

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
November 1, 2011

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:02 p.m.

Following a moment of silent reflection, Councilmember Pearson led the Pledge of Allegiance.

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

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Kemp, City Attorney; Wanda Nelson, City Clerk; Andy Granger, Engineering Director; Katie Gregory, Interim Management and Budget Director; Stacey Irvine, Interim Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Claudia Luján; Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Jeff Tyne, Interim Community Services Director; Rhonda Geriminsky; Chief Deputy City Clerk.

Audience: Approximately 20 members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda.

Councilmember Pearson requested that Agenda Items 2C and 5C be removed for separate discussion.

Motion was made by Councilmember Leone, seconded by Councilmember Rivero, to approve the Consent Agenda with the exception of Agenda Items 2C and 5C. Upon vote, the motion carried unanimously 7 to 0.

CONSENT – New Business:

1C Disposition of Absence

Approved the absence of Vice Mayor Cathy Carlat from the Special City Council Meeting held at 5:00 p.m. on October 18, 2011.

2C Code Amendment, Chapter 25, Water Point of Use Compliance Programs

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

ORDINANCE NO. 2011- 23

AN ORDINANCE OF THE CITY OF PEORIA MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 25 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 25-1 PERTAINING TO WATER; DEFINITIONS; SECTION 25-15 PREVIOUSLY RESERVED IS AMENDED AND PERTAINING TO WATER; POINT-OF-USE COMPLIANCE PROGRAM; SECTION 25-42 PREVIOUSLY RESERVED IS AMENDED AND PERTAINING TO WATER; POINT-OF-USE DEVICE VIOLATIONS AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Bill Mattingly, Public Works and Utilities Director, provided an overview of the proposed amendments to Chapter 25 of the Peoria City Code regarding the Point of Use Compliance Program.

Motion was made by Councilmember Evans, seconded by Vice Mayor Carlat, to adopt **ORD. 2011-23** amending Chapter 25 of the Peoria City Code (1992 Edition) amending various Sections pertaining to the Point of Use Compliance Program.

Upon vote, the motion carried unanimously 7 to 0.

3C Code Amendment, Chapter 5, Backflow Prevention Program

ORDINANCE NO. 2011-22

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 5 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 5-101 PERTAINING TO DEFINITIONS; AMENDING SECTION 5-102 PERTAINING TO PURPOSE; AMENDING SECTION 5-111 PERTAINING TO GENERAL REQUIREMENTS; AMENDING SECTION 5-112 PERTAINING TO CROSS-CONNECTION PROHIBITED; AMENDING SECTION 5-113 PERTAINING TO TESTING AND RECORDS; AMENDING SECTION 5-114 PERTAINING TO WHERE PROTECTION REQUIRED; AMENDING SECTION 5-115 PERTAINING TO TYPE OF PROTECTION; AMENDING SECTION 5-116 PERTAINING TO BACKFLOW PREVENTION DEVICES; AMENDING SECTION 5-117 PERTAINING TO INSPECTION AND MAINTENANCE; AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 2011-22** amending Chapter 5 of the Peoria City Code (1992 Edition) amending various Sections pertaining to the Backflow Prevention Program in order to update the code in compliance with the requirements of County, State and Federal Backflow regulations.

4C Grant, Peoria Fire Department, Tohono O'odham Nation Grant, Fireboat

Accepted a grant award from the Tohono O'odham Indian Community in the amount of the \$180,401 for the purchase of a fireboat at Lake Pleasant Regional Park and approve the Grant-in-Aid Agreement.

5C Grant Awards, Peoria Arts Commission - General Operating, Festival and Program Grants

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

Jeff Tyne, Interim Community Services Director, provided an overview of the process used to review grant applications in order to award grants.

Discussion ensued regarding the correlation between art and science and whether the Challenger Space Center applied for and received grant funding.

Discussion ensued regarding the Historical Society and whether it was considered for festival grant funding.

Discussion ensued regarding the definition of art and whether museums should be considered for art grant funds.

Kiel Klaphake addressed Council and expressed appreciation to Council for their recognition and support of the arts within the City of Peoria.

Constance McMillin addressed Council and congratulated the Council for having a long-term vision for making art a part of the community within the City of Peoria.

Motion was made by Vice Mayor Carlat, seconded by Councilmember Evans, to approve and award various arts-related grants as recommended by the Peoria Arts Commission.

Upon vote, the motion carried unanimously 7 to 0.

6C Grant-in-Aid, Fiscal Agent Agreement, Tohono O’odham Nation and Leadership West, Class 18 Community Projects and Presentation at “Synthesis Day 2012”

Approved the Grant-in-Aid Agreement between the Tohono O’odham Nation and the City of Peoria on behalf of Leadership West to assist with Class 18 Community Projects and presentations to the community at “Synthesis Day 2012”.

Clerk’s Note: Public Comment on this item was heard separately at the end of the Consent Agenda.

Kathy Knecht addressed Council expressing her appreciation to the Council on behalf of Leadership West and the Peoria Unified School District.

7C Grant-in-Aid, Fiscal Agent Agreement, Tohono O’odham Nation and Peoria Unified School District, All-Day Kindergarten and School Resource Officer Program, Raymond S. Kellis High School

Approved the Grant-in-Aid Agreement between the Tohono O’odham Nation and the City of Peoria on behalf of the Peoria Unified School District to fund all-day Kindergarten and the School Resource Officer Program at Raymond S. Kellis High School.

8C Intergovernmental Agreement, Maricopa County Department of Transportation, 99th Avenue and Beardsley Road, Project No. PW00065

Approved an Intergovernmental Agreement (IGA) between Maricopa County Department of Transportation (MCDOT), and the City of Peoria to identify each agency's responsibilities for improvements to 99th Avenue and Beardsley Road.

9C Deeds and Easements, Various Locations

RESOLUTION NO. 2011-109

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

Adopted **RES. 2011-109** accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

10C Roadway and Easement Dedications, Kiwanis Park

RESOLUTION NO. 2011-111

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF A DEDICATION OF PUBLIC ROADWAY AND A ROADWAY & PEORIA MUNICIPAL UTILITY EASEMENT TO THE PUBLIC RELATED TO KIWANIS PARK AT 12687 N. 78TH DRIVE.

Adopted **RES. 2011-111** authorizing the execution of a Dedication of Public Roadway and Roadway & Peoria Municipal Utility Easement adjacent to Kiwanis Park at 12687 N. 78th Drive.

11C Designate Roadways, Establish Rights-of-Way, Various Locations

RESOLUTION NO. 2011-110

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS, TO BE OPENED AND MAINTAINED BY THE CITY.

Adopted **RES. 2011-110** designating various Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

12C Final Plat, Peoria Regional Medical Center, Lake Pleasant Parkway and Yearling Road

Approved a Final Plat of Peoria Regional Medical Center, located on Lake Pleasant Parkway and Yearling Road, subject to stipulations.

13C Replat, Mack Arrowhead Lot 1B1, Thunderbird Road and Rio Vista Boulevard

Approved a Re-Plat of Mack Arrowhead Lot 1B1, located on Thunderbird Road and Rio Vista Boulevard, subject to stipulations.

14C Request for Certification of Exemption from Posting Security Requirements for Workers' Compensation Self-Insured Claims

Approved certification that the City of Peoria, a chartered Arizona Municipality and duly qualified Workers' Compensation self-insurer, is exempt from the Industrial Commission of Arizona (ICA) requirement to post security for pending self-insurance claims.

REGULAR AGENDA

NEW BUSINESS

15R Confirmation – City Manager Appointment of Planning and Community Development Director

Carl Swenson, City Manager, recommended Chris Jacques to fill the position of Planning and Community Development Director. Mr. Swenson outlined Mr. Jacques' qualifications for the position.

Motion was made by Vice Mayor Carlat, seconded by Councilmember Aames, to confirm the City Manager appointment of Christopher Jacques as Planning and Community Development Director, effective November 2, 2011.

Upon vote, the motion carried unanimously 7 to 0.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

Rachelle Barrett addressed Council regarding the “Christmas for the Troops” Program and thanked the Council in advance for their support of this program.

Reports from the City Manager:

1. Council Calendar
2. Reports with Presentation
 - a. Community Policing Initiative Update

Roy Minter, Police Chief, presented regarding the Community Policing Initiative efforts. Chief Minter informed regarding:

- Department goals
- Reducing crime and the fear of crime
- Operating the Police Department with maximum efficiency
- Partnering with the Community
- Crime awareness initiatives
- Code enforcement

Scott Lekan, Police Officer, announced his retirement and expressed his appreciation to the Council for their support during his career.

3. Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following items:

- a. Independent Redistricting Commission Meeting
- b. Keep it Local - Peoria First Campaign

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended and expressed his appreciation to Community Services for the Halloween Monster Bash at

Peoria Sports Complex. Councilmember Leone reminded citizens to attend the Organic Market at Park West.

Councilmember Aames reported on the various City of Peoria activities he attended, including the Halloween Monster Bash at Peoria Sports Complex.

Councilmember Rivero reported on City of Peoria events he attended, including Neighborhood Pride, which took place on Saturday, October 22nd, and the Safe Streets event held at Ira Murphy Elementary School.

Councilmember Pearson expressed his appreciation to the Police Department and Steve Kemp, City Attorney, for speaking with residents of Westbrook Village regarding recreational vehicles.

Vice Mayor Carlat reminded and encouraged citizens to attend the second annual Vistancia Music Festival on Saturday, November 5th.

Reports from the Mayor:

Mayor Barrett expressed his condolences to the City of Glendale Police Department and the family members of the Glendale police officer that was killed in the line of duty over the weekend.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:08 p.m.

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Regular Meeting of the City Council of Peoria, Arizona held on the 1st day of November, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of November, 2011.

(Seal)

Wanda Nelson, City Clerk