



# City of Maricopa

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## Meeting Minutes - Final City Council Regular Meeting

*Mayor Nancy Smith*  
*Vice-Mayor Rich Vitiello*  
*Councilmember Eric Goettl*  
*Councilmember Amber Liermann*  
*Councilmember Bob Marsh*  
*Councilmember Vincent Manfredi*  
*Councilmember Henry M. Wade Jr.*

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Tuesday, June 20, 2023

6:00 PM

Council Chambers

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**1. Call to Order**

*The meeting was called to order at 6:07 p.m. Pastor David Anderson from Be Community Church gave the invocation and Vice Mayor Vitiello led the Pledge of Allegiance.*

**2. Roll Call**

**Present:** 7 - Councilmember Amber Liermann, Councilmember Bob Marsh, Councilmember Eric Goettl, Councilmember Vincent Manfredi, Mayor Nancy Smith, Vice Mayor Rich Vitiello and Councilmember Henry Wade

**3. Proclamations, Acknowledgements, Awards and Presentations**

*There were no items discussed.*

**4. Report from the Mayor**

*Councilmember Wade recognized the efforts put into the two Juneteenth events at Global Water and at the library. He elaborated on the events and commended the programming and event coordinators.*

*Vice Mayor Vitiello reported on the opportunity to be on the radio on 98.7 during the third annual Flag Football Tournament to talk about the community.*

*Mayor Smith reported on the West Pinal-Maricopa Area Transportation Plan Open House that was held at the library. She gave information on the study and stated the resulting document from the study would be out in Spring or early Summer of 2024 and added there would be more opportunities for the public to participate. She reported attending the Arizona Department of Transportation (ADOT) meetings in May and June with some members of the community. She stated the five year plan was presented in the May meeting and there were three Maricopa projects included. She reported that ADOT District Member, Jenny Howard, got a tour of the City with Intergovernmental Affairs Director, Katy Proctor, Deputy City Manager Ben Bitter and herself and elaborated. She reported having two meetings with the Director of the Maricopa Association of Governments (MAG), Ed Zuercher and elaborated. She discussed current funds and projects versus funds and projects three years ago. She reported attending the Flag Day Ceremony at the Veterans Center and the ADOT Town Hall and*

*elaborated.*

**5. Report from the City Manager**

*There were no items reported.*

**6. Call to the Public**

*Dr. John and May gave information on Kids Day Maricopa. They directed businesses interested in participating to contact them at (520) 494-7788. The event would be held at Maricopa Wells Middle School on September 16 from 10 a.m. to 4 p.m. They thanked the Mayor, Council and the community for the support.*

*Peg Chapados, with the Friends of the Arts and their Board Members, Chair Susan Cameron, B Wallace, Chrystal O'Jon, May Tallwind and Councilmember Amber Liermann gave information on their second annual fundraiser, Taste the Arts. She stated this year the focus would be on young artists and the goal was to raise \$10,000 to later award to area schools for arts programs of any type. She stated the event would be held on Saturday, September 30 at Global Water from 6 to 8 p.m. and elaborated on sponsorship opportunities.*

**7. Consent Agenda**

*Mayor Smith asked that Agenda Item 7.14 be pulled from the Consent Agenda to the Regular Agenda section.*

**Approval of the Consent Agenda**

**A motion was made by Councilmember Eric Goettl, seconded by Councilmember Bob Marsh, to Adopt the Consent Agenda and move Agenda Item 7.14 from the Consent Agenda to the Regular Agenda Section. The motion carried by unanimous vote.**

- 7.1 [MISC 23-14](#) The Mayor and City Council shall discuss and take action on approval of an Easement for Electric Lines with Electrical District No. 3 for the Police Administration and 911 Dispatch. Discussion and Action.

**This Miscellaneous Item was Approved.**

- 7.2 [RES 23-34](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, adopting a revised fee schedule for the Development Services Department. Discussion and Action.

**This Resolution was Approved.**

- 7.3 [ORD 23-29](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting that certain document filed with the City Clerk and entitled "Floodplain Management Ordinance for City of Maricopa" by reference to amend Section 16.05.010 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

**This Ordinance was Approved.**

- 7.4 [CON 23-11](#) The Mayor and City Council shall discuss and take action to ratify a Purchase and

Sale Agreement with Escrow Instructions with Desert Cedars Equities LLC for the sale of approximately .51 acres of real property generally located south of Honeycutt Avenue between N. John Wayne Pkwy and N. Maricopa Rd, for a purchase price of \$222,000.00, and authorizing the City Manager to execute the agreement, any future amendments to extend closing and any other documents related to this agreement. Discussion and Action.

**This Contract was Approved.**

- 7.5      [ORD 23-31](#)      An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting that certain document filed with the City Clerk and entitled "2023 Amendments to Section 18.115.120, Temporary Signs" by reference to amend Section 18.115.120 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

**This Ordinance was Approved.**

- 7.6      [ORD 23-32](#)      An Ordinance of the Mayor and City Council of the City of Maricopa, approving and adopting an amendment to the City's Zoning Map to rezone approximately 100 acres of land generally located at the southeast corner of North Porter Road and West Maricopa-Casa Grande Highway, within the City of Maricopa incorporated limits, from existing General Rural (GR) and Industrial (CI-2) to the Kelly Ranch Planned Area Development (PAD) as described in case # PAD22-19. The land is located in a portion of Section 4, Township 5 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona. Discussion and Action.

**This Ordinance was Approved.**

- 7.7      [RES 23-36](#)      A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting a Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy. Discussion and Action.

**This Resolution was Approved.**

- 7.8      [RES 23-37](#)      A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, supporting the submission of a grant application to the Ak Chin Indian Community for funding Boys & Girls Clubs of the Sun Corridor and agreeing to act as the designated fiscal agent of such funding. Discussion and Action.

**This Resolution was Approved.**

- 7.9      [RES 23-38](#)      A Resolution of the Mayor and City Council of the City of Maricopa, Arizona supporting the submission of a grant application to the Ak Chin Indian Community to Maricopa Community Foundation for funding grant requests from local non-profits that serve the Maricopa area and agreeing to act as the designated fiscal agent of such funding. Discussion and Action.

**This Resolution was Approved.**

- 7.10     [IGA 23-07](#)      The Mayor and City Council shall discuss and take action to approve an Agreement with the Department of the Army for Design and Construction Assistance for the Maricopa ARF Injection Well Installation Project and authorize the City Manager, and/or his designee(s), to execute this Agreement, in substantially similar form as presented, and any other documents necessary for the project completion (Aquifer Recharge Facility Project). Discussion and Action.

**This Intergovernmental Agreement was Approved.**

- 7.11 [RES 23-39](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving a Waiver of the Four-Year Advance Notice of Abandonment and Pavement Quality Report, in accordance with A.R.S. 28-7209, related to the State of Arizona's abandonment of property generally located south of the Union Pacific Railroad tracks between State Route 347 and N. Maricopa Road and authorizing the City Manager to execute the waiver and any other documents necessary for the transfer of this property. Discussion and Action.

**This Resolution was Approved.**

- 7.12 [MIN 23-27](#) Approval of Minutes from the June 6, 2023 City Council Regular meeting. Discussion and Action.

**The Minutes were Approved.**

- 7.13 [MIN 23-29](#) Approval of Minutes from the May 31, 2023 City Council Special meeting. Discussion and Action.

**The Minutes were Approved.**

- 7.15 [LIQ 23-04](#) The Mayor and City Council shall discuss and take action on recommending approval to the Arizona Department of Liquor License and Control regarding an application for extension of premises/patio permit submitted by applicant Chris Spear on behalf of Roots Eatery, LLC located at 20046 N. John Wayne Parkway, Maricopa, Arizona 85139. Discussion and Action.

**This Liquor License was Approved.****8. Regular Agenda and/or Public Hearings**

- 7.14 [ORD 23-30](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting that certain document filed with the City Clerk and entitled "2023 Amendments to Section 2.15.130, Standing Committee, and Section 2.15.140, Task Force Committees" by reference to amend sections 2.15.130 and 2.15.140 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

*Mayor Smith gave background on the item and requested one change on Section D, item 1 where it reads "agenda topics should originate by Council direction" to "goals should originate by Council direction."*

*Councilmember Goettl stated that some of the committees would have multiple Council liaisons and asked if there was a preference on changing the language from the singular "liaison" to plural "liaisons."*

*Discussion ensued regarding changing the language from "agenda topics" to "goals." City Manager Horst clarified that the goal was for the committees to set their agendas and would follow the duties, assignments and processes, and elaborated. He explained that the proposed ordinance would allow the flexibility, and when each committee defined their role and purpose, it would be defined by resolution per committee. He stated it was up to the Council if they wanted to approve agendas and elaborated.*

*Mayor Smith noted that goals should originate by Council direction in an open meeting*

setting or as recommended by the Council liaisons, and agendas should support those goals. Councilmember Goettl asked if that would give Council liaisons the ability to place items on the agenda and stated he would like that ability. City Manager Horst clarified that the ordinance directs the Committee Chair to work with the Council liaison to prepare the agenda language and stated that granted the right for Council liaisons to place items on the agenda.

Mayor Smith gave some clarification on the resolution and encouraged the three committees to finalize their goals for presentation in a meeting where they could take action by resolution.

**A motion was made by Councilmember Marsh, seconded by Councilmember Goettl, that this Ordinance be Approved as Amended to change "agenda topics" to "goals" and change "liaison" to the plural "liaisons." The motion carried by a unanimous vote.**

**8.1**      **MISC 23-15**

The Mayor and City Council shall discuss and provide direction to staff regarding a special election to sell real property valued at more than \$1.5 million dollars.  
Discussion and Direction.

*City Manager Horst presented on this item. He stated the topic was discussed in the Future's Planning and elaborated on the concept of economic development and the City's economic development barriers. He detailed the Maricopa Commerce Park and City owned land. He stated the Maricopa Commerce Park could create jobs, improve tax base, aid in business retention, promote business diversity and spur additional business growth. He stated it could be master planned for ultimate functionality, and located in the fast growing, business-friendly Maricopa. He stated it would offer a wide variety of site options for businesses of all types and sized to grow and drive. He stated at the Future's Planning it was agreed to fund a Master Development Plan Study and have since worked with the Maricopa Economic Development Alliance (MEDA) in a joint venture to conduct the study. He stated activating the Industrial Development Authority Board was also discussed and would come back in three to nine months for approval. He stated they also discussed exploring industrial development funding sources to include bonding, grants, PPP's and a Marketing Plan Development. He stated one of the impediments was that Arizona Revised Statute (A.R.S.) 9-403 requires a special election to sell real property valued at more than \$1.5M dollars. He stated the options were new legislation, he elaborated on the attempts, a special election, or a Charter City designation. He provided a map of the holdings that would exceed the threshold. He discussed the benefits of selling land including preparing shovel ready sites to land job crating companies, recoup of initial cost that would include land value, infrastructure placement, ballot cost and marketing and finally it would create a seed fund for future economic development opportunities. He recommended using the upcoming November election for this ballot measure to authorize the sell of land because it would be only one issue on the ballot, all mail in ballot, it would allow the master plan and development of the lands could move forward, it would allow the ability to create public/private partnerships and be agile and able to respond to opportunities when presented. He stated private investments would not come unless investors had assurance that they could purchase and control portions of property and that land parcel developers were hindered by the A.R.S. He discussed what was at issue including a mail-in ballot election would cost \$200,000 if conducted in November 2023 and elaborated on possible funding. He stated the option would be to wait until the November 2024 election, but the concern was potential loss of opportunity, potential ballot confusion due to multiple ballot measures and voter apathy. He discussed the return on investment and elaborated.*

*Mayor Smith stated it would also keep people off State Route 347 by creating local*

jobs. Councilmember Goettl asked there was a timeframe/expiration for selling the land after the measure went to voters. City Manager Horst stated it would only apply to the lands specified in the ballot. Councilmember Manfredi further elaborated and spoke in favor of the November 2023. Vice Mayor Vitiello supported the November 2023. Councilmember Wade concurred. Mayor Smith elaborated and stated that consensus was to move forward with the election in November 2023. City Manager Horst added that this would move the cows out of city limits and elaborated. Councilmember Manfredi elaborated it did now include any land sale of Copper Sky. Mayor Smith elaborated on strategic land purchase and sales.

**This item was Discussed.**

- 8.2 [IGA 23-06](#) The Mayor and City Council shall discuss and take action on a request to approve an Intergovernmental Agreement (IGA) with Pinal County for the purpose of providing election services for a special election to be held on November 7, 2023. Discussion and Action.

**A motion was made by Councilmember Liermann, seconded by Councilmember Marsh, that this Intergovernmental Agreement be Approved. The motion carried by a unanimous vote.**

9. **Executive Session**

*The Council did not go into executive session.*

10. **Adjournment**

**This meeting was Adjourned at 6:52 p.m.**

**Certification of Minutes**

**I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Maricopa, Arizona, held on the 20th day of June, 2023. I further certify that the meeting was duly called and held and that a quorum was present.**

**Dated this 18th day of July, 2023.**

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**Vanessa Bueras**  
City Clerk