



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 Anthony Smith
Vice Mayor Edward Farrell
Councilmember Marvin Brown
Councilmember Carl Diedrich
Councilmember Marquisha Griffin
Councilmember Julia Gusse
Councilmember Alan Marchione

Tuesday, April 3, 2012

7:00 PM

MUSD Board Room

1. Call to Order

The Regular City Council meeting was called to order at 7:00 p.m.

Pastor Jathan Gerdes gave the invocation.

Boy Scout Alan Slade led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 5 - Mayor Anthony Smith, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Julia Gusse and Councilmember Alan Marchione

Absent: 2 - Councilmember Carl Diedrich and Councilmember Marquisha Griffin

3. Proclamations, Acknowledgements and Awards

There were no proclamations, acknowledgements or awards.

4. Report from the Mayor

Mayor Smith announced that a public hearing took place just before the council meeting in effort to gain public feedback on the city hall project. Next, Mayor Smith announced that there would be a public meeting on the biomass project on April 23 at 5 p.m. He then announced the City Hall groundbreaking would take place on April 21st. He also announced the shop local program which will provide gifts to loyal shoppers. He then stated that there would be a nonprofit grant writing class offered by the city on April 19th from 1-4 pm and is free to the public. In conclusion, the Mayor announced three vacancies for the IDA, transportation and the public safety retirement board. He encouraged those interested in serving to apply.

5. Report from the City Manager

City Manager Brenda Fischer recognized members of the Citizen's Leadership Academy in the audience. She then congratulated Action Alliance and city staff for their work in making the Salsa Festival a success. She then recognized Chamber

President Dr. Donahue and Mr. McMichael who were in the audience.

6. Call to the Public

Cindy Dunn with Action Alliance Network thanked the community and the council for their support of the Salsa Festival. She provided a brief summary of the festival events.

Alan Slade from Boy Scout Troop 997 approached the podium and addressed the Council. He stated that in effort to obtain his eagle badge, he would be creating toy boxes to distribute at the children's hospital. He stated that was seeking volunteers to assist in assembling the boxes. He provided contact information for those interested in assisting.

7. Minutes

7.1 [MIN 12-023](#) Approval of Minutes from the March 20, 2012 Work Session meeting.

Mayor Smith did not vote on approval of the minutes because he was not present at the meetings held on April 3, 2012.

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

Excused: 1 - Mayor Anthony Smith

7.2 [MIN 12-022](#) Approval of Minutes from the March 20, 2012 Regular meeting.

A motion was made by Councilmember Gusse, seconded by Councilmember Brown, that this Minutes be Approved. The motion failed by the following vote:

Excused: 1 - Mayor Anthony Smith

8. Public Hearings

8.1 [PH 12-004](#) The Mayor and City Council shall hear public comment regarding the proposed modifications to Chapter 10 "Offenses" of the Maricopa City Code.

Mayor Smith opened the public hearing at 7:16 p.m.

Economic Development Director Danielle Casey presented. Mayor Smith asked what kind of feedback had been received. Ms. Casey stated that there had not been any negative responses received.

Heritage District resident and business owner Cindy Dunn approached the podium and addressed the Council. She stated that it should be remembered that the Heritage District is the heart of the community. She stated that the community should be willing to assist with funding and should tread slowly with implementing the proposed changes.

Ms. Casey stated that the existence of grant funding to provide assistance to those in the Heritage District would depend upon next year's fiscal budget. She stated that they would continue to seek grant funds. Mayor Smith asked if any funds had

already been allocated for the next fiscal year. Ms. Casey stated that \$50,000 had been allocated.

Councilmember Gusse asked how much was spent on last year's clean up efforts. Ms Casey stated that there was \$100,000 received from the Ak-Chin Indian Community.

Mayor Smith closed the public hearing at 7:27 p.m.

The Public Hearing was held.

9. Consent Agenda

A motion was made by Councilmember Marchione, seconded by Councilmember Gusse, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

- 9.1 [RES 12-07](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, adopting a fair housing policy, making know this commitment to the principle of Fair Housing Policy, and describing actions it shall undertake to affirmatively further fair housing. Discussion and Action.

This Resolution was Approved.

- 9.2 [GRAAC 12-003](#) The Mayor and City Council shall discuss and possibly take action to accept a grant award and enter into a contract with the Arizona Department of Housing, Community Development Block Grant in the amount of \$240,436 for the Maricopa Southside Water System Improvements/Fire Hydrants Project. Discussion and Action.

This Grant Acceptance was Approved.

- 9.3 [CON 12-025](#) The Mayor and City Council shall discuss and possibly take action to enter into an amended contract with Central Arizona Association of Governments in the amount of \$24,043.60 for the purposes of administering the Community Development Block Grant to be paid from the Grants Fund, Engineering, Technical Services (22044145-53340-12401). Discussion and Action.

This Contract was Approved.

- 9.4 [GRA 12-009](#) The Mayor and City Council shall discuss and possibly take action on a request to provide consent to submit a grant application to the U.S. Department of Justice, Bulletproof Vest Partnership in an amount not to exceed \$24,400 for the purchase of replacement bulletproof vests for the Maricopa Police Department. There is a dollar for dollar match requirement. If awarded, the Maricopa Police Department will come before Council to request \$24,400 from the General Fund, Contingency Funds in FY 11-12. Discussion and Action.

This Consent to Apply for Grant was Approved.

- 9.5 [CON 12-028](#) The Mayor and City Council shall discuss and possibly take action on approving a request to amend our current contract with Universal Police Supply Company to increase the dollar amount from \$46,650 to a not-to-exceed amount of \$67,150. Discussion and Action.

This Contract was Approved.

- 9.6 [MISC 12-027](#) The Mayor and Council shall consider and possibly take action to approve implementation of the Phase Two Use Plan for the Copa Center, allowing rental by outside agencies on weekends, establishing a fee schedule, and adopting rules for use. Discussion and Action.

This Miscellaneous Item was Approved.

10. Regular Agenda

- 10.1 [SPR 12-01](#) The Mayor and City Council shall discuss and possibly take action on approval of Site Plan Review Case #SPR12-01, the site plan for the proposed City Hall Complex. Discussion and Action.

City Planner Rudy Lopez presented. He reported that the Board of Adjustment approved the variance. Mayor Smith asked if any additional stipulations were added by the Planning and Zoning Commission. Mr. Lopez stated that there were none.

Jay Silverberg with Gensler approached the podium and addressed the Council. He used various design images to explain the reasons for the requested variance. Mayor Smith spoke about the length of time and planning that had gone into creating the design of the project.

A motion was made by Councilmember Brown, seconded by Councilmember Marchione, that this Site Plan Review be Approved. The motion carried by a unanimous vote.

- 10.2 [CON 12-027](#) The Mayor and City Council shall discuss and possibly take action on approving a contract with Flexground, Inc. for City of Maricopa playground resurfacing in an amount not to exceed \$77,509 in compliance with City of Maricopa Purchasing Code, Article IV, Section 3-215 and approve a budgetary transfer of \$77,509 from General Fund, Contingency (10010000-99000) to General Fund, Park Maintenance, Improvements Other Than Buildings (10033132-67730). Discussion and Action.

Recreation Coordinator Monica Rubio presented.

Councilmember Gusse stated that she was excited to see the park move away from using sand.

Councilmember Marchione stated that he was not in support of approving the contract at this time. Ms. Rubio stated that the park is not currently in compliance with fall height standards. She stated that the rubberized material would put the playground in compliance. Councilmember Marchione stated that he was not aware that the park was ever non compliant.

Vendor representative Tim Noland approached the podium and addressed the

Council. He elaborated on the safety aspects of the sand versus the proposed playground turf. A lengthy discussion ensued.

City Manager Fischer stated that two major reasons for bringing the item to the council was to make it safe for the children and extend the life of the park as well as to allow access to special needs children who were currently unable to utilize the playground.

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

Nay: 1 - Councilmember Alan Marchione

10.3 [PUR 12-018](#)

The Mayor and City Council shall discuss and possibly take action on approving a purchase of seven 2011 Ford Crown Victoria Police Interceptors from Glenn Jones Auto Center of Maricopa for the City of Maricopa's Police Department. This purchase, in an amount not to exceed \$280,000, will be funded from General Fund, Police Uniforms, Vehicles, Police Replacement Vehicles (10022122-67742-32007). Discussion and Action.

Fleet Manager Ray Arellin presented.

Mayor Smith asked what the replacement cycle for the police vehicles was. Mr. Arellin stated that no new vehicles had been purchased since 2007. He stated that the older vehicles would be phased out first in the rotation. Councilmember Brown asked why Crown Victorias were not previously purchased. Discussion ensued.

Councilmember Marchione asked how much the cost of the Crown Victorias would be over their lifespan and questioned if the lifespan cost was actually greater than that of the current Dodge Charger. Mr. Arellin stated that everything was taken into consideration when seeking out replacement vehicles including maintenance records as well as fuel usage. He stated that the Crown Victoria is almost double the lifespan. He stated that the current Dodge Charger maintenance cost is very high.

Councilmember Marchione questioned the tires used. Mr. Arellin stated that the city purchases tires which are generally more expensive, but meet the need of public safety demands.

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

Aye: 5 - Mayor Anthony Smith, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Julia Gusse and Councilmember Alan Marchione

10.4 [MISC 12-026](#)

The Mayor and City Council shall discuss and possibly take action on Police Department dispatch services, provide direction to staff on how best to proceed, and consider a transfer of \$138,574 from General Fund, Contingency (10010000-99000) to Police Support, Technical (10022124-53340) to cover the costs for dispatch services from Pinal County for the remainder of this fiscal year. Discussion and Action.

Police Chief Stahl presented.

Mayor Smith asked Chief Stahl to explain why monies were being requested to cover

the remainder of the fiscal year. Chief Stahl clarified that the County had a revision to the existing agreement which resulted in a greater cost.

Chief Stahl explained why the City of Buckeye would be a benefit for the City's dispatch needs indicating that the cost was lower than that of the current dispatch contract and the transition would be easily made.

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

- 10.5** [MISC 12-025](#) The Mayor and City Council shall discuss and possibly take action on the proposed 10-Year Capital Improvement Plan. Discussion and Action.

Financial Services Director Tom Duensing presented.

Mayor Smith explained that the Capital Improvement Plan, CIP, is the over reaching document that facilitates the budget process.

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

- 10.6** [RES 12-08](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, establishing the compensation package for the Mayor and City Council members. Discussion and Action.

City Clerk Vanessa Bueras presented.

Peg Chapados approached the podium and addressed the Council. She stated that she was in support of increasing the council salary. She stated that she attended the budget subcommittee meetings and recognized that that staff had worked very diligently to get to a zero budget. She reiterated that she supported a salary increase for the mayor and council.

Councilmember Marchione stated that he appreciated Ms. Chapados' comments.

Mayor Smith stated that there should be a differential between council and mayor compensation. He also stated that now may not be the time for increases in council salary.

Councilmember Brown agreed with Ms. Chapados.

Councilmember Gusse spoke in support of Ms. Chapados' comments. She stated that an educated workforce is essential. She also stated that the base pay of \$12,000 should be reinstated. Discussion ensued.

Vice Mayor Farrell clarified that Council did not receive compensation or benefits until 2006. Discussion ensued.

Vice Mayor Farrell motioned for council to be compensated a \$12,000 annual salary, participate in city health benefits and receive a \$100 monthly car allowance and the Mayor to be a compensated a \$15,000 annual salary, participate in city health benefits and receive a \$200 monthly car allowance.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Marchione, that this Resolution be Approved. The motion carried by the

following vote:

Aye: 4 - Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Julia Gusse and Councilmember Alan Marchione

Nay: 1 - Mayor Anthony Smith

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 12-003** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorney to consider its options and instruct representatives regarding the Ak-Chin Indian Community's Fee-to-Trust Applications with the Federal Government which includes properties within and near the City of Maricopa pursuant to A.R.S. §38-431.03 (A)(3).
- 11.4 ES 12-004** The Maricopa City Council may go into executive session for the purpose of obtaining legal advice and discussion or consultation with the City Attorney to consider its position and instruct its attorney regarding the public body's position regarding an annexation and possibly entering into a Pre-annexation and Development Agreement with one or more landowners in the annexation area and the potential terms thereof to facilitate such annexation, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.5 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 Council meeting adjourned at 8:41 p.m.

A motion was made by Councilmember Marvin Brown, seconded by Vice Mayor Edward Farrell, to Adjourn . The motion carried unanimously.