



City of Maricopa

Meeting Minutes - Draft City Council Regular Meeting

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

Tuesday, May 2, 2023

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:07 p.m. Maricopa Police Department Chaplain, Pastor Drew Anderson gave the invocation and Councilmember Wade 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 and Awards

3.1 [PROC 23-07](#) Older Americans Month Proclamation

Mayor Smith invited Elizabeth Howell and the Age-Friendly Committee to accept the proclamation. She read the proclamation and proclaimed the month of May 2023 as Older Americans Month in the City of Maricopa. She gave some information on the committee. Mrs. Howell informed the public that schedules of the activities at the senior center were available in the foyer.

Read

3.2 [PROC 23-08](#) Water Safety Month Proclamation

Mayor Smith called Carlos Schultz (not present), and Chief Pitassi to accept the proclamation. She read the proclamation and proclaimed the month of April, 2023 as Water Safety Month in the City of Maricopa.

Read

3.3 [PROC 23-09](#) Provider Appreciation Day Proclamation

Mayor Smith invited Susan Randolph, Councilmember Wade, Councilmember Goettl and those present for the proclamation. Mayor Smith read the proclamation and proclaimed May 12th, 2023 as Provider Appreciation Day in the City of Maricopa.

Read

3.4 **PROC 23-10** Teacher Appreciation Proclamation

Mayor Smith invited Councilmember Liermann to the front to present the proclamation. All current and former teachers were invited to the front to accept the proclamation. She proclaimed the week of May 8th through the 12th of 2023 as Teacher Appreciation Week in the City of Maricopa.

Read

4. **Report from the Mayor**

Councilmember Marsh reported attending the Pinal County Luncheon with Planning and Zoning Commissioner, Ted Yocum. He reported attending a Pinal Partnership water update and the Lunch & Learn at the Senior Center with former Mayor Christian Price, now with Maricopa Economic Development Alliance (MEDA). He reported attending the Copa Cultural Night Market, a national briefing on Democracy, the City Council Work Session on standing committees, the Pinal County Board of Adjustment meeting, the Coffee with a Cop event at Cold Beers and Cheeseburgers, and touring other Pinal County cities. He announced that the fiscal year was ending, and he would be donating the remainder of his discretionary funds to the Hope Women's Shelter.

Councilmember Manfredi stated he also tours other Pinal County cities often. He reported that Bill Robertson coordinated a question-and-answer (Q&A) event in the Province community with the Mayor, Vice Mayor, the Chief of Police and himself. He stated residents had the opportunity to ask questions and clarify information. He encouraged other organizations to reach out for similar events.

Vice-Mayor Vitiello thanked Police Chief Goodman for that Q&A and the Coffee with a Cop the following day. Next, he reported attending the Province Q&A and the Maricopa Chamber of Commerce Awards at the Global Water facility. He thanked Bill Robertson for coordinating the Q&A.

Mayor Smith acknowledged the City Clerk's Office staff and noted it was Municipal City Clerks Week. She reported meeting with the Arizona Department of Transportation (ADOT) on the Road Safety Analysis and then discussing the best way to get the information out. She elaborated on State Route 347.

5. **Report from the City Manager**

City Manager Horst gave an update on the bond refinancing process.

Mayor Smith commended the City's financial stability.

6. **Call to the Public**

Barry McCain stated APS, SRP and Tucson Electricity Power gave an electricity report and elaborated. He gave a legislative update.

7. **Consent Agenda****Approval of the Consent Agenda**

A motion was made by Councilmember Vincent Manfredi, seconded by Councilmember Amber Liermann, to Adopt the Consent Agenda. The motion carried unanimously.

- 7.1 [SUB22-33](#) The Mayor and City Council shall discuss and take action to approve Subdivision case # SUB22-33, a Final Plat for Villas at Stonegate. Discussion and Action.

This Subdivision was Approved.

- 7.2 [MIN 23-16](#) Approval of Minutes from the April 18, 2023 City Council Regular meeting. Discussion and Action.

The Minutes were Approved.

8. Regular Agenda and/or Public Hearings

- 8.1 [ORD 23-24](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending Section 3.80.250 of the Maricopa City Code relating to the Court Enhancement Fund. Discussion and Action.

Councilmember Goettl discussed the idea of diversifying power and stated the same principles applied to the City Code. He explained the Council's role was legislative and the two other roles were, the executive represented by City Manager Horst and his staff, and the Judicial branch represented by Judge McCarville. He stated he wanted to make sure the separation of power was preserved and addressed concerns with the ordinance. He reviewed the Arizona Ministrative of Office of Courts developed document titled, The Municipal Court's Governance Rules and Responsibilities that emphasized judicial independence. He stated that according to code the Council had the hiring and firing power over the judge and explained why there needs to be a separation between the staff and the judge. He stated that while the court was not totally independent, it was the Council's responsibility to view the reports and not necessarily the City Manager. He read Section D "The municipal court, through the presiding judge shall annually submit to the mayor and council and the city manager a report detailing the amount of money collected and expended during the reporting period." And proposed keeping the two branches separate by allowing the court to simply report to the Mayor and Council. He explained that Judge McCarville was keen to share the report with the City Manager and staff but did not want to set an in-code precedent. Next, he expressed concerns with Section "B. All funds in the Court Enhancement Fund shall be used for the purpose of acquiring sites for, constructing, acquiring, repairing and/or improving new or existing buildings, acquiring equipment and/or for other improvements or services to be used for the enhancement of the court and training for judicial officers and court staff." And proposed adding, "Providing and updating court security, acquiring equipment, and/or for other improvements or services to be used for the enhancement of the court and training for judicial offices and court staff," and striking "the purpose of acquiring sites for construction or to build new buildings." He stated the funds could be used to enhance current buildings but not necessarily for the purchasing of lands and building. He motioned to strike "and the City Manager" from section D, and striking "acquiring sites for, constructing, acquiring," and "new or" and adding "Providing and updating court security..." to that same section. He added that the changes were vetted by the Judge, and he agreed.

Councilmember Liermann asked for clarification on the addition of "adding and upgrading security." Councilmember Goettl explained according to Arizona Supreme Court decisions, an ordinance needed to detail how the monies could be spent. A brief

discussion ensued regarding the court enhancement fund and purchasing new properties.

Mayor Smith stated she was okay with the changes in Section B and asked the City Attorney if there had ever been a need to acquire a different site. City Attorney Denis Fitzgibbons responded he does not see an issue with deleting the section to acquire sites and elaborated. Mayor Smith explained that the City Manager was tasked with overseeing the budget and the report would eventually make its way to the City Manager and the Chief Financial Officer (CFO). Councilmember Goettl explained that clear legislative decisions on the judge's ability to set their own budget and elaborated. The City Attorney further clarified the City had the right to conduct audits and elaborated that by striking it, it would remove statutory obligation, but it would still be best practice. Councilmember Manfredi discussed public records.

A motion was made by Councilmember Goettl, seconded by Councilmember Marsh, that this Ordinance be Approved as Amended; striking "and the city manager" from Section D., and striking "acquiring site for, construction, acquiring," and "new or" from Section B, and adding "providing and updating court security" to the same section. The motion carried by a unanimous vote.

9. Executive Session

There was no executive session.

10. Adjournment

The meeting was Adjourned at 7:10 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 2nd day of May, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of May, 2023.

Vanessa Bueras
City Clerk