

**CITY OF BUCKEYE
REGULAR COUNCIL MEETING
MAY 20, 2014
MINUTES**

**City Council Chambers
530 E. Monroe Ave.
Buckeye, AZ 85326
6:00 p.m.**

1. Call to Order/Invocation/ Pledge of Allegiance/Roll Call

Mayor Meck called the meeting to order at 6:00 p.m. Councilmember Strauss led the invocation.

Members Present: Councilmember Garza (via telephone), Councilmember Strauss, Councilmember Hess, Councilmember Heustis, Vice Mayor Orsborn and Mayor Meck.

Members Absent: Councilmember McAchran.

Departments Present: City Manager Stephen Cleveland, City Attorney Scott Ruby, City Clerk Lucinda Aja, Assistant to Council Carol Conley, Economic Development Manager Len Becker, Fire Chief Bob Costello, Government Relations Manager George Diaz, Human Resources Director Nancy Love, Public Works Director Scott Lowe, Marketing and Communications Manager Jennifer Rogers, Police Chief Larry Hall, Development Services Director George Flores, Planning Manager Terri Hogan, Community Services Director Cheryl Sedig, Water Resources Director Dave Nigh, Library Manager Jana White and Finance Director Larry Price.

2A. Comments from the Public – None.

2B. Awards/Presentations/Proclamations

Mayor Meck announced the City of Buckeye has been named a Playful City for the 3rd consecutive year among 212 cities and towns nationwide. Ms. Gomez presented statements and a video of the community at play was shown.

3. Minutes

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess Council to approve the minutes of the April 15, 2014 Regular Council Meeting and Council Workshop and April 22, 2014 Council Workshop. Motion passed unanimously.

4. Expenditures

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Heustis to ratify the payment of the accounts payable expenditures made. Copies of invoices are available at City Hall. Motion passed unanimously.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters and will be enacted by one motion and vote of the City Council. There will be no separate discussion of these items unless a Councilmember requests an item be pulled for discussion. Councilmember Strauss requested Item *5G be pulled for discussion; Councilmember Heustis requested Item *5A, *5B and *5E be pulled for discussion; Vice Mayor Orsborn requested Items *5H, *5I, *5J, *5K and *5L be pulled for discussion. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to approve Consent Items *5C, *5D and *5F. Motion passed unanimously.

***5. New Business**

- *5A. Resolution No. 39-14 Approving Intergovernmental Agreement No. JPA 14-0004205-I between the City of Buckeye and the State of Arizona Department of Transportation Relating to Scoping and Design of a Sign Inventory Management System; Authorizing the Mayor to Execute and Deliver Said Agreement
Staff Liaison: Scott Lowe, Public Works Director
District No. All**

Councilmember Heustis requested this item be pulled for discussion. Mr. Lowe provided clarification regarding the Agreement. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to adopt Resolution No. 39-14 approving Intergovernmental Agreement No. JPA 14-0004205-I between the City of Buckeye and the State of Arizona Department of Transportation relating to scoping and design of a sign inventory management system; Authorizing the Mayor to execute and deliver said agreement. Motion passed unanimously.

- *5B. Adoption of New Marketing and Communications Policies
Staff Liaison: Jennifer Rogers, Marketing and Communications Manager
District No. N/A**

Councilmember Heustis requested this item be pulled for discussion. A motion was made by Councilmember Heustis to omit the language “elected officials” from this item. The motion was not seconded. Motion died. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to adopt new policies to provide specific guidelines for the public and city staff for social media, logo usage and media guidelines. Motion passed unanimously.

- *5C. Resolution No. 26-14 Approving the Release and Termination of Development Agreement by and between Miller Shops Plaza, L.L.C. and the City of Buckeye; Authorizing the Mayor to Execute and Deliver said Release on Behalf of the City
Staff Liaison: Scott Zipprich, City Engineer
District No. 1**

Council adopted Resolution No. 26-14 approving the Release and Termination of Development Agreement by and between Miller Shops Plaza, L.L.C. and the City of Buckeye (“the Release”); Authorizing the Mayor to execute and deliver said release on behalf of the City.

- *5D. Approval of the Agreement and Perpetual Easement to Construct, Operate and Maintain a Utility Box Culvert Across the Roosevelt Irrigation District Right-of-Way
Staff Liaison: Scott Zipprich, City Engineer
District No. 3**

Council approved the Agreement and Perpetual Easement to construct, operate and maintain a utility box culvert across the Roosevelt Irrigation District Right-of-Way.

***5E. Approval of the Edwards & Ginn Legal Services Renewal Agreement**
Staff Liaison: Larry Hall, Chief of Police
District No. All

Councilmember Heustis requested this item be pulled for discussion. Discussion was held with Chief Hall and clarification was provided regarding the Renewal Agreement. A motion was made by Councilmember Heustis and seconded by Councilmember Strauss to approve the renewal agreement between Edwards & Ginn, P.C. and the Buckeye Police Department for a one-year contract extension for the period of July 1, 2014 to June 30, 2015 to assist the Buckeye Police Department with legal consultation in the areas of criminal law and criminal procedure, (to be funded from 035-050-1197, RICO Fund-Contractual Services) in an amount not to exceed \$30,000. Motion passed unanimously.

***5F. Resolution No. 32-14 Authorization to Submit Proposal for a Part-Time Crime Victim Advocate for Funding Consideration under the 12 Percent Gaming Distribution from the Gila River Indian Community**
Staff Liaison: Nicole Schwegler, Grant Programs Administrator
District No. All

Council approved Resolution No. 32-14, authorizing the submission of a grant proposal to the Gila River Indian Community to obtain Proposition 202 funding relating to public safety and authorizing the acceptance of any resulting grant.

***5G. Boards and Commissions Appointments**
Staff Liaison: Lucinda Aja, City Clerk
District No. 3, 5, 6

Councilmember Strauss requested this item be pulled for discussion. Carol Hodgdon was recognized and welcomed to the Library Board. Councilmember Heustis recognized Bill Elliott and welcomed him to the Planning and Zoning Commission. A motion was made by Councilmember Strauss and seconded by Councilmember Hess to approve the following changes to Boards and Commissions:

- Remove Dee Dee Conklin (District 3) as a Member on the Community Services Advisory Board;
- Remove Humberto Aceves (District 6) as a Member on the Community Services Advisory Board;
- Accept the resignation of Marion Goodell (District 5) from the Planning and Zoning Commission Alternate;
- Accept the resignation of Allison Scheer from the Buckeye Pollution Control Board.
- Appoint Bill Elliott (District 5) as an Alternate Member of the Planning and Zoning Commission;
- Appoint Carol Hodgdon (District 5) to the Library Board as an Alternate Member filling the unexpired term of John Lynch as an Alternate Member with a term expiration of December, 2017.

Motion passed unanimously.

***5H. Cigna Health Contract Award**
Staff Liaison: Nancy Love, Human Resources Director
District No. N/A

Vice Mayor Orsborn requested this item be pulled and made a motion to continue the award of the employee health insurance contract to Cigna. Councilmember Hess seconded the motion. Motion passed unanimously.

***5I. MetLife Dental Contract Award**
Staff Liaison: Nancy Love, Human Resources Director
District No. N/A

Vice Mayor Orsborn requested this item be pulled and made a motion to continue the award of the employee dental insurance contract to MetLife. Councilmember Hess seconded the motion. Motion passed unanimously.

***5J. Ameritas Vision Contract Award**
Staff Liaison: Nancy Love, Human Resources Director
District No. N/A

Vice Mayor Orsborn requested this item be pulled and made a motion to continue the award of the employee vision insurance contract to Ameritas. Councilmember Hess seconded the motion. Motion passed unanimously.

***5K. Sun Life Group and Voluntary Life, Accidental Death and Dismemberment (AD&D) and Short Term Disability Insurance Contract Award**
Staff Liaison: Nancy Love, Human Resources Director
District No. N/A

Vice Mayor Orsborn requested this item be pulled and made a motion to continue the award of the employee group and voluntary life, accidental death and dismemberment (AD&D) and short term disability insurance contract to Sun Life. Councilmember Hess seconded the motion. Motion passed unanimously.

***5L. MHN Employee Assistance Program (EAP) Contract Award**
Staff Liaison: Nancy Love, Human Resources Director
District No. N/A

Vice Mayor Orsborn requested this item be pulled and made a motion to continue the award of the Employee Assistance Program (EAP) contract to MHN Services. Councilmember Hess seconded the motion. Motion passed unanimously.

6. Continued / Tabled Items-None.

7. Public Hearings / Non-Consent - New Business

**7A. Public Hearing Only Regarding a Blank Petition for the Annexation of Two Parcels Totalling Approximately 26 Acres Located Generally at the Northeast Corner of the Union Pacific Rail Crossing and Johnson Road south of I-10
Staff Liaison: Adam Copeland, Senior Planner
District No. 1**

Mayor Meck opened the public hearing at 6:15 p.m. to hear citizen input regarding a blank Petition for the annexation of two parcels totaling approximately 26 acres located generally at the northeast corner of the Union Pacific Rail Crossing and Johnson road south of I-10. Mr. Copeland presented an overview and was available to answer questions. The property will be used as a paintball facility; Mr. Laikind owns two successful paintball facilities and agrees to the City performing annual inspections. Mr. Laikind presented statements regarding the facility, which offers an opportunity for corporate team building as well as providing an outdoor activity for residents; the facility will have no permanent structures and will be operational approximately 3-4 weeks after final approval. Mr. Copeland provided information regarding the available water and sewer structures and informed Council the area is currently in the City's general plan and compatible with the long-term vision. Cathy West (8510 South 307th Avenue) presented concerns regarding the paintball facility and the potential increase in traffic to the area. There being no further public comments, Mayor Meck closed the public hearing at 6:34 p.m.

7B. Public Hearing and Action Ordinance No. 03-14 Approving an Amendment to Buckeye City Code, Chapter 7, Development Code, Article 5, Development and Design Standards and Guidelines, Section 5.11. Signs, Subsection 5.11.6. Special Purpose Signs, by adding Section 5.11.6.B. Street Banner Program (All Other Provisions of the City Code Remaining in Full Force and Effect)

Staff Liaison: Scott W. Lowe, Public Works Director

District No. 2

Mayor Meck opened the public hearing at 6:34 p.m. to hear citizen input regarding Ordinance No. 03-14 approving an amendment to Buckeye City Code, Chapter 7, Development Code, Article 5, Development and Design Standards and Guidelines, Section 5.11. Signs, Subsection 5.11.6 Special Purpose Signs, by adding Section 5.11.6.B. Street Banner Program. Mr. Lowe provided an overview of the amendment as well as information related to use and restrictions of the banner program. There being no further public comments, Mayor Meck closed the public hearing at 6:40 p.m. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Heustis to approve Ordinance No. 03-14 approving an amendment to Buckeye City Code, Chapter 7, Development Code, Article 5, Development and Design Standards and Guidelines, Section 5.11. Signs, Subsection 5.11.6 Special Purpose Signs, by adding Section 5.11.6.B. Street Banner Program. All other provisions of the City Code remaining in full force and effect. Motion passed unanimously.

7C. Action Resolution No. 51-14 Adopting the Street Banner Program Fee and Setting an Effective Date and Providing for Severability

Staff Liaison: Scott W. Lowe, Public Works Director

District No. 2

Mr. Lowe presented an overview of the proposed fees related to the installation and removal of banners and the appropriate use of Highway User Revenue Funds. Councilmember Heustis commented with regard to the programs profitability. Discussion was held regarding Council concerns related to the fees and the ability of non-profit organizations to pay. Mayor Meck presented statements regarding the importance of being fiscally responsible. Mr. Cleveland provided clarification with regard to the process of collecting and reimbursement of fees. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to adopt Resolution No. 51-14, amending the City of Buckeye Schedule of Fees and Charges to adopt a Street Banner Program Fee for Street Banner Program applications and providing for severability. Motion passed unanimously.

7D. Action Discussion and Possible Motion by Council to Set Employee Contribution Limits for Insurance Premiums

Staff Liaison: Nancy Love, Human Resources Director
District No. N/A

Ms. Love presented an overview of current and proposed employee contributions. The plan proposes the City pay 89% of employee only and 84% of employee and spouse, employee and child(ren) and employee and family health insurance premiums. The City has absorbed 31.2% of premium increases over the last several fiscal years. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to approve staff's recommendations to set employee and City health insurance contribution limits for fiscal year 2014/2015 as follows:

- Employee Only – City pays 89%;
- Employee and spouse – City pays 84% ;
- Employee and child(ren) – City pays 84%;
- Employee and family – City pays 84%.

Motion passed unanimously.

7E. Action Official Representation on Community Development Advisory Committee (CDAC) for Fiscal Year 2014-2015

Staff Liaison: Andrea M. Marquez, Development Services Planner
District No. N/A

Ms. Marquez presented an overview of the appointment of official representatives on Community Development Advisory Committee and was available for questions. A motion was made by Councilmember Heustis and seconded by Councilmember Strauss to re-appoint the primary representative Vice Mayor Orsborn and alternative representative Councilmember Hess to the Community Development Advisory Committee (CDAC) for the term beginning July 1, 2014 and ending June 30, 2015. Motion passed unanimously.

8. City Manager's Report and Government Relations

See attached City Manager's report.

9. Comments from the Mayor and Council

Councilmember Garza: no comment.

Councilmember Strauss: no comment.

Councilmember Hess: provided statements related to the State of the City event and thanked staff for the level of quality in the presentation.

Councilmember McAchran: absent.

Councilmember Heustis: discussed the volunteer work that has taken place at All Faith Community Services; provided comments regarding the new traffic signals that will be placed along Yuma Road in the Sundance Community and thanked staff for their involvement in the project.

Vice Mayor Orsborn: expressed the need for representation on the Buckeye Pollution Control Board; thanked the Community Development Advisory Committee; presented statements regarding the successful State of the City event and Demolition Derby; discussed the Public Works Department and their impressive presentation of equipment during National Public Works Week.

Mayor Meck: recognized and thanked staff and management for efforts related to the excellent State of the City event.

10. Adjournment

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to adjourn the meeting at 7:27 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting held on the 20th day of May, 2014. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk