



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

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

City Hall
45145 W. Madison Avenue
PO Box 610
Maricopa, AZ 85139
Ph: (520) 568-9098
Fx: (520) 568-9120
www.maricopa-az.gov

Mayor Christian Price
Vice Mayor Edward Farrell
Councilmember Marvin Brown
Councilwoman Julia Gusse
Councilmember Bridger Kimball
Councilmember Alan Marchione
Councilmember Leon Potter

Tuesday, September 18, 2012

7:00 PM

MUSD Board Room

1. Call to Order

The City Council Regular Meeting was called to order at 7:11 p.m.

Chaplain Gregory gave the invocation.

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

2. Roll Call

Present: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilwoman Julia Gusse, Councilmember Bridger Kimball and Councilmember Leon Potter

Absent: 1 - Councilmember Alan Marchione

3. Proclamations, Acknowledgements and Awards

3.1 [PROC 12-02](#) Proclamation proclaiming September 15 to October 15, 2012 as Hispanic Heritage Month.

Mayor Price read the proclamation proclaiming September 16th - October 15th as Hispanic Heritage Month.

Councilwoman Gusse spoke in support of Hispanic Heritage Month. She discussed the impact of Latino voters. She shared her support for Hispanic Heritage month and addressed the audience in Spanish.

Mayor Price the also addressed the audience in Spanish.

The Council took a brief recess at 7:19 to enjoy traditional Mexican folklorico dance by Cuacualti and pastries in the foyer.

The Council returned from the recess at 7:37 p.m.

4. Report from the Mayor

Mayor Price reported that all information for the upcoming Stagecoach Days festivities could be found at Maricopa4fun.com.

5. Report from the City Manager

City Manager Brenda Fischer reported that beginning September 30th there would be a new non-emergency number for the police department, the new number will be 520-568-3MPD (520-568-3673).

6. Call to the Public

JoAnn Ortega, resident of the Glennwilde community approached the podium and addressed the Council. She spoke in support of agenda item 10.3, the Verizon Cell Tower Conditional use Permit.

Henry Wade approached the podium and addressed the Council. He announced the Copa City Dems meeting at Seven Cups Coffee at 7:00 p.m. on Thursday. He invited all to attend.

Victor Myers, resident of the Glennwilde community, approached the podium and addressed the Council. He spoke in opposition of item 10.3. He distributed printed emails he received from some of his neighbors who were also in opposition of the tower to the Council.

John Beatty approached the podium and addressed the Council. He announced that it was Constitution Week and that he had pocket copies of the constitution for anyone who wanted one.

Torri Anderson, Leslie Carlyle-Arnett and JoAnn Ortega approached the podium and addressed the Council. Ms. Anderson shared their concerns about the recent allegations against Councilmember Marchione. She indicated that she was speaking on behalf of many professional women in Maricopa. She asked for Councilmember Marchione to resign.

7. Minutes

- 7.1 [MIN 12-081](#) Approval of Minutes from the September 4, 2012 City Council Work Session.

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

- 7.2 [MIN 12-082](#) Approval of Minutes from the September 4, 2012 City Council Regular Meeting.

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

8. Public Hearings

9. Consent Agenda

- 9.1 [CON 12-064](#) The Mayor and City Council shall discuss and possibly take action to approve water

and sewer easement agreements with Global Water Resources for the City Complex project. Discussion and Action.

This Contract was Approved.

- 9.2 [RES 12-67](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving the Intergovernmental Agreement between Pinal County Flood Control District and the City of Maricopa for the maintenance of Flood Control Improvements in the Sonoran Creek Commercial Project. Discussion and Action.

This Resolution was Approved.

- 9.3 [SPR 12-02](#) The Mayor and City Council shall discuss and possibly take action on approval of Site Plan Review Case #SPR12-02, Maricopa Community Church (Phase I). Discussion and Action.

This Site Plan Review was Approved.

- 9.4 [SPEV 12-004](#) 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 Hog Roast on Saturday, October 27, 2012 at 45295 W. Honeycutt Avenue. Discussion and Action. ITEM RELATED TO SPEVLIQ 12-007

This Special Event Permit was Approved.

- 9.5 [SPEVLIQ 12-007](#) 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 Wayne Santi on behalf of Our Lady of Grace Catholic Church for a special event known as Hog Roast on Saturday, October 27, 2012 at 45295 W. Honeycutt Avenue. Discussion and Action. ITEM RELATED TO SPEV 12-004

This Special Event Liquor License was Approved.

- 9.6 [SPEV 12-005](#) The Mayor and City Council shall discuss and possibly take action on a request by F.O.R. Maricopa to hold a special event known as Grape Escapes on Friday, October 12, 2012 at 20942 N. Province Parkway. Discussion and Action. ITEM RELATED TO SPEV 12-008

This Special Event Permit was Approved.

- 9.7 [SPEVLIQ 12-008](#) 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 Wendy Webb on behalf of F.O.R. Maricopa Food Bank and Resource Center for a special event known as Grape Escapes on Friday, October 12, 2012 at 20942 N. Province Parkway. Discussion and Action. ITEM RELATED TO SPEV 12-005

This Special Event Liquor License was Approved.

- 9.8 [SPEVLIQ 12-009](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor Licenses and Control for a Special Event Liquor License application submitted by William Dunn III on behalf of Action Alliance Network, LLC for a special event known as Stagecoach Days 2012 on Friday, October 19, 2012 through Sunday, October 21, 2012 at Pacana Park at 19000 N. Porter Road. Discussion and Action.

This Special Event Liquor License was Approved.

- 9.9 [PUR 12-028](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase from Pacific Office Automation for sixteen (16) multifunction copiers/printers and applicable service maintenance, pursuant to Section 3-223, "Cooperative Purchasing" of the City Code, in an amount not to exceed \$114,042. Staff is requesting Council consider a transfer from General Fund, Non-Departmental, Contingency (10010000-99000) to General Fund, I.T., Computer Equipment/Software (10011553-67744) to cover the cost of the purchase. Discussion and Action.

This Purchase was Approved.

- 9.10 [MISC 12-072](#) The Mayor and Council shall consider a staff complement change to replace one (1) Network Administrator position in the Information Technology Division with one (1) Systems Analyst/Database Administrator position in the Information Technology Division and add the new position to the 2012 Salary Plan. Discussion and Action.

This Miscellaneous Item was Approved.

- 9.11 [MISC 12-073](#) The Mayor and Council shall consider a staff complement change to replace one (1) Sworn Police Officer position in the Administrative Division of the Police Department with one (1) Public Information Officer position in the Administrative Division of the Police Department and add the new position to the 2012 Salary Plan. Discussion and Action.

This Miscellaneous Item was Approved.

Approval of the Consent Agenda

A motion was made by Councilwoman Gusse, seconded by Councilmember Kimball to Approve the Consent Agenda. The motion carried by a unanimous vote.

10. Regular Agenda

- 10.1 [APP 12-006](#) The Mayor and City Council shall discuss and possibly take action on appointing 42 members to the 2012/2013 Maricopa Youth Council. Discussion and Action.

Youth Coordinator Rocky Brown presented. He stated that there were 42 applicants for this year's Youth Council.

The applicants were as follows:

*Melissa Barcnas
David Barrios
Autumn Bawiec
Joshua Burdi
Shalynn Burrill
Alina Chrosniak
Samantha Corrales
Kira Cowing
Amelia Ellis
Brianna Ewing
Stephen Eyman
Rachel Fallacaro
Mikayla Finger
Mercedes Gonzalez
VictorRene Gonzalez Jr.*

Donald Grace
Brandon Grosse
Chelsea Grosse
Heidi Grosse
Robert Grosse Jr.
Brenna Hastings
Cyndi-Marie Kaleroni
Benjamin Teone Koontz
Dayanarra Ladd
Zanaya Ladd
Tyler Loveall
Alix Maciel
Mikyle Madrid
Dominique Mosley
Jocelynn Mosley
Bianca Karina Munoz
Cheyenne Nielsen
Josie Olmos
Austen Pearce
Zeni E. Ramirez
Andrea Russo
Anel Jaqueline Schriver
Kaylee Ann Sewell
Jordan Southern
Daryn Viser
Reina Yap
Tia Yap

All applicants were appointed.

A motion was made by Vice Mayor Farrell, seconded by Councilwoman Gusse, that the applicants be Appointed. The motion carried by a unanimous vote.

10.2 **APP 12-007**

The Mayor and City Council shall discuss and possibly take action on appointing members to the Parks, Recreation and Library Committee Advisory Committee, Transportation Committee, Heritage District Citizens Advisory Committee, Planning and Zoning Commission, and the Board of Adjustment. Discussion and Action.

Mayor Price gave a brief introduction to the appointment process. Though absent, Councilmember Marchione had provided his nominations to Mayor Price in advance.

The appointments were as follows:

Transportation Committee

*Vice Mayor Farrell nominated Joel Saurey
Councilwoman Gusse nominated Ricardo Pinales
Councilmember Potter nominated Jessica Hooper
Councilmember Marchione nominated Brian Hoffman
Councilmember Kimball nominated Ben Murray
Councilmember Brown nominated Chris Labye
Mayor Price nominated Raymond Koczar*

Parks, Recreation and Libraries Committee

*Councilmember Kimball nominated Joan Koczar
Councilmember Potter nominated Peg Chapados
Vice Mayor Farrell nominated Therese Starkey
Councilmember Brown nominated Shelley McClaren
Councilwoman Gusse nominated Adriana Lazariit*

*Councilmember Marchione nominated Carolyn Tiffany
Mayor Price nominated Sean Gallagher*

Heritage District Board

Councilmember Potter chose to make his nomination at the October 2nd Council meeting

Councilwoman Gusse nominated Grace Gomez

Councilmember Kimball nominated Brian Foose

Councilmember Brown nominated Bob Gillespie

Vice Mayor Farrell nominated Don Pearce

Councilmember Marchione did not provide a nomination and will therefore be able to make one at the October 2nd Council meeting.

Mayor Price nominated Renate Chamberlain

Planning and Zoning Commission

Councilwoman Gusse nominated Pat Lairson

Councilmember Marchione nominated Gregory Martin

Councilmember Brown nominated Scott McDougal

Vice Mayor Farrell nominated Tom Bradbury

Councilmember Potter nominated Ron Batt

Councilmember Kimball nominated Ed Vizer

Mayor Price nominated Tony Gray

Board of Adjustment

Councilmember Marchione nominated Dale Jones

Vice Mayor Farrell nominated Phyllis VonFleckinger

Councilmember Potter nominated Ted Yocum

Councilmember Kimball nominated Vincent Manfredi

Councilwoman Gusse nominated Gary Miller

Councilmember Brown chose to make his appointment at the October 2nd Council Meeting.

Mayor Price nominated Ernest Whitehead

All nominations were approved by unanimous vote.

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

10.3 [CUP 12-02](#)

The Mayor and City Council shall discuss and possibly take action on approval of Conditional Use Permit Case # CUP12-02, Verizon Wireless Pacana Park. Discussion and Action.

Planning Consultant Dana Burkhardt presented.

Discussion ensued regarding the proposed placement of the cell tower and the preferred location as expressed by some homeowners in the affected area.

Councilmember Kimball confirmed the proposed height increase as being ten additional feet.

Vice Mayor Farrell prompted a discussion on the placement of current poles at Pacana Park.

Jamison Tyler approached the podium and addressed the Council. He spoke in support of the cell tower.

Victor Myers approached the podium and addressed the Council. He spoke in

opposition of the cell tower.

Reg Destry representing Verizon Wireless approached the podium and addressed the Council. He noted the accommodations Verizon has offered to make in effort to mitigate the concerns of the residents.

Councilmember Potter indicated that he had toured the park to examine the site and did not see why Council could not proceed with the tower placement as proposed. Vice Mayor Farrell concurred and motioned to approve proposed plan 5.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Potter, that this Conditional Use Permit be Approved. The motion carried by a unanimous vote.

10.4 [CON 12-067](#)

The Mayor and City Council shall discuss and possibly take action to enter into an Option and Land Lease Agreement with Verizon Wireless, LLC for a wireless antenna on City owned property at Pacana Pack located at 18800 N. Porter Road. Discussion and Action.

Community Services Director Jennifer Campbell presented.

There were no questions or comments from the Council.

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

10.5 [MISC 12-074](#)

The Mayor and City Council shall hear a presentation on the status and approach of a formal solicitation, in the format of a Request for Proposal (RFP), for partnerships in the operation of the City's multi-gen/aquatic center currently under development and provide direction to staff regarding the content of the RFP solicitation. Discussion and Action.

Community Services Director Jennifer Campbell presented. She discussed staff's efforts to move the project forward. She explained both the RFI, Request for Information and RFP, Request for Proposal processes. She stated that staff was requesting direction on the following:

- 1. Local and Non-Profit Preference: Seeking single or combination of local non-profit groups, or organizations with the ability to operate in such a manner*
- 2. Cost: Partnership should not increase City subsidy cost nor cause unreasonable fees to be passed on to users*
- 3. Integration: Positive solutions to integrate City's current programs and staff, avoiding duplication/conflict*
- 4. Contract Length: Shorter terms with extension options more advantageous to City than longer ones*
- 5. Additional Community Benefits Considered: Employing residents, preference for local business vendors*
- 6. City Input/Control: Pricing, programming, policies, etc.*

Amy Bratley spoke in support of the Community Services Department running the program. She shared her experience of living in a community that had a recreation center which was operated by a third party non-profit organization and in her opinion brought down the value of the homes in the surrounding neighborhoods.

Scott Barclay spoke about what his business could bring to the City of Maricopa's Multi-generational Center.

Peg Chapados spoke urging the Council to allow the Parks, Recreation and Libraries Committee to have more input in the process.

Will Dunn spoke in support of the city staff running the facility.

Court Rich spoke on behalf of Valley of the Sun YMCA. He spoke in support of a third party partnership with a non-profit organization.

Councilmember Kimball asked if the RFP process had begun. Ms. Campbell indicated that it had been started with the RFI as the first step.

Vice Mayor Farrell stated that the agenda item before Council was not to discuss who will run the center, but to give staff direction on the six issues outlined by Ms. Campbell. He further stated that as a long time resident and business owner in Maricopa, he will do everything he can to support local small businesses.

Councilmember Brown asked speaker Ms. Bratley to elaborate on her previous comments made during the call to the public. She had spoke of her own negative experience wherein she attributed decreased property values in neighborhoods to community partnerships with organizations such as the Boys and Girls Club and the YMCA. MS. Brateley complied and reiterated her concerns with Maricopa contracting a non-profit organization to operate the Multi-gen center.

Vice Mayor Farrell asked for clarification on what information staff needs to proceed. Discussion ensued. Mayor Price suggested the item come back to Council in a two hour work session to be thoroughly discussed. Councilmember Potter concurred. Vice Mayor Farrell stated that the item can be approved and the RFP process can continue now. An at length discussion ensued.

Vice Mayor Farrell motioned to approve the process of selecting one non-profit entity to run the center, with the remaining 3,4,5 and 6 points outlined being self explanatory. Councilmember Brown seconded. Councilmember Kimball also voted to approve. Mayor Price, Councilwoman Gusse and Councilmember Potter dissented. The motion failed.

Councilwoman Gusse motioned to table and bring the issue back at a work session to be fully discussed. Additional discussion ensued. Councilmember Kimball seconded.

City Manager Brenda Fischer sought clarification on how Council would like the item to be agendized when it is brought back to Council for discussion. A discussion amongst the the Council followed.

City Attorney Denis Fitzgibbons clarified the motion as tabling the item and directing staff to schedule a work session so that they can vet out the issues in the RFP process going through with one, two, or three non-profits, but to also to hear from the Parks Recreation and Libraries about the ability for them to handle the operation of the center and to allow any stakeholder the opportunity to speak at that work session.

A motion was made by Councilwoman Gusse, seconded by Councilmember Kimball, that this Miscellaneous Item be Tabled. The motion carried by the following vote:

Aye: 4 - Mayor Christian Price, Councilwoman Julia Gusse, Councilmember Bridger Kimball and Councilmember Leon Potter

Nay: 2 - Vice Mayor Edward Farrell and Councilmember Marvin Brown

11. Executive Session

There was no Executive Session.

- 11.1 ES 12-001** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's Attorney on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).
- 11.2 ES 12-002** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's attorney and to consider its position and instruct representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(7).
- 11.3 ES 12-005** 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).

12. Adjournment

The Regular City Council meeting adjourned at 9:45 p.m.

A motion was made by Councilwoman Julia Gusse, seconded by Councilmember Bridger Kimball, to Adjourn. The motion carried unanimously.