

Minutes of the Regular Meeting held February 3, 2014 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

Frank Scott, Vice Mayor
Stephanie Karlin
Jim McDonald
Charles Vierhout
Ken Weise

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

2 RECOGNITION ITEMS (MAYOR PRESENTATIONS)

- a. Resolution 3156-214 – Honoring Rogene E. Hill on occasion of her retirement

Charlie McClendon thanked Rogene Hill for her nine years of service to the City of Avondale. Mayor Rogers read the text of the resolution acknowledging Ms. Hill's accomplishments.

Council Member Weise moved to accept Resolution 3156-214. Council Member Karlin seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Vacant position	

Motion carried unanimously

3 UNSCHEDULED PUBLIC APPEARANCES

There were no unscheduled public appearances.

4 CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPROVAL OF MINUTES

Regular Meeting of January 21, 2014

b. COOPERATIVE PURCHASING AGREEMENT – VT LEEBOY, INC.

A request from to approve a Cooperative Purchasing Agreement with VT Leeboy, Inc. for the purchase of a 1000F Paver in an amount not to exceed \$91,299.61 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

c. COOPERATIVE PURCHASING AGREEMENT – KOVATCH MOBILE EQUIPMENT CORP. FOR FIRE APPARATUS

A request to approve a Cooperative Purchasing Agreement with Kovatch Mobile Equipment Corp. for the purchase of two new firefighting pumpers for a total amount not to exceed \$1,000,000, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

d. COOPERATIVE PURCHASING AGREEMENT – CRAFTCO, INC.

A request to approve a Cooperative Purchasing Agreement with Craftco, Inc. for the purchase of a super shot 250 melter with 70 CFM compressor crack sealer in an amount not to exceed \$72,464.99, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

e. FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT – FERGUSON ENTERPRISES, INC.

A request to approve the first amendment to the Cooperative Purchasing Agreement with Ferguson Enterprises, Inc. to purchase plumbing parts and supplies for a maximum aggregate amount not to exceed \$240,000, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

f. FOURTH AMENDMENT TO THE FINANCIAL ASSISTANCE AGREEMENT – CARE1ST HEALTHPLAN OF ARIZONA INC.

A request to approve the fourth amendment to the Financial Assistance Agreement with Care1st Health Plan of Arizona, Inc. to receive continuing funds for operation of the Care1st Avondale Resource and Housing Center, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

g. RESOLUTION 3164-214 – INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY DEPARTMENT OF PUBLIC HEALTH

A resolution approving an Intergovernmental Agreement with Maricopa County for the purpose of distributing medications and other medical materials to city employees in the event of a public health emergency, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

Council Member Weise moved to approve the consent agenda as presented including Resolution 3164-214. Vice Mayor Scott seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Vacant position	

Motion carried unanimously

5 PUBLIC HEARING – PROPOSED LAND USE ASSUMPTIONS AND INFRASTRUCTURE IMPROVEMENTS PLAN

A public hearing on the City's proposed land use assumptions and infrastructure improvements plan, which are used primarily to support the calculation of development fees.

Charlie McClendon, City Manager, explained that the public hearing was necessary to comply with new state legislation relating to the Proposed Land Use Assumptions and Infrastructure Improvements Plan, which will be used to develop a compliant fee structure. The final plan will go before City Council for adoption on March 6.

Mayor Rogers opened the public hearing.

Carolyn Oberholtzer, representing the Diamond P Ranch development, said Avondale's impact fees are significantly higher than those in neighboring communities, and the fees proposed in the preliminary draft of the plan would raise them even higher, especially in the area of wastewater management. She requested that City Council reconsider the fees.

There being no additional requests to speak, Mayor Rogers closed the public hearing.

6 CITY MANAGER RESIGNATION; APPOINTMENT OF ACTING CITY MANAGER

A request to ratify the Mayor's acceptance of the City Manager's resignation dated January 22, 2014, appoint an Acting City Manager, and determine a salary for the position during the interim.

Andrew McGuire, City Attorney, announced that Charlie McClendon tendered his resignation effective February 21. The City Charter provides City Council with the means to appoint an Acting City Manager and determine an appropriate salary.

Council Member Weise said the search for a permanent City Manager will likely take three to six months. In the meantime, residents need to know that the transition will be stable, and proposed that David Fitzhugh, Assistant City Manager, be appointed Acting City Manager in the interim. Council Member McDonald concurred. Council Member Vierhout agreed that Mr. Fitzhugh was qualified, but felt that the City should bring in extra help during

the transition, such as a retired city manager, considering the number of changes that have been made recently. Council Member Karlin said Mr. Fitzhugh has the skills necessary to do the job and familiarity with how the City operates. Vice Mayor Scott said Mr. Fitzhugh's appointment would give the City enough time to conduct a thorough search for a permanent replacement. Mayor Rogers agreed.

Council Member Weise moved to ratify the Mayor's acceptance of Charlie McClendon's resignation, designate David Fitzhugh as the Acting City Manager to begin February 22, 2014, and approve a ten percent increase in Mr. Fitzhugh's salary. Vice Mayor Scott seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Nay
Council Member McDonald	Aye
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Vacant position	

Motion carried by a five to one vote.

7 FILLING OF POTENTIAL VACANCY IN THE CITY COUNCIL

A discussion on the options for the filling of a potential vacancy in the City Council.

Mr. McClendon noted that Council Member Buster announced his resignation effective February 1, 2014. The City Charter gives Council 31 days to appoint someone to fill the vacancy for the remainder of the term, which runs through December 31 of 2014.

Vice Mayor Scott said City Council appointments provide unfair advantages to selected candidates who decide later to run for reappointment. He felt the ideal candidate would be someone like a former council member who is familiar with City Council and the staff, but has no desire to run again. He proposed opening up the process to accept more applications. The person chosen will have many important decisions to make in the coming year, including the appointment of a new City Manager. Council Member Vierhout agreed, saying there are many good candidates to consider, but he would not want to give any one of them an unfair advantage. Council Member Weise shared his impressions of being appointed to the City Council, and said such a course of action would do a disservice to the residents of Avondale.

Council Member McDonald said he understands the issues raised by Vice Mayor Scott, but felt that promises to not run again would be unenforceable. He suggested revising the interview questions to reflect the views of the current City Council. The field should be narrowed down to five or six applicants for the public interviews.

Council Member Karlin said she favored an open process with applications and public interviews. Mayor Rogers reminded Council that while Avondale has become a minority majority community, the current makeup of City Council does not reflect that diversity. Council Member Wiese thanked Jim Buster for his valuable service to Avondale. He felt that it should be up to the voters to decide whether a candidate who reneged on their promise not to run again would retain any credibility.

Mr. McClendon summarized that staff will publish the proper notices, prepare a packet for interested parties, ask candidates to submit letters of interest and resumes, and provide information to City Council in a timely manner. Mr. McGuire suggested a special meeting in the last week of February to decide on the appointment before the 31-day period expires. Mayor Rogers agreed.

8 ADJOURNMENT

There being no further business before the Council, Council Member Weise moved to adjourn the regular meeting into executive session. Council Member Vierhout seconded the motion, which carried unanimously.

City Council meeting adjourned at 7:39 p.m.


Marie Lopez Rogers


Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 3rd day of February. I further certify that the meeting was duly called and held and that the quorum was present.


Carmen Martinez
City Clerk

