MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
PEORIA ROOM, PUBLIC SAFETY ADMINSTRATION BUILDING
MARCH 2, 2010

A **Special Meeting and Study Session** of the City Council of the City of Peoria, Arizona was convened at 8351 West Cinnabar Ave in open and public session at 4:00 p.m.

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

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; Mary Jo Waddell, City Clerk; J.P. de la Montaigne, Andy Granger, John Imig, Larry Ratcliff, Wynette Reed, Thomas Solberg, Jeff Tyne, Glen Van Nimwegen, Jay Davies, Ed Striffler, Jack Stroud, and Claudia Luján.

Audience: Approximately four 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

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.

CONSENT – New Business:

1C Authorization to Hold an Executive Session

Motion was made by Councilmember Carlat, seconded by Councilmember Evans, to authorize the holding of an Executive Session for the purpose of discussion and consultation with designated representatives of the public body pertaining to contract negotiations with employee organizations.

Upon vote, the motion carried unanimously 7 to 0.

Note: Executive Session was held after the adjournment of the 4:00 p.m. City Council Special Meeting and Study Session.

ADJOURNMENT:

Being no further business to come before Council on the Consent Agenda, Mayor Barrett adjourned the Special Meeting at 4:00 p.m.

Mayor Barrett convened the **Study Session Meeting** of the City Council of the City of Peoria, Arizona at 8351 West Cinnabar Ave in open and public session at 4:00 p.m.

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

Members Absent: None

STUDY SESSION AGENDA

Subjects for Discussion Only:

1. Centennial Plaza

Ed Striffler, Design and Construction Manager, led the discussion on the progress that has been made to the refinement of design to Centennial Plaza. The overall concept is for a multi-purpose mix of plaza, hardscape, shade walk way paths, turf and vegetated drainage basin.

Mr. Striffler discussed expansion of the amphitheater which will be known as the Grand Ellipse. Enhancements will include an ample shade structure which can be up lit during evening hours and shaded walking paths. The walkway along the west side of the Ellipse will depict milestones in observance of 100 years of Peoria and Arizona history. Mr. Striffler explained that provisions have been made to replicate the theme along the east side in order to mark future historical events.

Mr. Striffler concluded the presentation with a review of the project timeline and noted that construction of the Plaza is scheduled for completion in August 2011.

2. Johnny E. Osuna Memorial Park Master Plan Update

Carl Swenson, City Manager, introduced J.P. de la Montaigne, Community Services Director, to discuss the Osuna Park Master Plan. Mr. de la Montaigne explained that the City is trying to combine the traditional community square with the adjacent, modern theater. Osuna Park has been used for special events, and the design includes planning for the future events. Design elements include a sound wall, artistic fountain,

site furnishings, trees, shrubs and perennials, landscaping groundcovers and grasses, and restrooms.

Mr. de la Montaigne reviewed the project schedule. Construction is scheduled to begin in April 2011 and expected to be completed in September 2011.

3. Code Enforcement Update

Steve Kemp, City Attorney, led the discussion on code enforcement and outlined the legal framework. Constitutional and regulatory requirements of the federal law consist of federal mandates, equal protection, and due process. State restrictions on City authority includes property cleanup, state preemption on issues such as shopping cart impoundments, jurisdiction in real property matters, and limits on citations. Mr. Kemp summarized the City's roles and responsibilities:

- City Council — establish policy through enacting ordinances regulating conduct, addressing property standards, public health and safety
- City Attorney — implement council policy through the prosecution of cases under adopted ordinances and providing legal advice to Code employees
- Code Compliance — administer adopted council policy through inspection, notification, citizen contact, follow-up, enforcement and assisting with prosecution

Mr. Kemp presented an overview of the court system pertaining to criminal cases. Mr. Kemp reported the majority of code cases are resolved before going to court. In 2009 nine criminal cases were filed in the Municipal Court.

Mr. Kemp outlined current and upcoming proposals including: enhanced fines and penalties for nuisance violations, as well as a foreclosed home Ordinance providing for enhanced notification and maintenance procedures.

Mr. Kemp introduced Larry Ratcliff, Police Chief, and Jay Davies, Neighborhood Services Manager.

Chief Ratcliff described the organizational structure of the Police Department which includes the development of the Neighborhood Services section.

Jay Davies, Neighborhood Services Manager, discussed the incorporation of Code Enforcement to the Neighborhood Services section of the Police Department.

Mr. Davies explained the transition became a force multiplier, enhancing code and patrol functions.

Mr. Davies presented statistics on code violations and case load activities over a three-year period. One third of code cases are proactive verses two thirds resulting from complaints.

Mr. Davies provided a timeline on voluntary and forced compliance from the initial inspection to final resolution. Discussion ensued on voluntary and forced compliance.

In closing, Mr. Davies gave a brief overview on backyard violations, abatement, and case management processes and provided a list of important phone numbers for direct assistance:

- Code Complaint Hotline: 623-773-7226
- Barking Dog Hotline: 623-773-7040
- Police Non-Emergency: 623-773-8311
- Jay Davies: 623-773-5070

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:29 p.m.

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Bob Barrett, Mayor

ATTEST:

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Mary Jo Waddell, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting and Study Session of the City Council of Peoria, Arizona held on the 2nd day of March, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of April, 2010.

(Seal)

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Mary Jo Waddell, City Clerk