449.00 for the Heritage District Floodplain Analysis. Discussion and Action.

Councilmember Smith invited Public Works Director, Bill Fay to give a presentation. Mr. Fay gave information on Community Development Block Grants (CDBG)'s. He stated the Heritage District sat in the flood district and that the Heritage District Floodplain Analysis would remove some sections from the floodplain. He discussed the following project goals: 1- encourage investment in the Heritage District, 2- improve public safety, 3- lower costs for home improvement and 4- align with elements of Planning Maricopa and the Heritage District Redevelopment Plan.

Councilmember Smith asked if he would present the same information to the Heritage District Committee. Mr. Fay agreed to do so.

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

10.1 [ORD 18-06](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending Table 205.03 and Table 401.08 of the Maricopa Zoning Code regarding exceptions to the height limits for certain mechanical appurtenances in the Industrial Districts and providing for severability and the effective date thereof. Discussion and Action.

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

Aye: 7 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Vice Mayor Peggy Chapados and Councilmember Marvin L. Brown

10.2 [RES 18-20](#)

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 "2018 Amendments to the City of Maricopa Zoning Code - Group Homes" relating to the establishment of rules and regulations for group homes operating within the City of Maricopa and amending certain provisions of Articles 401.24, 601 and 602.02 of the Maricopa Zoning Code. Discussion and Action.

Senior Planner, Kazi Haque clarified the length of time staff worked to help Miss Jordan.

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

10.3 [ORD 18-05](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2018 Amendments to the City of Maricopa Zoning Code - Group Homes" by reference and amending certain provisions of Articles 401.24, 601 and 602.02 of the Maricopa

Zoning Code and providing for severability and the effective date thereof. Discussion and Action.

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

Aye: 7 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Vice Mayor Peggy Chapados and Councilmember Marvin L. Brown

10.4 [RES 18-22](#)

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 "2018 Amendments to Article 10-4 - Alarm Systems" relating to the establishment of rules and regulations for alarm systems within the City of Maricopa and amending Article 10-4 of the Maricopa City Code. Discussion and Action.

Maricopa Police Chief Stahl gave a brief presentation on the item. He commended Martin Scribner and Robert Matthias for making the permit application process available online. He stated the first alarm response fee would be waived if residents agreed to take a course online.

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

10.5 [ORD 18-07](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2018 Amendments to Article 10-4 - Alarm Systems" by reference and amending Article 10-4 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

A motion was made by Vice Mayor Chapados, seconded by Councilmember Smith, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 7 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Vice Mayor Peggy Chapados and Councilmember Marvin L. Brown

11. Executive Session

There was no executive session.

12. Adjournment

A motion was made by Vice Mayor Peggy J. Chapados, seconded by Councilmember Nancy Smith, to Adjourn at 8:59 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 4th day of September, 2018. I further certify that the meeting was duly

called and held and that a quorum was present.

Dated this 18th day of September, 2018.

Vanessa Bueras
City Clerk