



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, March 15, 2016

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular Meeting was called to order at 7:09 p.m.

Mount Moriah Church Reverend, Arnold Jackson 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

Mayor Price acknowledged Pinal County Sheriff, Paul Babeu present in the audience.

Councilmember Wade announced the winners of the Black History Month essay contest and presented them with certificates of appreciation: 6th grade winner Mikaela Blanc, 7th grade winner Kaylee Surlinger, 7th grade honorable mention Celeste Webb, 8th grade winner Contessa Ramirez, 11th grade winner Hailey Bates and 12th grade winner Shelby Hanks.

Economic Development Director, Denyse Airheart acknowledged the Maricopa Advocate Program (MAP) Platinum Level participants: Councilmember Chapados, LeeAnne Clark, Robert Harvey, Rachel Leffall, Marla Lewis, Suzy Miller, Councilmember Manfredi, and Ted Yocum.

4. Report from the Mayor

Mayor Price gave information on the upcoming Spice of Life, Senior Variety Show at the Maricopa High School Performing Arts Center on Saturday, March 26 at 6 p.m. He stated tickets would be \$15 and could be purchased at brownpapertickets.com. He reported on his recent trip to Washington, D.C., he highlighted the importance of the trip and added attending the National League of Cities and Town's Conference was part of the trip. Next, he reported meeting with Colonel Kirk Gibbs, the Army Corps of Engineers and the Lower Santa Cruz River Alliance to discuss options that could take Maricopa out of the flood zone. Next, he reported attending the ground

breaking ceremony of the Leading Edge Academy expansion site. Lastly, he stated the Battle of the Burbs competition was back and a video of the contest was played. He encouraged the community to vote.

5. Report from the City Manager

City Manager Rose invited Police Chief, Stahl to introduce the new Police Commander. Chief Stahl introduced Commander Gerald Kaphing. Commander Kaphing gave a brief history of his background and experience.

Economic Development Director, Denyse Airheart introduced Dan Beach with the Maricopa Center for Entrepreneurs (MCE). Mr. Beach gave a brief background on Precious Hands Healthcare, LLC and presented the business with a revolving loan in the amount of \$25,000.

6. Call to the Public

Kahinde Ogunjobi approached the lectern and addressed the Mayor and Council. He commended the MAP program, the new Police Commander, and Ruben Garcia for the excellent job he does with the Business Beat video clips. He thanked Mr. Garcia for his hard work.

Rich Vitiello approached the lectern and addressed the Mayor and Council. He announced that he would not be running for a Council seat and would instead, run for the seat of Pinal County Supervisor of District 4.

Beth Mundell, owner of Fyrestorm Maricopa, approached the lectern and addressed the Mayor and Council. She announced that AZ Fyrestorm earned a bid to the D2 Summit in Tampa, Florida. She elaborated on the event and congratulated the 12 participating cheerleaders. She stated the trip would cost \$42,000 and that they would host multiple fundraisers to raise money for the trip. She asked that the City Council consider donating any amount possible and noted that the results would be known by May 1st.

Fyrestorm Cheerleaders, Kate and Meghan approached the lectern and addressed the Mayor and Council. They gave a brief statement about the summit and what it means for them.

Kelly Palese approached the lectern and addressed the Mayor and Council. She spoke on behalf of the parents of the Fyrestorm cheerleaders and noted that the kids represent the City of Maricopa incredibly well everywhere they go.

Dan Beach, with MCE, approached the podium and addressed the Mayor and Council. He encouraged the meeting attendees to see the new Maricopa Arts Council art exhibit, in the lobby on their way out. Next, he invited the community to visit the Science City on Saturday, March 19th at the Salsa Festival at Copper Sky.

Councilmember Wade invited the members of the Black History Month Committee to stand for recognition and he commended their dedication.

7. Minutes

- 7.1 [MIN 16-26](#) Approval of Minutes from the March 1, 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 16-27](#) Approval of Minutes from the March 1, 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 Councilmember Henry Wade, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

- 9.1 [PUR 16-02](#) The Mayor and City Council shall discuss and possibly take action on approving the purchase of a replacement mower for use by Public Works' Street Maintenance division. This purchase, in the amount of \$109,604.36, will be drawn from two budget line items: \$100,000 from General Fund, General Government, Compensation for Loss on General Capital Assets (10010000-49220); and \$9,604.36 from HURF, Public Works, Heavy Equipment, Backhoe (20055151-67740-35014). This purchase is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedure." Discussion and Action.

This Purchase was Approved.

- 9.2 [CON 16-10](#) The Mayor and City Council shall discuss and possibly take action on approval of Consent to Sublease and Leaseback between Verizon Wireless, LLC and ATC Sequoia, LLC, for a cellular tower erected on City owned property. Discussion and Action.

This Contract was Approved.

- 9.3 [PUR 16-03](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase of one (1) Ford Police Interceptor from Peoria Ford for the City of Maricopa Police Department in an amount not to exceed \$43,590.03. Included in this purchase all necessary police upfitting. This purchase is in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing and will be paid from Capital Project fund, police uniform services, Police Replacement Vehicles (35022122-67742-32007). Discussion and Action.

This Purchase was Approved.

- 9.4 [LIQ 16-01](#) The Mayor and City Council shall discuss and possibly take action recommending approval to the Arizona Department of Liquor License and Control regarding an application for a new license submitted by Jodi Vurnovas on behalf of Good 2 Go Stores, LLC, located at 19590 N. John Wayne Parkway, Maricopa, Arizona 85139. Discussion and Action.

This Liquor License was Approved.**10. Regular Agenda**

- 10.1** [PRES 16-09](#) The Mayor and City Council shall hear a presentation from Heinfeld, Meech & Co., P.C. regarding the audit of the City of Maricopa Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2015. Discussion Only.

Interim Finance Director, Brenda Hasler introduced Heinfeld, Meech & Company representative, Corey Arvizu. She gave a brief background on the company and invited Mr. Arvizu to present. She thanked Mr. Arvizu and staff for all their support. Mr. Arvizu presented detailed information on the Comprehensive Annual Financial Report. He elaborated on a finding in the cash reconciliation process and noted that the finding did not affect the audit opinion this year, but would be looked at next year.

The Presentation was heard.

- 10.2** [IGA 16-01](#) The Mayor and City Council shall discuss and possibly take action on entering into an Intergovernmental Agreement between the City of Maricopa and The State of Arizona acting through the Department of Transportation on the design of a bridge on State Route (SR) 347 over the Union Pacific Railroad (UPRR) within the City. The City's contribution toward funding for the design, in an amount not to exceed \$691,710, will be drawn from Transportation DIF, Street Project Capital, SR347 Overpass Project-Honey/SR347/MCG Hwy (32444146-67750-35021). Discussion and Action.

City Attorney Denis Fitzgibbons presented on the Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) regarding the design of the bridge on State Route (SR) 347. He explained that he had hoped to bring the final agreement but there were some requested changes. He asked that the IGA be approved subject to the additional changes being approved by the City Manager and attorney's office. He stated that if there was any increase in price, it would come back before Council. Councilmember Chapados requested that the language be specific that if there was any "Increase of cost to the City," that it would be brought before Council.

A motion was made by Vice Mayor Brown, seconded by Councilmember Kimball, that this Intergovernmental Agreement be Approved. The motion carried by a unanimous vote.

- 10.3** [CON 16-11](#) The Mayor and City Council shall discuss and possibly take action on approval of an Addendum to Agreement for Job Order Contracting with Core Construction, Inc. to provide mold remediation services at Station 574, Station 571 and Fire Administration and of a budget transfer of \$30,500 from City Contingency Fund (100-49500-350) to Fire Department (10022528-54430-00139). This contract, in an amount not to exceed \$30,500, is based on City of Peoria Agreement No. ACON00714B and is in compliance with the City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

Maricopa Fire Department Assistant Chief, Lonnie Inskeep explained that mold had been found at Stations 571, 574 and the administration building. He stated an environmental company recommended professional mold remediation. He elaborated and invited questions from Council.

Vice Mayor Brown asked if any of the other firehouse had any evidence of mold. Mr. Inskeep responded that there was no evidence of mold in the other firehouses and elaborated.

Councilmember Chapados asked if any of the facilities would be unusable during the mold remediation. Mr. Inskeep stated that some of the restrooms in the firehouses would be closed off completely and elaborated. He stated that work would be coordinated for a Friday and Saturday at the administration building.

Councilmember Smith thanked Mr. Inskeep for the information and stated that the Budget, Finance, and Operations (BFO) Council Subcommittee should have known of the issue and recommended that potential problems that could incur an expense be included in BOF discussions in the future.

Councilmember Wade asked if any personnel had expressed any health concerns. Mr. Inskeep responded and stated that now that the problem has been identified, they hope to have a positive outcome.

Mayor Price asked why the ongoing issue was prolonged until now. Mr. Inskeep stated that there was no way of knowing how serious the issue was and elaborated. Mayor Price asked if the \$30,000 would cover all the construction and remediation costs and if there were any risks of the cost increasing. Mr. Inskeep elaborated on the proposal and costs.

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

10.4 [MISC 16-11](#)

The Mayor and City Council shall discuss and possibly take action to approve the Salsa Festival Event Layout and Beer Garden. Discussion and Action.

Special Events and Marketing Manager, Niesha Whitman presented. She stated that based on feedback from both, vendors and attendees, the Community Services Department recommended allowing consumption of alcoholic beverages anywhere within the fenced event area. She stated that security would be increased to 5 security guards, the fencing area would be expanded and that there would be extra volunteers. She noted that it would be a trial and would not automatically be the standard for all events.

Councilmember Chapados asked Mrs. Whitman to quantify the feedback that was received. Mrs. Whitman responded that feedback was received from approximately 20-50 people. Councilmember Chapados expressed concerns with additional costs to cover the increased security and inquired if the beer vendor would contribute. Mrs. Whitman assured her that there was no increase to the budget required and that all additional security personnel were hired within budget. Councilmember Chapados asked if coolers would be checked for outside alcoholic beverages. Mrs. Whitman stated that they would do light-checks of coolers and that event rules would be emphasized at the entrances. Councilmember Chapados expressed concerns that illegal consumption of alcohol by minors might be an issue on such a large area of the event. She stated that she was not aware that the change was being considered and added that Council should weigh in on major changes ahead of time. Mrs. Whitman stated that she would take it as a learning experience and vet any changes through Council in the future.

Councilmember Kimball agreed that the Council should deliberate major changes ahead of time and he that, too, was not aware that changes were being considered. He spoke in support of allowing alcohol consumption throughout the event area.

Councilmember Wade expressed concerns with lighting at the event and the possibility of adults sharing alcohol with minors in darker areas of the event. Mrs. Whitman stated that she would look into possibilities for increased lighting.

Councilmember Smith supported the change as a trial basis so that families don't have to be separated during the event. She commended the light check of personal coolers and commended Mrs. Whitman for preparing the test run. She concurred that Council should have known in advance of the recommended changes.

Councilmember Manfredi spoke in support of the trial and stated that if it is successful, he would not mind applying to other events.

Mayor Price expressed concerns with allowing alcohol in the children's Little Pepper Zone. Councilmember Kimball suggested placing signs near the children's area that state, "no alcoholic beverages beyond this point." He added that being able to count the number of attendees would be a benefit. Mrs. Whitman concurred that it was one of the benefits considered, as well as a greater ability to track lost children within the fenced in area. Mayor Price stated he had some reservations, but that he liked that it was a test run and looks forward to the subsequent feedback.

City Manager Rose commended Mrs. Whitman for being innovative in her attempt to improve the event.

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

Aye: 6 - Mayor Christian Price, Vice Mayor Marvin L. Brown, Councilmember Bridger Kimball, Councilmember Vincent Manfredi, Councilmember Nancy Smith and Councilmember Henry Wade

Nay: 1 - Councilmember Peggy Chapados

10.5 [MISC 16-10](#)

The Mayor and City Council shall discuss and possibly take action on City Manager Gregory Rose's annual performance evaluation and salary, as per the City Manager's employment contract. Discussion and Action.

Mayor Price introduced the item and stated that City Manager Rose has done an excellent job. He stated that the evaluation would include a 5% merit increase. City Manager Rose stated he has enjoyed working for the City and commended the executive team.

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

10.6 [RES 16-09](#)

A Resolution of the Mayor and Council of the City of Maricopa, Arizona, authorizing City staff to complete all necessary paperwork to apply for the Rural Public Transportation Program (Section 5311) from the Arizona Department of Transportation to continue to operate public transportation services for the next two years and authorizing the City Manager to sign any documents related to this application and the acceptance of any resulting grant. Discussion and Action.

Transportation/Transit Planner, David Maestas presented on the request to apply for the Rural Public Transportation Program grant (Section 5311) from the Arizona Department of Transportation (ADOT). He stated that this year ADOT changed the process to a 2 year grant application. He stated the total request would be \$1,046,258 for 2 years and broke it down to Fiscal Year (FY) 16/17 and FY 17/18. He detailed what the funding would provide and invited questions from Council.

Councilmember Smith stated that once the bus-stops go up, it should improve ridership. Mr. Maestas concurred and elaborated.

Vice Mayor Brown asked how the old buses are disposed. Mr. Maestas elaborated.

Councilmember Wade inquired if the size of the community could support ample ridership. Discussion ensued. Mayor Price discussed transit and the development of the City.

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

11. Executive Session

- 11.1 ES 16-10** 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 Intergovernmental Agreement with the State of Arizona through its Department of Transportation related to the design of the SR-347 - UPRR Grade Separation, and the potential terms thereof, and for legal advice regarding the same pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.2 ES 16-11** 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 Presiding Judge Agreement, and the potential terms thereof, with Lyle Riggs and for legal advice regarding the same pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

12. Adjournment

A motion was made by Councilmember Bridger Kimball, seconded by Mayor Christian Price, to Adjourn at 9:00 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 15th day of March, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of April, 2016.

Vanessa Bueras
City Clerk