



City of Maricopa

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Meeting Minutes - Final 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.

Monday, November 21, 2016

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular Meeting was called to order at 7:07 p.m. Reverend Arnold Jackson gave the invocation and 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

3.1 [PRES 16-28](#)

The Mayor and City Council shall hear a presentation acknowledging the completion of the fall session of the Maricopa Citizens Leadership Academy (MCLA).

Assistant to the City Manager, Jennifer Brown gave a brief PowerPoint on the Maricopa Citizen Leadership Academy and the 2016 Fall Session Graduating Class. She invited the Mayor and Council to the step down from the dais to present the graduates with certificates and pins. The following graduates were invited to the front: Christina Delacruz, Fitzgerald Johnson, Leonard Gonchar, Lois Gonchar, Sharon Robertson, Andy Lockridge, Marvin Harrison, David Carlson, Elaine Lee, Dana Herring, Alan Asher, Angelina Martin, Deanna Bell, Jason Dagan, Niesha Whitman, and Gayle Randolph. The graduates were congratulated and everyone posed for pictures. Mrs. Brown announced the next spring session would start on March 2017 and directed anyone interested to www.maricopa-az.gov and stated she could be contacted with questions at (520)316-6841.

The Presentation was heard.

4. Report from the Mayor

Mayor Price reported attending the National League of Cities and Towns Conference in Pittsburg with Vice Mayor Brown. He gave a summary of the breakout sessions he attended including one on automated vehicles. Next, he reported presenting a shortened version of the State of the City Address to a group of developers. He noted Economic Development Specialist, Dorothy Wolden was there and elaborated on the event. Lastly, he reported attending various Veteran's Day events through the

community.

5. Report from the City Manager

City Manager Rose invited Development Services Director, Martin Scribner to the lectern. Mr. Scribner announced that Proposition 415 passed and thanked everyone who helped with getting the word out. Next, he noted that Planner Ryan Wozniak received his AICP (American Institute of Certified Planners) Certification last weekend.

City Manager Rose announced that the Intergovernmental Affairs Director position was filled and introduced Dale Wiebusch as the new Intergovernmental Affairs Director. He invited Mr. Wiebusch to give a brief background of his experience. Mr. Wiebusch gave a brief background of his experience and stated he looks forward to working with the City.

City Manager Rose stated that there had been some issues with enforcement of the City Code and elaborated. He stated staff hopes to move forward from inconsistent to consistent enforcement for unpermitted special events. He explained there needs to be process established. He stated that for the next 12 months the City would issue warnings for special events that did not go through the right process and they would also explain the right process. He added that during the 12 month period the City would launch an informational campaign on the process for special event permits and once concluded, the City would take a more aggressive enforcement approach. He further explained that most unpermitted activities occurred during the weekend, and so code enforcement would be changed to include some weekends. He stated that he would move forward by placing the issue on a works session agenda to layout the process.

Next, City Manager Rose recognized Web & Media Services Manager, Ruben Garcia for all his contributions to the City and the community. Mayor Price commended Mr. Garcia.

Councilmember Chapados reported attending the CERT (Community Emergency Response Team) trailer dedication and congratulated CERT.

6. Call to the Public

Ron Batt, Chair of the Planning and Zoning (P&Z) Commission approached the lectern and thanked all the BCC's (Boards, Commissions and Committees), the Mayor, the Council, staff and the P&Z Commission for the diligent work on informing the community on Proposition 415.

Ken Pantoja, Battalion Chief with the Fire Department stated he has worked with the City for 10 years. He stated the last 4-5 the City has seen successful growth and he credited the Mayor, the Council and the City Manager. He noted his sister works for the Police Department and commended the Police Department. He spoke in favor of a salary raise for the Mayor and Council and reiterated his appreciation.

7. Minutes

- 7.1 [MIN 16-99](#) Approval of Minutes from the November 1, 2016 City Council Work Session.

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

vote.

- 7.2 [MIN 16-100](#) Approval of Minutes from the November 1, 2016 City Council Regular meeting.

A motion was made by Vice Mayor Brown, seconded by Councilmember Kimball, 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 unanimously.

- 9.1 [CON 16-48](#) The Mayor and City Council shall discuss and possibly take action on approval of a contract and addendum with Franklin Striping, Inc. in an amount not to exceed \$125,000 for striping of City streets. Funding for this contract will be drawn from two sources: Not to exceed \$25,000 will be paid from Local Road Maintenance Fund-Engineering, Street Projects-Capital (20555155-67750); not to exceed \$100,000 will be paid from ½ Cent Road Tax Fund-Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005). This contract, which is based on Maricopa County Contract No. 14097-S, is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

This Contract was Approved.

- 9.2 [CON 16-49](#) The Mayor and City Council shall discuss and possibly take action on approving the Third Amendment to the existing contract with DWA Construction Company, LLC for various concrete repairs throughout the city, extending the term to June 30, 2017. No additional funding is being requested. Discussion and Action.

This Contract was Approved.

- 9.3 [PUR 16-19](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase from Advanced Traffic Products for Pre-Emption devices and equipment for traffic intersections and the purchase of Opticom Emitters for emergency vehicles pursuant to Section 3-223, "Cooperative Purchasing" of the City Code in an amount not to exceed \$60,000.00. The expenditure will be paid from the Capital Improvement Plan Budget line item # 35022528-67741-32031. Discussion and Action.

This Purchase was Approved.

- 9.4 [CON 16-51](#) The Mayor and City Council shall discuss and possibly take action on approving a cooperative agreement and Addendum with FCI Constructors, Inc. for various job order contract services for the fire stations pursuant to Section 3-223, "Cooperative Purchasing" of the City Code in an amount not to exceed \$350,000. The expenditure will be paid from the Capital Projects Fund-Fire Support Services, budget line

(35022528-67741-32029),(35022528-67730), (35022528-67741-32028) and budget line (35022528-67720--32030). Construction that falls under General budget will be paid from budget line (10022528-54430). Discussion and Action.

This Contract was Approved.

- 9.5 [PUR 16-21](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase from United Fire for Fifty-one (51) Self Contained Breathing Apparatus (SCBA). This purchase is pursuant to Section 3-213, "Purchases in General" and Section 3-215 "Bidding Procedure" of the City Code in an amount not to exceed \$450,000.00. The expenditure will be paid from the Capital Improvements (CIP) line item 35022528-67741-32028. Discussion and Action.

This Purchase was Approved.

- 9.6 [PUR 16-22](#) The Mayor and City Council shall discuss and possibly take action on approving the purchase of six (6) portable radios from Motorola, Inc., pursuant to Section 3-223, Cooperative Purchasing" of the City Code in an amount not to exceed \$30,659. Funding is from Grants -Police Operations, Homeland Security (22022122-55690-17211) for \$27,746 and CIP- Police Radios (35022122-67741-32036) for \$2,913. Discussion and Action.

This Purchase was Approved.

- 9.7 [RES 16-40](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring and adopting the results of the General Election held on November 8, 2016. Discussion and Action.

This Resolution was Approved.

- 9.8 [MOU 16-02](#) The Mayor and City Council shall discuss and possibly take action to enter into a Memorandum of Understanding (MOU) with the City of Peoria, the lead agency, and the other 15 City Fire Department partners on the Federal Emergency Management Agency, Assistance to Firefighters Grant to provide regional education/training grant in collaboration with Mesa Community College (MCC) and its Virtual Incident Command Center (VICC). Approval provides the City Manager with the authority to sign MOU and all applicable grant documents associated with the MOU. Discussion and Action.

This Memorandum of Understanding was Approved.

10. Regular Agenda

- 10.1 [PRES 16-29](#) The Mayor and City Council shall hear a presentation and provide direction to staff regarding possibly entering into an agreement with the Arizona Department of Corrections for the supply of inmate labor in the City of Maricopa. Discussion only.

Public Works Director Bill Fay elaborated on the Arizona Department of Corrections (DOC) Work and Rehabilitation Program. He elaborated the workers were highly motivated, non-violent offenders and that crew sizes would be kept to a minimum of 7. He discussed transportation and noted that workers would be transported to and from the Eloy prison each day by a Maricopa staff member. He discussed supervision and stated that both Public Works employees and a correctional officer would supervise the work crew. He detailed the types of tasks that would be performed and the benefits to the City such as financial savings. He stated the following local jurisdictions/entities participate in the program: University of Arizona (U of A) Maricopa Agricultural Center, Hickman's Family Farm, Arizona Department of Transportation, Pinal County and Ak-Chin among other non-local entities. He

elaborated and invited questions from Council.

Councilmember Manfredi reiterated that the work crew would consist of non-violent and non-sexual offenders. Mr. Fay elaborated. Mayor Price stated that it had been done in many other places and asked whether it could be applied to individuals with court appointed community service. Mr. Fay explained the difference that community service workers were short term, while DOC workers were long term. He elaborated and stated they would be open to the possibility.

Councilmember Wade inquired about liability in the event that one of the individuals did something inappropriate. City Attorney, Denis Fitzgibbons explained it would be similar to the liability of any other employee and elaborated. Mr. Fay reiterated that he has not met anyone who had any incidents.

Councilmember Chapados asked if Public Works employees would volunteer or be assigned and whether there was a process in place to ensure that the program could continue when employees go on vacation and so on. Mr. Fay responded that the Public Works street crew would rotate supervision and elaborated. Next, Councilmember Chapados asked what safeguards would be placed to mitigate any potential of abuse. Mr. Fay elaborated that it was easy to remove any participant from the crew at any given point. Councilmember Chapados asked the length of the contract. Mr. Fay stated that the contract would allow for 30 day notice of termination. Mr. Fitzgibbons elaborated that it was a year-to-year contract that would automatically renew unless the City wished to terminate.

Councilmember Manfredi inquired about the financial responsibilities of the City such as pay, transportation and the agreement with the U of A Agricultural Center. Mr. Fay explained that U of A has a bus to transport work crews and elaborated on the informal agreement. Mayor Price inquired who would cover injuries. Mr. Fay responded that it was addressed in the contract and that it would not be the City's insurance. A brief discussion ensued regarding the contract approval process. Vice Mayor Brown thanked Bill Fay for the presentation. Mr. Fay reiterated that his previous experience with DOC workers had been positive.

The Presentation was heard.

10.2 [PRES 16-30](#)

The Mayor and City Council shall hear a presentation by Arizona Department of Transportation Roadside Development and EPS Team about SR-347 Bridge Aesthetic Concepts. Discussion Only.

Bill Fay introduced the presentation about SR-347 aesthetic concepts and invited Elijah Williams with EPS Team to present the concepts. Project Manager, Elijah Williams gave a PowerPoint Presentation on SR-347 Bridge Aesthetic Concepts. Mr. Williams displayed a graphic of the project corridor and stated the ADOT Roadside Development Concepts were inspired by the following: the water tank trellis and rivets, the agricultural row crops, the railroad tracks and rivets, leaving room for future art and minimizing the different number of panels. He displayed a graphic of ADOT Roadside Development Concept 2A and stated it was inspired by the railroad, rivets and the water tower. Next, he displayed Concept Piers 1 and 2 for under the bridge. Next, Mr. Williams presented the EPS Team Inspirations including the water tower, the train, cotton and corn crops, wheat and sheaves of wheat. He detailed the MSE (Mechanical Stabilized Earth) Walls and 3d graphics. He elaborated on EPS' inspiration. Next, he presented MSE Wall Concept 2 with single crop imagery and without rivet pattern cap and Concept 3 with multiple crop imagery and rivet pattern cap. He explained how the bridge piers would be designed with sheaves of wheat as inspiration. He detailed the bridge fence standards and design. He noted the fence was designed after a farming scythe and elaborated. He stated the lighting would

also take after sheaves of wheat and provided further visuals. He stated the concepts were presented to the Heritage District Committee and elaborated. He stated they would like feedback from the Mayor and Council and noted that due to the TIGER Grant funding the schedule was very tight.

Councilmember Smith thanked Mr. Williams for the presentation and asked whether the Heritage District Committee indicated a preferred theme. Mr. Williams responded that the committee leaned towards Option 1, which was the agricultural theme. Councilmember Smith stated she liked the theme in option 1, however the cotton and corn graphics were hard to discern. She stated she liked the wheat concept and elaborated. She inquired about the open art concept. Mr. Williams elaborated that it was intended for a public art display. Discussion ensued regarding possibilities for the open art area.

Councilmember Manfredi suggested adding pecan trees in the open art area. He spoke in favor of Option 1 and expressed concerns with changes due to the tight timeframe. Mr. Fay stated that there would be some room to maneuver.

Councilmember Chapados thanked Mr. Williams and spoke in favor of the agricultural theme Option 1. She stated she liked the symbolism and the rivets, and asked if there was a way to include the cross beams of the trellis of the water tower. She commended the open art feature, the lights and EPS Group for the concepts.

Councilmember Wade stated that Option 1 looked too busy and asked for clarification. Mr. Williams stated that fewer elements could be done. Mr. Williams explained that the 60% plans were due a week from Wednesday and elaborated the planned stages.

Councilmember Kimball spoke in favor of Option 1 and commended the design. Discussion ensued. Mayor Price stated that less density would make Option 1 work and spoke in favor of the symbolism. Councilmember Smith reiterated she would like to have the corn taken off. Councilmember Manfredi suggested adding the open art concept. Councilmembers Chapados, Kimball and Manfredi spoke in favor of the corn as long as it was spaced out. City Manager Rose suggested adding the City Seal somehow to show connectivity with the City. Councilmember Manfredi suggested adding it on the open art space.

Mr. Fay stated that the 60% plans were due after Thanksgiving and it would be followed by an open house to receive input from the public.

The Presentation was heard.

10.3 [RES 16-37](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing the imposition and collection of an exhibitor fee from for-profit businesses participating in the 2017 Senior Info/Expo Event. Discussion and Action.

Age-Friendly Committee Coordinator, Arnold Jackson gave a brief background of the Age-Friendly Maricopa Implementation Plan. He stated that on November 3rd of last year, the Senior Info/Expo budget was approved not to exceed \$5,161. He explained that thanks to cash sponsorships the money budgeted by the City was not used. He stated that the upcoming 2017 event was scheduled for Saturday, January 21 from 10 a.m. through 2 p.m. He stated that last year only non-profit organizations participated, but this year they would like to include for profit businesses. He stated the Age-Friendly Maricopa Advisory Committee recommended an exhibitor/vendor fee of up to \$50 or \$25 if they provided a door prize item with a minimum fair market value of \$25. He noted that there would be no charge for non-profit organizations.

A motion was made by Councilmember Wade, seconded by Councilmember

Kimball, that this Resolution be Approved. The motion carried by a unanimous vote.

10.4 [MISC 16-43](#)

The Mayor and City Council shall discuss and possibly take action on approving a Notice of Intent of the City Council of the City of Maricopa to enter into a Retail Development Tax Incentive Agreement with VP EDISON 15, LLC, an Arizona limited liability company, with respect to the Edison Pointe retail center to be constructed on the northeast corner of John Wayne Parkway and Edison Road. Discussion and Action.

Mayor Price explained this item would just move forward based on information from last council meeting.

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

10.5 [RES 16-39](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, establishing the salary for the Mayor and City Council Council members. Discussion and Action.

City Manager Rose introduced the item. Mayor Price announced there were 2 speaker cards submitted. He explained that employees earn merit increases but the Council did not. He further elaborated that the Council could only increase the salary of the next council.

Ron Batt approached the lectern and addressed the Mayor and Council. He spoke in favor of a salary increase for the Mayor and Council. He argued that compensation should be competitive to other municipalities. He stated that the salary pay cut during the recession should also be considered and reiterated his support of a salary increase.

Ted Yocum approached the lectern and addressed the Mayor and Council. He spoke in favor of a salary increase for the Mayor and Council. He discussed time and travel demands. He commended the dedication of the Mayor and Council and reiterated his support.

Mayor Price discussed his research of various locations and the different compensation packages. He discussed the City of Tullahoma's compensation study and noted it included the Mayor and Council. He discussed the Arizona League of Cities and Towns report and encouraged the Council to take a look at it.

Vice Mayor Brown reiterated that the Council had never enjoyed an increase and noted there was a voluntary pay cut in 2010. He spoke in favor of a salary increase. Councilmember Wade stated that while it was difficult, it was warranted. He spoke in favor of the pay increase and elaborated.

Mayor Price stated that there was a cushion in the budget for the pay increase if approved. He further elaborated on the Arizona League of Cities and Towns study and detailed salaries from other municipalities.

Councilmember Chapados thought of it as a return on investment and spoke in favor of the salary increase. She elaborated that it was not a part-time job. She suggested \$1,500 per month for Council and either \$1,650 or \$1,700 for the Mayor or \$18,000 a year for Council and \$19,800 or \$20,400 for the Mayor.

Councilmember Manfredi spoke in favor of an increase and elaborated. He recommended a merit increase process be put in place. Mayor Price discussed how other cities tackled merit increases.

Councilmember Smith spoke in favor of a pay increase and suggested \$20,000 for the Mayor \$15,000 for Council. Discussion ensued regarding the amount of the increase.

Councilmember Kimball stated he was comfortable with the separation of the Mayor and Council being \$5,000. He recommended \$23,000 for the Mayor and \$18,000 for the Council and elaborated. Councilmember Manfredi concurred with Councilmember Kimball's numbers. He reiterated that a merit increase process should be established and elaborated.

Vice Mayor Brown suggested \$22,000 for the Mayor and \$18,000 for the Council. Councilmember Kimball stated that he was against merit increases and elaborated. He supported either \$23,000 or \$22,000 for the Mayor and \$18,000 for Council. Councilmember Chapados agreed that a merit increase should not be automatic. She stated that the vehicle allowance should not change as well. She supported either \$23,000 or \$22,000 for the Mayor and \$18,000 for Council. Councilmember Wade supported \$23,000 for the Mayor and \$18,000 for Council.

Councilmember Smith stated she felt \$18,000 felt like a big increase and expressed concerns. Mayor Price supported \$23,000 for the Mayor and \$18,000 for the Council and elaborated. Discussion ensued regarding not including a merit increase.

Councilmember Kimball made a motion to approve a salary increase to \$23,000 for the Mayor and \$18,000 for the Council, keeping the car allowance the same and not establishing a merit increase (automatic increase).

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

11. Executive Session

- 11.1 ES 16-31** 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 the status of negotiations related to possibly entering into an agreement with VP Edison 15, LLC, relating to the property known as Edison Point and generally located on the northeast corner of Edison Road and John Wayne Parkway, and the potential terms thereof, and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.2 ES 16-32** 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 the status of negotiations related to possibly entering into an amendment to the development agreement that was assigned to CAPDEVL060, LLC by Shea Maricopa, LLC, relating to the property known as The Wells and generally located on the northwest corner of Maricopa Casa Grande Highway and Porter Road, and the potential terms thereof, and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

12. Adjournment

The City Council Regular Meeting was adjourned at 9:17 p.m.