

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
PUBLIC SAFETY ADMINISTRATION BUILDING
PEORIA ROOM
April 3, 2008

A **Special Study Session** of the City Council of the City of Peoria, Arizona was convened at 8351 West Cinnabar Street in open and public session at 5:01 p.m.

Members Present: Mayor Bob Barrett; Vice Mayor Cathy Carlat; Councilmembers Ron Aames, Joan Evans, Vicki Hunt, Carlo Leone and Dave Pearson.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, Acting City Manager; John Wenderski, Deputy City Manager; Steve Kemp, City Attorney and Mary Jo Kief, City Clerk

Others Present: Lance Decker, Facilitator

Audience: Five members of the public were present.

STUDY SESSION AGENDA

Subject for Discussion Only:

1. Council Code of Teamwork and Cooperation.

Mayor Barrett opened the Study Session and read a letter from Terry Ellis, City Manager, addressed to the City Council as Mr. Ellis was unable to be in attendance. Mayor Barrett turned the meeting over to Lance Decker as the facilitator.

Mr. Decker opened by telling Council the Code of Teamwork and Cooperation is a living document which has served the City Council well over the last ten years. Mr. Decker provided an overview of the history of the document. Mr. Decker stated the document was first created at a Council Workshop in October 1997 and was entitled "Code of City Council Teamwork." Mr. Decker further provided a description of Council troubles during the mid 1990's and the desire at that time to put those troubles behind. The "Code" was meant to be self-regulating and self-sustaining and set a foundation of ethics.

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Mr. Decker advised Council that the purpose of the Study Session was to discuss what the document should be in the future and to talk about whether it is enforceable. Mr. Decker further told Council that they are a self-regulating body. Council is their own judge of their conflicts and conduct.

Mr. Decker further discussed how the "code" had been used to date and whether the document still had value. Mr. Decker further stated that Council would need to decide if they want to continue using the Council Policy, possibly with some changes or if Council wanted to reverse the policy which they had adopted in July 2007.

Mr. Decker further facilitated a discussion of the commitments of each other and staff in the code and the expectations contained in the current adopted code. Mr. Decker further stated that the code is an effective tool for Council, and facilitated a discussion regarding the benefits and costs of using it as a tool.

Steve Kemp, City Attorney, responded to a question regarding aspects of the code regarding Council discussions. Mr. Kemp stated that as their lawyer he would advise the Council not get together and talk about how they are going to vote. Mr. Kemp further stated that the code is not a legal contract, but that it is enforced by how Council interacts with each other.

Councilmember Pearson stated that he had asked for the item to be removed from a recent Consent Agenda when it was listed to be re-affirmed by Council. Councilmember Pearson stated that he had three changes that he wanted to have incorporated and discussed changes that had been submitted to the City Clerk for distribution to Council when the item had been on the agenda as Consent Agenda Item 11C on March 4, 2008. Councilmember Pearson further described recent events that caused him to want further discussion regarding the code.

Discussion ensued regarding the recent events and how Council views the document. Council discussed that questions may have been raised due to individual interpretations of the document. Mr. Decker further discussed the political nature of the document and dealing with fellow Councilmembers.

Councilmember Pearson brought up discussion regarding the City's election cycle. Mr. Kemp advised that tonight's meeting was not to discuss the City's election cycle and that it would take a Charter amendment. Mr. Kemp further advised that if Council wished to discuss further that discussion would need to take place at a later meeting.

Council took a short recess at 5:53 p.m. and the meeting reconvened at 6:02 p.m.

Mr. Decker further told Council that none of them were on Council when the code was first implemented; therefore, they did not have ownership of the document. Mr. Decker further stated that a future goal is to have the document discussed each time there is a change in Council so that future new City Councils are fully aware of the document and its' function.

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Mr. Decker then facilitated a discussion among Councilmembers to determine whether each Councilmember desired to keep or lose the document and if keeping it what changes might be necessary. Overall, most Councilmembers expressed a desire to keep the document with some changes and expressed their desire to create a document that fits the needs of this Council.

At 7:16 p.m. Council took a short break and the meeting reconvened at 7:23 p.m.

Council completed their discussion of the proposed changes and directed staff to bring the item back at a future City Council Meeting for adoption. Mr. Kemp stated that the City Manager's Office and the City Attorney's Office will bring the item back for Council to approve.

Discussion began on how to get the community working together. Mr. Kemp advised that this was off topic and that it could be brought back for discussion at the next Council workshop.

Councilmember Leone stated that his desire was to get rid of the code/principles and to have Council run at-large.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:27 p.m.

Bob Barrett, Mayor

ATTEST:

Mary Jo Kief, City Clerk

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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Study Session of the City Council of Peoria, Arizona held on the 3rd day of April, 2008. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of April, 2008.

(Seal)

Mary Jo Kief, City Clerk