



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

Tuesday, February 21, 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.

There was a ceremonial presentation of the colors.

2. Roll Call

Present: 7 - Mayor Anthony Smith, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Carl Diedrich, Councilmember Marquisha Griffin, Councilmember Julia Gusse and Councilmember Alan Marchione

3. Proclamations, Acknowledgements and Awards

Mayor Smith recognized Pinal County Supervisor David Snider and Pinal County Attorney Jim Walsh in the audience.

3.1 [PRES 12-023](#)

The Mayor and City Council will honor Maricopa's Armed Services members returning home as part of Operation Welcome Home.

Councilmember Gusse presided over the ceremony as Commander for the American Legion for the City of Maricopa. She called upon Sergeant Michael Collete, U.S. Army National Guard to the stage, she provided a brief history of his military career, he and his family were recognized. Sergeant Collete was officially welcomed home and presented with a Certificate recognizing his service from the Mayor and Council.

She then called upon Chief Warrant Officer Jeffery Dimberg, U.S. Navy to the stage, she provided a brief history of his military career, he and his family were recognized. Chief Dimberg was officially welcomed home and presented with a Certificate recognizing his service from the Mayor and Council.

Next, she called upon Sergeant First Class Kent Ojon, U.S. Army Reserve to the stage, she provided a brief history of his military career, he and his wife were recognized. Sergeant Ojon was officially welcomed home and presented with a Certificate recognizing his service from the Mayor and Council.

The recipients stood for photos with Councilmember Gusse and Mayor Smith.

3.2 [PRES 12-022](#)

The Mayor and City Council shall participate in the swearing-in ceremony of Police Chief Steve Stahl. The ceremony will be officiated by Court Magistrate, the Honorable Scott Sulley. Immediately following the swearing-in, refreshments and a brief reception will be held in the lobby.

The Mayor and Council stood alongside Judge Sulley who officiated the swearing in of Police Chief Steve Stahl. Mrs. Stahl pinned the City of Maricopa badge on the Chief. Chief Stahl received a standing ovation.

All members of the Council spoke words of in favor of the appointment and recognized Chief Stahl's achievements thus far.

City of Mesa Police Chief Milstead spoke words of thanks for his service and strongly supported the appointment of Steve Stahl to the position of Chief. He indicated that the City of Mesa Police Department would be losing a great Commander.

Justin Thorton with the Fraternal Order of Police and Elliot Sneezy with City of Maricopa Police Association spoke in support of the appointment.

Police Chief Stahl thanked everyone for their support.

Council recessed for a ten minute break.

4. Report from the Mayor

Mayor Smith reminded everyone that the election is upcoming on March 13. He stated that ballots can be turned in at the Interim City Hall up until 7:00 p.m. on Election Day.

Next, he announced that there was one vacancy on the Transportation Advisory Committee and one vacancy on the Industrial Development Authority. He encouraged those interested to apply.

Then the Mayor reminded the public of the Annual State of the City Address scheduled to be held on Thursday, February 24 at 6:00 p.m.

Mayor Smith then recognized service and passing of Petty Officer Kyle Estrada who lost his life overseas. He reported that city flags would be flown at half staff.

5. Report from the City Manager

City Manager Brenda Fischer announced that there was a public meeting on the Seven Ranches area at the Sequoia Pathways Charter School at 7:00 p.m. on February 25.

Councilmember Marchione recognized the service and passing of Coreman Estrada.

6. Call to the Public

No one spoke during the call to the Public.

7. Minutes**7.1 [MIN 12-009](#)**

Approval of Minutes from the February 7, 2012 City of Maricopa City Council Work

Session Meeting.

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

- 7.2 [MIN 12-010](#) Approval of Minutes from the February 7, 2012 City of Maricopa City Council Regular Meeting.

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

8. Public Hearings

There were no public hearings scheduled.

9. Consent Agenda

- 9.1 [PUR 12-012](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase exceeding \$25,000 pursuant to City Purchasing Code, Article IV, Section 3-223 Cooperative Purchasing. The expenditure will be for the purchase of five (5) portable radios in an amount not to exceed \$34,926.00 to be paid from the General Fund, Fire, Support Services, Non-Capital Equipment (10022528-55690-32006). Discussion and Action.

This Purchase was Approved.

- 9.2 [SPELIQ 12-001](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor License 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 the 8th Annual Salsa Festival on Saturday, March 31, 2012 at Pacana Park at 19000 N Porter Rd. Discussion and Action.

This Special Event Liquor License was Approved.

- 9.3 [SPEV 12-001](#) The Mayor and City Council shall discuss and possibly take action on a request by O'Shays Pub & Grill to hold a special event known as St. Patty's Day on Friday, March 16, 2012 through Saturday, March 17, 2012 at O'Shays Pub & Grill, 20800 W. John Wayne Parkway. Discussion and Action.

Councilmember Diedrich had some concerns with the available handicapped parking. Development Services Director Brent Billingsley discussed how the applicant planned to properly accommodate the need for handicapped parking. Discussion ensued. Mr. Billingsley suggested that as part of the approval process for future special events, it could be a requirement to have the handicapped parking located closest to the building. Councilmember Diedrich was in support of the requirement.

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, that this Special Event be Approved. The motion carried by a unanimous vote.

- 9.4 [SPELIQ 12-002](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor License and Control for a Extension of Premises/Patio Permit application submitted by Theresa June Morse on behalf of O'Shays Pub & Grill for a special event known as St. Patty's Day on Friday, March

16, 2012 thru Saturday, March 17, 2012 at O'Shays Pub & Grill, 20800 N. John Wayne Parkway. Discussion and Action.

A motion was made by Councilmember Diedrich, seconded by Councilmember Griffin, that this Special Event Liquor License be Approved. The motion carried by a unanimous vote.

- 9.5 [IGA 12-001](#) The Mayor and City Council shall discuss and possibly take action on approving an Intergovernmental Agreement (IGA) between the City of Maricopa and Electrical District #3 for the purpose of setting forth a joint understanding of the use of City streets and public rights-of-way. Discussion and Action.
- This Intergovernmental Agreement was Approved.**
- 9.6 [MISC 12-010](#) The Mayor and City Council shall discuss and possibly take action on approval of the Maricopa Towne Plaza Final Plat. Discussion and Action.
- This Miscellaneous Item was Approved.**
- 9.7 [GRA 12-002](#) The Mayor and City Council shall discuss and possibly take action to provide consent to submit an application to the Arizona Department of Homeland Security Grant Program for the Maricopa Fire Department in an amount not to exceed \$60,000 for the purchase of dual band radios. Consent to submit an application includes completion of all necessary paperwork for the application process and designates the City Manager to sign all contracts. There is no matching requirement. Discussion and Action.
- This Consent to Apply for Grant was Approved.**
- 9.8 [GRA 12-003](#) The Mayor and City Council shall discuss and possibly take action to provide consent to submit and application to the Arizona Department of Homeland Security Grant Program for the Maricopa Police Department in an amount not to exceed \$57,000 for the purchase of dual band radios. Consent to submit and application includes completion of all necessary paperwork for the application process and designates the City Manager to sign all contracts. There is no matching requirement. Discussion and Action.
- This Consent to Apply for Grant was Approved.**
- 9.9 [RES 12-02](#) A Resolution of the Mayor and City Council of the City of Maricopa adopting a Residential Antidisplacement and Relocation Assistance Plan as required under Section 104(d) of the Housing and Community Development Act of 1974 as amended. Discussion and Action.
- This Resolution was Approved.**
- 9.10 [CON 12-014](#) The Mayor and City Council shall discuss and possibly take action on a request by City Manager Fischer to approve the Termination of Professional Services Contract with the City of Mesa, Arizona for the provision of professional services to be provided by Steven Stahl as the City of Maricopa's Interim Police Chief. Discussion and Action.
- This Contract was Approved.**

Approval of the Consent Agenda

A motion was made by Councilmember Gusse, seconded by Vice Mayor Farrell, to Approve the Consent Agenda. The motion carried by the following

vote:

Aye: 7 - Mayor Anthony Smith, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Carl Diedrich, Councilmember Marquisha Griffin, Councilmember Julia Gusse and Councilmember Alan Marchione

10. Regular Agenda

10.1 [MISC 12-012](#)

The Mayor and City Council shall discuss and possibly take action on adoption of the findings and recommendations of the focused and limited management review (audit) of the Maricopa Police Department by Citygate Associates, LLC. Discussion and Action.

Police Chief Steve Stahl introduced the item for discussion.

Citygate president Dave Deruse introduced Steve Harmon and Jim Davis as consultants assigned to the project. He provided a brief summary of the audit and review.

Project Director Steve Harmon discussed the methodology used in the audit. He discussed the findings and subsequent recommendations.

Jim Davis thanked staff for their input, their kindness and professionalism.

Chief Stahl summed up the findings.

Mayor Smith asked who authored the suggested corrective actions. Chief Stahl stated that the recommendations were written by Citygate. He stated that he discussed the suggestions with City Manager Fischer to support the interpretation of those suggestions.

Councilmember Diedrich asked if there was a plan for implementation of the audit recommendations. Chief Stahl stated that feedback from both the citizens and staff would be sought.

Councilmember Griffin stated that there was a disconnect somewhere along the line where the public had lost its confidence in the police department. She said that the City of Maricopa had a great police department at one time and that she hoped that they could be great again. Discussion ensued.

Councilmember Brown commented that leadership needs to be conveyed throughout the organization.

City Manager Fischer commented that the audit revealed that there were no briefings taking place between shifts. She stated that as a result of this discovery, those will now be implemented.

Ms. Fischer stated they are going to re-validate the mission and ensure that it suits the employees and the public.

Councilmember Marchione stated that he was very glad the study was done and is excited about what's to come.

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

10.2 [APP 12-002](#)

The Mayor and City Council shall discuss and possibly take action on appointing one citizen to fill the vacancy on the Transportation Advisory Committee. Discussion and Action.

Vice Mayor Farrell appointed David Landers.

10.3 [RES 12-03](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona adopting a compensation philosophy for the City and authorizing the City manager to hire, promote and compensate employees and to set administrative policies related to performance evaluations and the compensation of city employees. Discussion and Action.

Human Resources Director Karen Shaffer presented. She reported that a compensation study had not been done since 2007. She stated that non budgeted positions were eliminated.

Matthew Waverley with Public Sector Personnel Consultants provided an overview of the principal project components. He also discussed the salary survey comparators including seventeen cities within the state.

Ms. Shaffer stated that the short term cost will be absorbed in the delay of hiring additional staff.

Councilmember Diedrich asked how the plan would accommodate for those staff members whose are at a performance rate that is higher than the salary range allows for. City Manager Fischer stated that the question touched on two different issues. She stated that one issue was making sure that positions were paid appropriately and the other issue was to make sure increases were based on performance. Discussion ensued.

Councilmember Marchione had concerns about the proposed salary ranges being compared with only the public sector and not the private sector. Ms. Fischer stated that some positions were compared to the private sector. Ms. Shaffer elaborated.

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

10.4 [MISC 12-013](#)

The Mayor and City Council shall discuss and possibly take action on a pilot program changing the hours of City Hall service. Discussion and Action.

Finance Director Tom Duensing presented. He stated that if approved, the pilot program would begin in the new fiscal year on July 1. The proposed pilot program would result in extended hours to the public. He indicated that City Hall would operate from 7:00 am to 6:00 p.m. Monday through Thursday.

He discussed the results of the internal and external surveys wherein both overwhelmingly supported the offices being closed on Fridays.

Councilmember Brown asked how many customers would actually come in at 7 am. Mr. Duensing stated that there were more responses for the extended evening hours.

Councilmember Diedrich asked if the business community was surveyed. City Manager Fischer stated that all the data was collected in one tool, but that the survey was offered to all city customers. Discussion ensued.

Councilmember Marchione asked if there were potential budget savings. Mr. Duensing stated that there will be significant savings when the move to the permanent city hall is made.

Mr. Duensing continued with the presentation and proposed the benefits of the proposal. Next steps, including outreach were discussed.

Mayor Smith asked Councilmember Griffin to discuss her experience of working a 4-10 schedule. She indicated that a lot of communities have made the change and customers have adjusted. Vice Mayor Farrell voiced his concerns for cutting operating days down to four days a week. Discussion ensued.

The Mayor asked Ms. Fischer if staff would support council and necessary meetings as needed, to include Fridays. Ms. Fischer stated that management understands that they are always on call.

Councilmember Diedrich asked Ms. Fischer what her recommendation was. Ms. Fischer indicated that she recommends moving forward with the a 4-10 schedule for a one year period.

Councilmember Griffin suggested a shorter pilot term. Discussion ensued.

Vice Mayor Farrell stated that he would support Ms. Fischer's recommendation.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Griffin, that this Miscellaneous Item be Approved. The motion carried by the following vote:

Aye: 5 - Mayor Anthony Smith, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Carl Diedrich and Councilmember Marquisha Griffin

Nay: 2 - Councilmember Julia Gusse and Councilmember Alan Marchione

10.5 [CON 12-010](#)

The Mayor and City Council shall discuss and possibly take action on approving a contract with Southwest Slurry, Inc. in an amount not to exceed \$202,174.60 for application of slurry seal to city streets. This contract, based on City of Chandler Cooperative Contract No. ST2-745-3068, will be paid from County ½ Cent Road Tax Fund, Transportation, Repairs and Maintenance (30044146-54430) in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

Transportation Manager Chris Salas presented. He stated that the city has worked with this contract and vendor in the past and has been pleased.

Councilmember Brown asked how often the process needs to be repeated. Mr. Salas stated that it should be repeated approximately every five years.

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

10.6 [CON 12-013](#)

The Mayor and City Council shall discuss and possibly take action on approving a contract with Pavement Markings, Inc. in an amount not to exceed \$100,000.00 for striping of City streets. This contract, to be paid from the County ½ Cent Road Tax Fund, Transportation, Roads and Maintenance (30044146-54430), is based on Pinal County Cooperative Contract No. 07-11-12, and is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

There were no questions or comments from Council.

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

11. Executive Session

The Council entered into executive session 10:10 p.m.

The Council adjourned from executive session at 11:24 p.m.

A motion was made by Councilmember Brown, seconded by Councilmember Griffin, to enter into Executive Session. The motion carried by a unanimous vote.

- 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).
- 11.6 ES 12-012** 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 potential amendments to the Joint Project Agreement with the Arizona Department of Transportation dated October 7, 2010 regarding a Design Concept Report and Environmental Assessment for the existing at-grade railroad crossing of SR 347 and the Union Pacific Railroad tracks pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).

12. Adjournment

The City Council regular meeting adjourned at 11:25 p.m.

A motion was made by Councilmember Griffin, seconded by Councilmember Gusse, that this meeting be Adjourned. The motion carried by a unanimous

vote.