



# 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.**

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Tuesday, December 16, 2014

7:00 PM

Council Chambers

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### 1. Call to Order

*The City Council regular meeting was called to order at 7:23 p.m.*

*Reverend Arnold Jackson, from Mount Moriah Church, gave the invocation.*

*Councilmember Kimball led the meeting attendees in the Pledge of Allegiance.*

### 2. Roll Call

**Present:** 7 - Councilmember Bridger Kimball, Councilmember Nancy Smith, Councilmember Vincent Manfredi, Councilmember Henry Wade, Mayor Christian Price, Vice Mayor Marvin L. Brown and Councilmember Peggy Chapados

### 3. Proclamations, Acknowledgements and Awards

#### 3.1 [MISC 14-97](#) Premier EMS Agency Program Certificate Recipient Recognition

*Mayor Price stated that the Maricopa Fire Department was awarded a Premier EMS Agency Program Certificate recognition and invited Assistant Fire Chief Bobby Miller to elaborate.*

*Assistant Fire Chief Bobby Miller acknowledged Cindy Inskeep for founding a records management system to track EMS (Emergency Medical Services) through Image Trend and presented her with the award.*

### 4. Report from the Mayor

*Mayor Price reported participating in the Maricopa High School Shark Tank hosted by the Maricopa Center of Entrepreneurship (MCE). He gave a brief description of the event and praised the business ideas. He reported that on Saturday, December 13 he attended the For Our City Maricopa, Shop with a Cop event and the Maricopa Fire Department's Ride for Toys toy drive. He commended the events and thanked all participants. Next, he reported attending an ADOT meeting in Tucson and announced that former Maricopa Mayor Kelly Anderson is the official Chair of the State Transportation Board. He added that at the meeting he sat next to former Mayor and current Supervisor Anthony Smith. He stated that between him and the 2 former mayors the transportation issues will be tackled.*

*He stated that the City is constantly seeking volunteers to be part of Boards, Commissions, or/and Committees (BCC) and added that the City Clerks office and the Marketing & Communication departments created a brochure with information on all the BCC's. He announced there are openings on the Non-Profit Evaluation Committee and gave a brief background. He directed those interested to contact City Clerk Vanessa Bueras, and submit an application as soon as possible.*

*In conclusion he announced that tonight was Economic Development Director Micah Miranda's last day of employment with the City. He invited Mr. Miranda to stand for recognition. He commended Mr. Miranda's hard work and bid him farewell.*

## 5. Report from the City Manager

*City Manager Rose reiterated Mayor Price sentiments on Mr. Miranda's leave. He commended his work and bid him farewell.*

## 6. Call to the Public

*Youth members of the MYRC's (Maricopa Youth Recreation Center), SADD (Students Against Destructive Decisions) Club approached the podium and addressed the Mayor and Council. They provided information on the Why 21 Campaign and highlighted substance free youth survey results. They asked the Mayor and Council to consider displaying their poster and thanked them for continuous support. They invited the public to attend the first meeting of the Be Awesome Youth Coalition of MYRC at Maricopa Elementary School, on January 15th from 6 to 7 p.m., and added that they are looking for sector representatives and members.*

*Gina D'Abella approached the podium and addressed the Mayor and Council. She invited the community to attend the Holiday Eco Gift Boutique on Saturday, December 20th at the Recycling Association Center of Maricopa (46250 West McDavid Road). She stated that gifts made from recycled items will be available for purchase from 9 a.m. to 4 p.m.*

## 7. Minutes

### 7.1 [MIN 14-89](#)

Approval of Minutes from the December 1, 2014 City Council Special meeting.

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

### 7.2 [MIN 14-90](#)

Approval of Minutes from the December 2, 2014 City Council Regular meeting.

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

## 8. Public Hearings

## 9. Consent Agenda

**Approval of the Consent Agenda**

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

- 9.1 [CON 14-49](#) The Mayor and City Council shall discuss and possibly take action to approve a contract amendment to EPS Group, Inc. for design services for the Edison Road Improvements project in an amount not to exceed \$34,664. The funding for the project will be drawn from Transportation DIF 2 Fund, Public Works, Street Projects - Capital (34644146-67750-35029). Discussion and Action.

**This Contract was Approved.**

- 9.2 [SPEV 14-04](#) The Mayor and City Council shall discuss and possibly take action on a request by Our lady of Grace Catholic Church to hold a special event known as Our Lady of Grace 8th Annual Parish Festival on January 23-25, 2015 at 45295 W. Honeycutt Avenue. Discussion and Action. ITEM RELATED TO SPEVLIQ 14-07

**This Special Event Permit was Approved.**

- 9.3 [SPEVLIQ 14-07](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor Licenses and Control for an Application for Special Event License submitted by Ed Talsness on behalf of Our Lady of Grace Catholic Church for a special event known as Our Lady of Grace 8th Annual Parish Festival on Friday, January 23- 25, 2015 at 45295 W. Honeycutt Avenue. Discussion and Action. ITEM RELATED TO SPEV 14-04

**This Special Event Liquor License was Approved.**

- 9.4 [SPEV 14-05](#) The Mayor and Council shall discuss and possibly take action on an request by Our Lady of Grace Catholic Church to hold a special event called Late Nite Catechism - Bible Bingo (Comedy Show) on January 10, 2015 from 5:00 - 10:00 pm at 45295 W. Honeycutt Avenue. Discussion and Action. ITEM RELATED TO SPEVLIQ 14-08

**This Special Event Permit was Approved.**

- 9.5 [SPEVLIQ 14-08](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor Licenses and Control for an Application for Special Event License submitted by JoAnn Ortega on behalf of Our Lady of Grace Catholic Church for a special event known as Late Nite Catechism- Bible Bingo (Comedy Show) on Saturday, January 10, 2015 at 45295 W. Honeycutt Avenue. Discussion and Action. ITEM RELATED TO SPEV 14-05

**This Special Event Liquor License was Approved.**

- 9.6 [CON 14-51](#) The Mayor and City Council shall discuss and possibly take action on approval of a contract with DWA Construction Company, LLC for various concrete repairs throughout the City and within Pacana Park. Funding for this contract, in a total amount not to exceed \$117,762, will be drawn from the following sources: \$18,000 from General Government CIP Fund, Park Maintenance, Improvements Other Than Buildings, Pacana Park Renovations (35033132-67730-33015); and \$99,762 from Highway Users Revenue Fund, Public Works, Repairs and Maintenance (20055151-55430). This contract is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedure." Discussion and Action.

**This Contract was Approved.**

**10. Regular Agenda****10.1 [APP 14-16](#)**

The Mayor and City Council shall discuss and possibly take action on making appointments to the Maricopa Youth Council. Discussion and Action.

*Parks Manager Rocky Brown presented information on the Maricopa Youth Council. He stated that, after amendment of the appointment process, the Mayor and Council have the right to appoint 2 teen representatives to the Youth Council. Next, he introduced Heather Lozano as the new Youth Activity Coordinator.*

*Miss Lozano informed the Council that there are 14 applicants and listed some of the activities they have participated in before appointment.*

*Mayor Price recognized the applicants. A motion was made to appoint all 14 applicants. The Youth Council posed for pictures with the Mayor and Council.*

**A motion was made by Councilmember Kimball, seconded by Councilmember Wade, that these Appointments be Appointed. The motion carried by a unanimous vote.**

**10.2 [SUB14-02](#)**

The Mayor and City Council shall discuss and possibly take action to approve subdivision case # SUB 14-02, a request for replat of existing Dignity Medical Campus plat. Discussion and Action.

*Senior Planner Rodolfo Lopez presented the request by Survey Innovation Group Inc., for the replat of the existing Dignity Medical Campus Plat and recommended that the Mayor and Council consider #SUB 14-02 for approval as suggested by staff.*

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

**10.3 [MISC 14-95](#)**

The Mayor and City Council shall discuss and possibly take action on a request by the Purchasing Manager to approve expenditures exceeding \$25,000 and previously approved limits for Fiscal Year 2015 pursuant to the City Purchasing Code, Article IV, Section 3-213(e) "Cumulative Annual Purchases in Excess of \$25,000" with: Arizona Machinery Company; VIP Auto Tire Services. Discussion and Action.

*Finance Director Brian Ritschel explained that the City Purchasing Code, Chapter 03, Article IV, Section 3-213(e) states that expenditures that exceed \$25,000 need to be approved by City Council prior to execution and Section 3-223 on cooperative purchasing. He stated that staff tries to prepare and anticipate expenditures however in some cases it is hard to predict when the expenditures will exceed the \$25,000 such as with Arizona Machine Company and VIP Auto Tire Services. He invited questions from the Council and a brief discussion ensued.*

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

**10.4 [MISC 14-96](#)**

The Mayor and City Council shall discuss and possibly take action on approving recommendations made by the Transportation Advisory Committee, regarding the East West Parkway Corridor Study. Discussion and Action.

*Mayor Price requested Agenda Item 10.5 be moved up before Agenda Item 10.4.*

*Interim Development Services Director, Dana Burkhardt reiterated some of the information presented during the work session meeting regarding the*

recommendations from TAC (Transportation Advisory Committee) on the East West Parkway Corridor Study. He stated staff supports the recommendations from TAC and stated that approval would allow the alignment to move forward and acknowledged that the White & Parker alignment can be moved around, as illustrated by Berwyn Wilbrink during the work session. He stated staff is also seeking direction to continue working with the developer of Eagle Shadow property to further refine the concept and went into detail. He stated that Mr. Berwyn is available for further questions.

Seth Keeler with W Holdings approached the podium and addressed the Mayor and Council. He stated that he submitted a letter of opposition that was read at the previous council meeting. He stated that he met with staff on December 3 and that they still oppose the proposed alignment and went into detail. He emphasized that the alignment would dissect their property and limit development. He presented a map to council with an alternative alignment that does not split the property. He thanked the council for their time

Scott Cole, with Hartman Ranch Community and Santa Cruz Master Plan Community, approached the podium and address the Mayor and Council. He stated that his concerns with the alternative route through Anderson and Peters & Nall have been resolved. He spoke in support of the proposed recommendations and thanked Mr. Burkhardt and staff. He stated City Manager Rose has reached out to him to address his other concern with the Val Vista and Anderson Parkway and reiterated his gratitude.

City Attorney Denis Fitzgibbons clarified that there are 2 issues: (1) have all the alignment issues been discussed and then (2) discussion of all legal issues.

Councilmember Chapados asked if the issue with the alignment through Farrell Road is mainly a cultural concern. City Manager Rose went into detail and stated that the Ak-Chin Community favors the proposed alignment because it would allow the corridor to continue all the way to Ralston Road.

Intergovernmental Affairs Director Paul Jepson stated that during discussions with Jerry Owens with the Ak-Chin Community he was informed that they had a transportation plan of 10 years that depicted the current proposed alignment, and they asked for the alignment to be incorporated into the City's plan. He stated that the proposed alignment allows the possibility to continue the corridor all the way to Ralston Road, which would not be a possibility with an alignment through Farrell Road.

Councilmember Kimball made a motion to enter into executive, and was seconded by Councilmember Chapados. The City Council entered into executive session at 8:40 p.m. The meeting reconvened at 9:19 p.m.

Councilmember Chapados asked Mr. Keeler what the planned uses are for the Eagle Shadow property in terms of development. Mr. Keeler responded that there are 2 proponents, (1) which will be retail and elaborated and (2) a transitional zone. He noted that his main concern is access. Councilmember Chapados asked for clarification on the entities involved. Mr. Keeler clarified that there is an (1) investor, (2) Vestar, and (3) W Holdings and added that he is representing all 3 entities.

Mayor Price inquired if there is a population threshold requirement for development of the property. Mr. Keeler responded that there is a 10,000 population threshold within a 5 mile radius. Discussion ensued.

Councilmember Chapados moved to approve the recommendation and include direction to staff in regards to the White & Parker alignment to further refine the concept with Mr. Keeler and the owner of Eagle Shadow property in an effort to create an acceptable parcel configuration for the land located between the future East-West Corridor Alignment and the existing Maricopa/Casa Grande Highway right-of-way. Staff will also work with Mr. Keeler and the property owner to coordinate the future roadway, intersection designs, and alignment affecting the property. Staff will also work with the property owner to further refine the alignment and intersection at SR 347 in an effort to create parcel configurations acceptable to the property owners.

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

**10.5**     **PRES 14-33**

The Mayor and City Council shall hear a presentation by Greg Swartz from Piper Jaffary regarding the City's primary property tax. Discussion and Direction.

*Finance Director Brian Ritschel introduced Greg Swartz from Piper Jaffary.*

*Mr. Swartz gave a presentation on the City's primary property tax. He highlighted major points: (1) The City of Maricopa will lose voter authorized primary property tax revenues that were approved by the voters for public safety, (2) various tax limits and restrictions conflict with each other and cause unintended consequences, such as the City of Maricopa loosing revenue, (3) the number of local governments losing money is growing every year and, (4) there is a narrow range of solutions, all which include local governments and the Arizona Tax Research Association. He proceeded to elaborate through a PowerPoint presentation and discussed the Arizona Property Tax System, the 1% limit, the impact across Arizona, the impact on Maricopa, and the potential solutions. He emphasized that solutions need to be pursued along with other municipalities and invited questions from Council.*

*Vice Mayor Brown asked why the State has been reluctant to have a TIF (Tax Increment Financing). Mr. Swartz stated that there are a few communities that are grandfathered to have TIF's, however that Arizona is indeed the only state without a TIF. He stated there are other tools that can be used with the same objective as a TIF and elaborated.*

*Vice Mayor Brown reported that economist Elliott Pollack gave a presentation to the Pinal Partnership on Friday, December 12th, in which he was optimistic about the real estate growth. Mr. Swartz elaborated.*

*City Manager Rose asked what the amount of revenues would be from a home assessed at a \$100,000 value with the current property tax rate. Mr. Swartz responded it would get \$100 of taxable value and estimated that, at the current 4.98 rate, the City is not getting 10% to 15% of that rate and went into detail.*

*Councilmember Wade asked what could be benefited from this presentation. Mr. Swartz reiterated his highlighted points and added that the City needs to engage the Arizona Tax Association in order to be involved in the solution.*

*City Manager Rose stated he requested Mr. Swartz's presentation to provide input during budget discussions. He elaborated and concluded the presentation.*

**The Presentation was heard.**

**10.6**     **RES 14-53**

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 "Chapter

9 Health and Sanitation” of the Maricopa City Code relating to the enforcement and administration of health and sanitation related laws and regulations within the City of Maricopa and amending the City Code by eliminating Sections 9-1-1 through 9-2-11 in Chapter 9 of the previously adopted City Code and replacing those sections with Sections 9-1 through 9-61. Discussion and Action.

*There was no additional discussion.*

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

**10.7**     [ORD 14-16](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting “Chapter 9 Health and Sanitation” by reference as Sections 9-1 through 9-61 of the Maricopa City Code and repealing Sections 9-1-1 through 9-2-11 of Chapter 9 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

*Mayor Price read the ordinance.*

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

**Aye:** 7 - Councilmember Bridger Kimball, Councilmember Nancy Smith, Councilmember Vincent Manfredi, Councilmember Henry Wade, Mayor Christian Price, Vice Mayor Marvin L. Brown and Councilmember Peggy Chapados

**10.8**     [RES 14-54](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing the imposition and collection of fees for licensing and regulating the collection, transportation, disposition or recycling of residential, commercial or industrial refuse generated within the city and establishing the solid waste fee schedule. Discussion and Action.

*There was no additional discussion.*

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

**10.9**     [MISC 14-98](#)

The Mayor and City Council shall discuss and possibly take action on extending the Agreement for Recycling and Household Hazardous Waste Collection Services with Environmental Concerns Organization, Inc., an Arizona non-profit corporation, which was approved on September 16, 2014 and authorizing City Manager Gregory Rose to execute any and all documents necessary to amend this agreement. Discussion and Action.

*Vice Mayor Marvin Brown made a motion to approve, and was seconded by Councilmember Wade. The motion was tabled until after discussion in executive session. Councilmember Kimball made a motion to enter into executive session and was seconded by Councilmember Manfredi. The City Council meeting entered into executive session at 9:30 p.m., and was resumed at 10:16 p.m. The motion on the table carried.*

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



- 10.10 **MISC 14-99** The Mayor and City Council shall discuss and possibly take action to cancel or reschedule the January 6, 2015 City Council regular and work session meetings. Discussion and Action.

*Mayor Price stated he recommended this item due to holiday schedules.*

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

## 11. Executive Session

- 11.1 **ES 14-10** 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).

- 11.2 **ES 14-44** 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 amendment to the agreement for recycling and household hazardous waste collection services, and the potential terms thereof, with Environmental Concerns Organization, Inc. 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 10:18 p.m.*

**A motion was made by Councilmember Bridger Kimball, seconded by Councilmember Peggy J. Chapados, to Adjourn . 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 16th day of December, 2014. I further certify that the meeting was duly called and held and that a quorum was present.**

**Dated this 20th day of January, 2015.**

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**Vanessa Bueras  
City Clerk**