



# City of Maricopa

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## Meeting Minutes - Draft City Council Regular Meeting

*Mayor Christian Price*  
*Vice-Mayor Edward Farrell*  
*Councilmember Marvin L. Brown*  
*Councilmember Peggy Chapados*  
*Councilwoman Julia R. Gusse*  
*Councilmember Bridger Kimball*  
*Councilmember Leon Potter*

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Tuesday, March 4, 2014

7:00 PM

Council Chambers

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### 1. Call to Order

*The City Council regular meeting was called to order at 7:02 p.m.*

*Matt Balgaard, from Church of Celebration, gave the invocation.*

*There was moment of silence in solidarity with the Phoenix Police Department and the officers they lost this week.*

*Police Chief Stahl led the meeting attendees in the Pledge of Allegiance.*

### 2. Roll Call

**Present:** 7 - Councilmember Leon Potter, Councilmember Bridger Kimball, Councilwoman Julia R. Gusse, Councilmember Peggy Chapados, Councilmember Marvin L. Brown, Vice Mayor Edward Farrell and Mayor Christian Price

### 3. Proclamations, Acknowledgements and Awards

*There were no proclamations, acknowledgements, or awards.*

### 4. Report from the Mayor

*Mayor Price reported that he and Vice Mayor Farrell played in the annual Pathway/Legacy basketball tournament and were defeated by the Pathway Pumas, and he congratulated the winners. He announced that the grand opening of the Copper Sky Recreation Complex will be on Saturday, March 15 at 10 a.m. He invited everyone to attend and thanked everyone who has been involved. Next, he announced that there are vacancies on the Merit Board, the Parks, Recreation, and Library (PRL) Committee and the Industrial Development Authority (IDA) Board. He directed anyone interested to contact City Clerk Vanessa Bueras. Next he reported that Banner Health is hosting Walks With A Doc on March 1st, 8th, 15th, and 22nd. He noted the event is to get to know the physicians and improve health. He added that Councilwoman Gusse attended the first walk and encouraged participation.*

### 5. Report from the City Manager

*City Manager Gregory Rose stated that he will be forwarding a letter to the Arizona*

State Library in support of the Marker Space Program. He stated the program is a partnership with the Maricopa Unified School District (MUSD) and the Maricopa Public Library, and gave details on the program. Next, he announced he will be in Washington D.C from Wednesday, March 5 until Friday and indicated City Clerk Bueras will be in charge in his absence.

## 6. Call to the Public

Justin Thornton, president of the City of Maricopa Fraternal Order of Police Lodge 78, approached the podium and addressed Council. He spoke in support of Councilmember Kimball and thanked him for his continual support of officers and the Police Department. He asked the Council to continue to do the great work and focus on City issues rather than on political agendas.

Councilmember Chapados approached the podium and addressed Council. She announced that on Saturday, April 5th from 8-10 a.m. at the Council Chambers she will be hosting a Maricopa New Resident Reception. She stated it will be an event for new residents to get an overview of the services and opportunities in the City. She noted it is open to all Maricopa residents.

Henry Wade approached the podium and addressed Council. He shared concerns of the senior citizen community regarding the outdoor pools at the new Copper Sky complex. He stated that many seniors are unhappy with the outcome because they were really hoping for an indoor swimming pool.

Scott Bartle, with InMaricopa.com, approached the podium and addressed Council. He announced that March 15th, along with the Copper Sky grand opening, it would also be the tenth year anniversary of InMaricopa.com. He thanked the Council, its predecessors, and city staff for their support.

Gina Hull approached the podium and addressed Council. She thanked the Council for listening to the citizens regarding Copper Sky, on thoroughly doing research when hiring a new City Manager, and for standing strong and ensuring that the right thing would be done regarding former Councilmember Marchione. She gave an extensive statement regarding her concerns with Councilmember Kimball's DUI charges. She stated that Councilmember Kimball has not done the responsible thing by not stepping down. She concluded by stating that Councilmember Kimball no longer represents her as a voter and therefore she supports a recall.

Kathleen Goldner, with the Maricopa Youth Recreation Center (MYRC), Students against Destructive Decisions (SADD) Club, approached the podium and addressed Council. She presented information on the Why 21 campaign and statistics on underage drinking. She thanked the City for the services and programs that support their cause.

Coby Winer, with the MYRC SADD Club, approached the podium and addressed Council. He presented national data statistics and Maricopa statistics done through the Arizona Youth Survey (AYS) on underage drinking.

Michael Buckner, with the MYRC SADD Club, approached the podium and addressed Council. He presented national data related to underage drinking.

Aliya Perez, with the MYRC SADD Club, approached the podium and addressed Council. She presented the results of the 2012 National Survey on Drug Use and Health and the 2012 AYS results relating to Maricopa.

*Genevieve Burno, Vice President of the SADD Club, approached the podium and addressed Council. She presented facts on underage drinking.*

*Kennedy Glen, Treasurer of the MYRC SADD Club approached the podium and addressed Council. She presented statistics on underage drinking.*

*Tim Hull approached the podium and addressed Council. He cited email correspondence that occurred between his wife and Councilmember Kimball. The email was sent using a personal account that identified Councilmember Kimball's business. Mr. Hull commented that his wife found the email threatening.*

*Scott Blevins approached the podium and addressed Council. He spoke in defense of Councilmember Kimball.*

*Marty Hermanson approached the podium and addressed Council. He spoke against any recall efforts, stating that they are political in nature. He detailed the recall process and listed reasons against having a recall election. He asked Councilmember Potter to reconsider dropping the recall efforts.*

*Russ Kimball approached the podium and addressed Council. He spoke in defense of Councilmember Kimball. He stated he supports Councilmember Kimball because he was raised with the correct principles of giving back to the community and accepting responsibility.*

*Mayor Price gave Councilmember Kimball a chance to respond.*

*Councilmember Kimball stated that he publicly apologized for his DUI during the first council meeting after the incident. He added that he also stated, at the time, that he was going to move forward as expeditiously as possible and has since served jail time, paid fines, attended classes, and has spoken to high school students about his experience. He noted that he does not take what he did lightly, and apologized for bringing that to the City of Maricopa. He admitted he made a bad judgment, and has paid for it and followed through with everything he said he would do in addition to volunteering his time. He stated he does not support a recall but appreciated all the comments.*

## 7. Minutes

7.1 MIN 14-13 Approval of Minutes from the February 18, 2014 City Council Work Session.

**A motion was made by Councilmember Potter, seconded by Vice Mayor Farrell, that the Minutes be Approved. The motion carried by a unanimous vote.**

7.2 MIN 14-14 Approval of Minutes from the February 18, 2014 City Council Regular meeting.

**A motion was made by Councilmember Potter, seconded by Vice Mayor Farrell, that the Minutes be Approved. The motion carried by a unanimous vote.**

## 8. Public Hearings

8.1 PH 14-02 The Mayor and City Council shall hear public comment regarding a request to amend the San Travasa PAD Ordinance 05-14, approved on November 15, 2005 (and a subsequent minor administrative amendment), to eliminate the CR-3 and CR-5 zoning districts, expand the CB-2 Commercial area, and introduce the TR

Transitional Zone with modifications to the permitted uses and development standards. This request amends approximately 343 acres of the prior approved Zoning and PAD and includes the former Cotton Gin Site not previously a part of the PAD, and excludes the Legacy Charter School site that is a part of the prior approved PAD.

*The public hearing opened at 7:46 p.m.*

*No one spoke during the public hearing.*

*The public hearing was closed at 7:48 p.m.*

**The Public Hearing was held.**

## 9. Consent Agenda

### Approval of the Consent Agenda

**A motion was made by Councilmember Peggy Chapados, seconded by Councilmember Marvin L. Brown, to Approved on the Consent Agenda with the exception of agenda item 9.2 . The motion carried unanimously.**

- 9.1      **CON 14-06**      The Mayor and City Council shall discuss and possibly take action on approving an amendment to the contract with Jacobs Engineering Group, increasing its limit to an amount not to exceed \$130,000. Funding for this contract amendment would be drawn from General Fund, Engineering, Professional and Occupational (10044145-53320). Discussion and Action.

**This Contract was Approved.**

- 9.2      **CON 14-07**      The Mayor and City Council shall discuss and possibly take action on approving renewal of the contract with Southwest Slurry, Inc. in an amount not to exceed \$500,250 for application of slurry seal to City streets. Funding will be drawn from two different sources: Eighty percent (in an amount not to exceed \$400,200) will be paid from Local Road Maintenance Fund, Transportation, Street Projects-Capital, Street Maintenance (20544146-67750-34005); twenty percent (in an amount not to exceed \$100,050) will be paid from ½ Cent Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005). This contract is based on City of Chandler Cooperative Contract No. ST2-745-3068, and is in compliance with City of Maricopa Purchasing Code Article IV , Section 3-223 "Cooperative Purchasing." Discussion and Action.

*Rachel Leffall approached the podium and addressed Council. She inquired specifics about the contract including what is covered by the \$500,000, how long does it last, and if this would be a cost that needs to be incurred every eight years.*

*Public Works Director Bill Faye explained that slurry seal is sprayed on the roads as maintenance to make the roads last longer and the maintenance is ongoing. He listed possible alternatives as well and stated that he does not know the road coverage at the moment but can get that information.*

*Mrs. Leffall stated she understands that it is a preventive measure, however if it only covers a few miles it is too much for the price. Mayor Price clarified that the dollar figure was derived from the cooperative purchase process.*

*Purchasing Manager Pattie LaCombe clarified on the cooperative purchasing process.*

Henry Wade asked how often the maintenance needs to be done and added that with the \$500,000 during a deficit, whether it can be postponed. Mr. Fay clarified that it could be deferred but it would be more costly to postpone as streets would get worse. Discussion ensued.

City Manager Rose inquired what the funding source was for the project. Finance Director Brian Ritschel clarified that it is coming out of the Capital Improvement funds, half Cent Road Tax fund, Transportation, and HURF. Discussion ensued. City Manager Rose recommended not postponing any road maintenance.

Councilwoman Gusse asked for clarification on the cooperative purchasing process versus a bid process. Mr. Fay clarified. Discussion ensued.

Mayor Price stated that he is comfortable approving this item and opened the floor for a motion.

Councilmember Brown inquired about vehicles that are parked during maintenance. Mr. Fay elaborated.

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

- 9.3 CON 14-08** The Mayor and City Council shall discuss and possibly take action on approving renewal of the contract with Pavement Markings, Inc. in an amount not to exceed \$86,000 for striping of City streets. Funding for this contract will be drawn from two sources: Eighty percent (in an amount not to exceed \$69,000) will be paid from Local Road Maintenance Fund, Transportation, Street Projects-Capital, Street Maintenance (20544146-67750-34005); twenty percent (in an amount not to exceed \$17,250) will be paid from ½ Cent Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005). This contract, which is based on Town of Gilbert Contract No. 2010-4106-0012, is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.
- This Contract was Approved.**
- 9.4 CON 14-09** The Mayor and City Council shall discuss and possibly take action on approval of amending the existing lease agreement with Revilo, L.L.C. Discussion and Action.
- This Contract was Approved.**
- 9.5 CON 14-10** The Mayor and City Council shall discuss and possibly take action to approve an Award of Contract to FCI Constructors, Inc. for Design and Construction Services for phase two of the Fire Station 572 project in an amount not to exceed \$219,820. This award is based on The Cooperative Purchasing Network contract #R5148 and is in accordance with City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing. The funding for the project will be from the Capital Projects Fund, Fire Support Services, Buildings, Fire Station 572 (35022528-67720-32010). Discussion and Action.
- This Contract was Approved.**
- 9.6 CON 14-11** The Mayor and City Council shall discuss and possibly take action on approving a contract for the cooperative purchase of services from Image Trend for the Records Management System (RMS)/Electronic Patient Care Reporting (EPCR) packages, in addition to the cooperative purchase of hardware from CDW-G, which is necessary

to function with the RMS package. These purchases, in an amount not to exceed \$111,000 to be paid from Capital Improvement Funds (350-22528-67744), are in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing. Discussion and Action.

**This Contract was Approved.**

- 9.7      **RES 14-09**      A Resolution of the Mayor and 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 the flood control improvements in Red Valley Ranch. Discussion and Action.

**This Resolution was Approved.**

- 9.8      **MISC 14-05**      The Mayor and City Council shall discuss and possibly take action on approving a staff complement change to reclassify position of CIP Coordinator to CIP Project Manager and modify the 2014 Salary Plan to reflect the change. The position is currently vacant; the total cost of the reorganization is estimated at \$5,113 in FY 13-14 which will be absorbed through vacancy and budgetary savings. Discussion and Action.

**This Miscellaneous Item was Approved.**

- 9.9      **GRA 14-01**      The Mayor and City Council shall discuss and possibly take action to provide consent to submit a grant application to the Arizona Criminal Justice Commission in amount not to exceed \$26,000 for a part-time Victim Advocate Position. There is a 50/50 match requirement with this grant application of \$26,000 which will be provided through volunteers' time and a portion of the Community Programs Manager's salary and benefits in the General Fund, City Manager's Office, Salary/Benefits (10011115-51100-52600) in FY14-15. Consent to submit authorizes the City Manager to sign all documents for the application process. Discussion and Action.

**This Consent to Apply for Grant was Approved.**

- 9.10     **MISC 14-17**      The Mayor and City Council shall discuss and possibly ratify a letter by Mayor Price requesting Arizona Department of Health Services Director Will Humble to support Chandler Regional Medical Center's application for a Level I Trauma Center designation. Discussion and Action.

**This Miscellaneous Item was Approved.**

- 9.11     **MISC 14-18**      The Mayor and City Council shall discuss and possibly ratify a letter by Mayor Price supporting the Central Arizona Regional Transit (CART) system's nomination for the Arizona Transit Association Outstanding Rural/Small Urban Transit System 2014 Award. Discussion and Action.

**This Miscellaneous Item was Approved.**

## 10.      **Regular Agenda**

- 10.1     **ORD 14-02**      An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending the zoning requirements as described in zoning case ZON 11-04 and PAD 11-03 for San Travasa planned area development (PAD) for approximately 372 acres generally situated South of Bowlin Road and North of the Maricopa-Casa Grande Highway (SR238) within the City of Maricopa incorporated limits. The parcels of land are situated in a portion of section 36 of township 4 south, range 3 east of the Gila and Salt River base and meridian, Pinal County, Arizona. Discussion and Action.

*Vice Mayor Farrell recused himself.*

*Interim Zoning Administrator Dana Burkhart presented on the San Travaasa planned area development (PAD). He detailed the PAD site in detail that included maps of current and proposed rezoning. He stated that on December 21st, 2010 the City Council approved a Major General Plan Amendment for the subject site and this request supports the goals and objectives of the General Plan. He added it would also fulfill an Intergovernmental Agreement (IGA) with CAC to allow for institutional and educational uses and facilities. He stated staff recommends approval and added that there was a neighborhood meeting on January 24 in which there were no oppositions.*

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

**Aye:** 6 - Councilmember Leon Potter, Councilmember Bridger Kimball, Councilwoman Julia R. Gusse, Councilmember Peggy Chapados, Councilmember Marvin L. Brown and Mayor Christian Price

**Recused:** 1 - Vice Mayor Edward Farrell

**11. Executive Session**

**12. Adjournment**

**The City Council regular meeting was Adjourned at 8:10 p.m.**

**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 4th day of March, 2014. I further certify that the meeting was duly called and held and that a quorum was present.**

**Dated this 18th day of March, 2014.**

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**Vanessa Bueras**  
**City Clerk**