



## City of Goodyear

### Meeting Minutes

#### City Council Work Session

Mayor Georgia Lord

Vice Mayor Bill Stipp

Councilmember Joe Pizzillo

Councilmember Sheri Lauritano

Councilmember Wally Campbell

Councilmember Brannon Hampton

Councilmember Laura Kaino

Goodyear Municipal Court  
and Council Chambers  
14455 W. Van Buren St.,  
Suite B101  
Goodyear, AZ 85338

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Monday, September 14, 2020

Goodyear Municipal Court and Council  
Chambers

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**Immediately following the Regular Meeting which begins at 6:00 p.m.**

**While the Goodyear City Council meetings are open to the public, the occupancy has been reduced to implement social distancing. Seating is generally available on a first come basis, but meeting attendees will be cycled in and out if necessary to allow for speakers to speak on certain agenda items.**

**If you wish to speak during a Regular Meeting, please complete a speaker's card so that we may ensure you are in the room for that item.**

**Face Masks are required and must be worn when moving throughout the building.**

#### **CALL TO ORDER**

Mayor Lord called the Work Session to order at 7:18 p.m.

#### **ROLL CALL**

**Present** 7 - Mayor Lord, Vice Mayor Bill Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton, and Councilmember Kaino

Staff Present: City Manager Julie Arendall, City Attorney Roric Massey and City Clerk Darcie McCracken

#### **AGENDA ITEMS FOR DISCUSSION:**

1. [2020-7018ws](#) City Council will receive and review the recommendations from the Charter Review Committee and provide direction to staff. (Tammy Shreeve, Facilitator)

Facilitator Tammy Shreeve presented the recommended changes to the Charter made by the Charter Review Committee (Committee). Ms. Shreeve provided the timeline of events for the Charter review.

She commented that the Charter Review Committee was very detail oriented throughout the process, going through the Charter with a fine-toothed comb.

Ms. Shreeve stated that two types of changes were identified, the first one being minor changes. Minor changes included outdated language or changes that were administrative in nature. Major changes was the second type of change, which included more important or significant changes. Ms. Shreeve described how the major changes were outlined in a table format and also provided to the Council.

Ms. Shreeve began the discussion on the recommended changes by starting with Article II - The Council. The recommendations focused on major changes to electoral districts, replacement of the Mayor or Councilmember if they were to leave office and Council compensation.

Council asked if the term of the Vice Mayor was not being stipulated in the Charter. Ms. Shreeve confirmed that the term of the Vice Mayor was not stipulated in the Charter.

Council asked if the Charter stated a sitting Councilmember had to resign their position in order to run for Mayor. City Attorney Roric Massey stated that it was state law that required a sitting member to resign based on the amount of time left in the term. He added that the intent of the Committee was to get away from the provision that a special election had to be called when the Mayor left office, which could create issues if the Mayor left with 60 or 90 days left in the term. He explained it was not practical to have a special election or an election held outside of the normal election cycle, due to the cost of calling a special election.

Mr. Massey stated that in the case of a vacancy occurring, after the 60-day period leading up to the mid-term election or latter part of the term, Council would appoint a mayor and the Council seat would then be back filled. In the scenario where someone was appointed as acting Mayor until the mid-term election, that individual would have all the authority, rights and responsibilities of the Mayor, would only serve until the mid-term point when the position would be filled by regular election and the Councilmember acting would then revert back to their Council seat.

City Manager Julie Arendall added that the Council needed to come to an agreement on whether it was more important to have stability among Council without having them resign to run or if it was more important to have an elected Mayor. She stated those were the two competing goals that Council would need to decide amongst each other so that staff could write clarifying language.

Council discussed whether to keep or remove the trigger point of redistricting when there are 150,000 residents in the city of Goodyear. Ms. Arendall summarized the discussion that it was the consensus of the Council to remove this trigger point from the Charter.

Ms. Shreeve and Ms. Arendall confirmed that Council agreed when a Councilmember replaces the Mayor, that individual would stay until the end of the term and run as an incumbent. If that individual is selected, their former Council position would then be filled according to Charter provisions.

Ms. Shreeve continued the discussion on the Committee's recommended changes in Article II: The Council. She noted the recommended change to the Vacancy in the Office of Councilmember section, stating if the vacancy occurred 60 days before the filing deadline, there would be an election; if the vacancy occurred less than 60 days before the filing deadline, an individual would be appointed to the vacant position.

Ms. Shreeve stated in Article II, Section 16: Meeting of the Council, the Charter required the Council provide notice of when meetings will be held and that there be no less than two meetings per month. She relayed that the Committee suggested removing the language to provide the Council the ability to decide how many meetings to be held a month.

Ms. Shreeve went on to discuss the recommended changes to Article III, Section 1: Appointment of the City Manager. Ms. Shreeve explained that the Charter states it was at the Council's discretion to enter into an employment contract with the City Manager. The Committee recommended to change the language to require the Council to enter into an employment contract with the City Manager. Ms. Shreeve noted it was a best practice to have a contract between an employer and employee, and that the terms and length of the contract be negotiated between employer and employee.

Ms. Shreeve discussed the administrative change to Article III, Section 5: Assistant City Manager Qualifications and Duties. She explained the Assistant City Manager qualifications and duties would change to Acting City Manager, allowing the City Manager to appoint a qualified individual in their absence.

She continued that Article III, Section 6: Removal of City Manager, contained a clause that the City Manager could not be removed within a period of 90 days succeeding a municipal general election. Ms. Shreeve stated the Committee suggested the language be changed to the induction of any Councilmember following the election.

Ms. Shreeve went on to discuss the recommended changes to Article IV. She stated in Section 1: Administrative Departments and Offices, the Committee recommended changing the language from the Council to City Manager, explaining that the City Manager was responsible for administrative functions and duties of the City.

Ms. Shreeve added in Article IV, Section 2: City Clerk, the job description of the City Clerk should be removed and instead describe the appointment of a City Clerk that reports to the City Manager and that the duties of the City Clerk be outlined in an ordinance.

Article IV, Section 3: City Attorney, discusses the appointment of the City Attorney. Ms. Shreeve relayed that the Committee viewed the City Attorney as being parallel to the City Manager. The Committee recommended the City Attorney should also have a written employment contract and the 90-day clause after the induction of a Councilmember should apply to the City Attorney. The Committee also recommended adding a section that the removal of the City Attorney would consist of

a vote of at least five members of the Council.

Ms. Shreeve discussed the changes in Article IV, Section 4: Merit System to be Established, stating the Committee recommended to allow the Council to determine, by ordinance, if employees should or should not be covered under a merit system.

Ms. Shreeve noted there were no recommended changes to Article V. Ms. Shreeve moved on to Article 6: Finance and Taxation, stating the article contained verbiage regarding old financial practices such as having a sinking fund. She explained the Committee struck out all language that was specific to any type of process and recommended language that the City would establish an accounting system that followed generally accepted accounting principles as set forth by the Governmental Accounting Standards Board. She added the Committee also recommended the removal of the Finance Director position definition, noting it was administrative and a staff position did not need to be listed in the Charter.

In Article VI, Section 7: Independent Audit and Review, Ms. Shreeve stated the Committee decided to remove the current language and have the Charter state that an independent audit will occur pursuant to Arizona State Statute.

Ms. Shreeve continued with the recommended changes to Article VII: Ordinances and Resolutions. She stated many processes have changed due to technology such as posting notices at a physical location. She explained several of the changes to this article were to update the processes allowing for more options to define official posting locations.

Ms. Shreeve discussed the changes to Article VII, Section 6: Reading of Ordinance and Resolutions, stating current ordinances and resolutions are to be read by title. The recommended change would allow for ordinances and resolutions to be read by number and with only the title stated.

Ms. Shreeve explained the changes to Article VII, Section 9: Signing of Ordinances and Resolutions, would clarify the current language to state that the Mayor and the City Clerk have five business days to attest all ordinances and resolutions instead of five calendar days. Ms. Shreeve noted that several of the changes throughout the Article were to the requirement of the City Clerk having to keep three copies of documents, and instead have the City Clerk keep only one copy.

In Article VIII, Section I: Preparation, Ms. Shreeve relayed that the Committee recommended the Mayor or City Manager or their designee prepare or develop contracts. The Committee removed Section 4: Contracts for Official Advertising, and stated the City must follow Arizona State Statute.

In Article IX: Elections, Ms. Shreeve stated most of the changes were to make the language gender neutral, clarifying that a candidate must receive the majority vote and noting that districting would be removed from this Article.

There were no changes to Article X. Ms. Shreeve went on to discuss the recommended changes to

Article XI: Municipal Court. She explained that the Charter currently did not establish the Court by name or official title, which the Committee established in this recommendation. The Committee also identified that the officer of the court be a judicial officer.

Council asked if the Charter should require an employment contract between the City and the Presiding Judge since there was a requirement for an employment contract for the City Manager and the City Attorney. Ms. Shreeve stated that the Charter did contain a clause for a two-year term for the Presiding Judge. Council relayed they would like the Charter to specifically state that there will be an employment contract for the Presiding Judge. City Attorney Roric Massey stated a contract could be incorporated into the language, but a term would need to be specified.

There were no recommended changes to Article XII.

In Article XIII, Section 8: City Charter Review, Ms. Shreeve stated the Committee recommended the Council consider the formation of a Charter Review Committee every ten years to review the Charter.

There were no major changes to the remaining articles. Ms. Shreeve summarized the requested changes of Council.

Council recognized the Charter Review Committee for their impressive work and honored the members with a personalized plaque.

Chairman of the Committee, Rene Guillen, thanked staff for their help and perspective on the review of the Charter.

### **INFORMATION ITEMS**

None.

### **ADJOURNMENT**

There being no further business to discuss, Mayor Lord adjourned the Work Session at 8:44 p.m.

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Darcie McCracken, City Clerk

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Georgia Lord, Mayor

Date: \_\_\_\_\_