



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

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

Tuesday, November 1, 2022

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:07 pm. There was a Presentation of Colors by the Maricopa High School's, Junior Reserve Officers' Training Corps (ROTC) and Councilmember Liermann led the Pledge of Allegiance.

2. Roll Call

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

3. Proclamations, Acknowledgements and Awards

3.3 [PROC 22-09](#) Veteran's Day Proclamation

Mayor Smith invited the Veteran's Parade Committee and all Veterans present to the front to accept the proclamation. She read the proclamation and proclaimed November 11, 2022 as Veteran's Day in the City of Maricopa.

A member of the Veteran's Parade Committee invited the community to attend the event on Saturday, November 5, 2022 at 9 am.

Read

3.2 [PROC 22-07](#) Alzheimer's and Caregiver Month Proclamation

She invited Merry Grace and the Alzheimer's Association to accept the proclamation. She read the proclamation and proclaimed the month of November, 2022 as Alzheimer's and Caregiver Month in the City of Maricopa.

Merry Grace thanked the City for initiating the proclamation and elaborated. She thanked the Arizona East-Valley Mustang Club for the car displayed at the front of City Hall.

Read

3.1 [PROC 22-05](#) Maricopa Friends of the Arts Proclamation

Mayor Smith invited the Maricopa Arts Council, the Maricopa Friends of the Arts and all artist to the front to accept the proclamation. She read the proclamation and proclaimed support for all artist, art organizations, and art and cultural events in the City of Maricopa.

Judith Zaimont, on behalf of the Maricopa Arts Council, invited the public to attend the All-AZ Poetry Slam on Saturday, (November 4) at Honeycutt Coffee and a painting tribute by Susan Cameron. She gave information on the upcoming online abstract art competition and the Winter Holiday Concert in December. Susan Cameron gave a statement and thanked Mayor Smith for the proclamation.

Read

4. Report from the Mayor

Councilmember Marsh wished everyone a happy Veteran's Month. He reported on the State of the City Address and commended Mayor Smith. He reported attending a tour of the new Desert Sunrise High School. He detailed the Senior Lunch and Learn on health insurance. He reported attending the Maricopa Museum and Visitor Center Ribbon Cutting Ceremony at Heritage Park, a Pinal County Board of Adjustment meeting and a presentation on Proposition 469.

Councilmember Liermann invited the community to the Veteran's Day Parade on Saturday (November 5) at 9 a.m. starting from Central Arizona College to Pacana Park, and to the Relay for Life later that day at Copper Sky.

Councilmember Vitiello thanked Maricopa staff, including the Fire and Police Departments, for the Annual Izzy Calderon Softball Tournament and elaborated.

Councilmember Wade gave election information and stated today was the last day to submit the early ballots by mail, and noted they could still be physically dropped off at the polls.

Councilmember Manfredi further elaborated on drop-off locations for early ballots and emphasized the importance of Proposition 469. He acknowledged Brandelyn Hughes, Senior Services Recreation Coordinator present in the audience and noted it was her birthday. He encouraged attendance to the Veteran's Day Parade.

Mayor Smith reported on the State of the City Address and noted it was available by video on line. She stated that next year, the City would celebrate its 20th anniversary and the State of the City Address would be special. She thanked the rest of the Council for participating in the videos presented at the even and all staff that helped with the event. She reported also attending the Desert Sunrise High School unveiling tour and elaborated. She reported attending the Community Emergency Response Team's (CERT) graduation and elaborated. She encouraged the community to visit the Maricopa Museum and Visitor Center at Heritage Park. She encouraged voters to read the facts on Proposition 469 on the Pinal Regional Transportation Authority and to vote by Tuesday (November 8).

5. Report from the City Manager

There were no items reported.

6. Call to the Public

Peg Chapados gave information on the Friend of the Library Fall Book Sale on Saturday, November 19 from 10 am to 2 pm. She stated the following Saturday, November 26, the Maricopa Main Street Marketplace would be held at Leading Edge Academy from 10 am to 3 pm.

JC Vanderpool announced the Second Annual Kwanza celebration event at the Maricopa Library and Cultural Center on December from 2 pm to 5 pm and elaborated.

Bill Robertson spoke in support of Agenda Item 8.1 on the creation of a Teen Court and encouraged support. He stated the group of volunteers was already training.

Priscilla Benke from the Be Awesome Coalition, gave info on the organization. She stated they were hosting their Annual fundraiser and a 50/50 raffle. She stated they would draw the Monday before Thanksgiving and elaborated.

7. Consent Agenda

Agenda Item 7.5 was pulled for a brief discussion, before approval, at the request of Councilmember Marsh. See Item.

Approval of the Consent Agenda

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

7.1 [IGA 22-17](#)

The Mayor and City Council shall discuss and take action on approval of an Intergovernmental Agreement (IGA) with Electrical District No. 3 (ED3) of Pinal County, Arizona and City of Maricopa for the undergrounding of certain overhead electric lines within the Heritage District. Discussion and Action.

This Intergovernmental Agreement was Approved.

7.2 [RES 22-60](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Chapter 3.50 Department of Emergency Management" regarding the creation of a Department of Emergency Management, the appointment of a director and the duties related thereto and adding sections 3.50.010, 3.50.020, 3.50.030 to the Maricopa City Code. Discussion and Action.

This Resolution was Approved.

7.3 [ORD 22-26](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, deleting Sections 3.45.030(A)(2)(f) and 3.45.030(A)(7) of the Maricopa City Code and adopting "Chapter 3.50 Department of Emergency Management" by reference to add sections 3.50.010, 3.50.020 and 3.50.030 to the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

This Ordinance was Approved.

7.4 [RES 22-61](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing the City to enter into a Mutual Aid Compact with the signatory political

jurisdictions within the State of Arizona and the Arizona Department of Emergency and Military Affairs. Discussion and Action.

This Resolution was Approved.

- 7.5 [CON 22-29](#) The Mayor and City Council shall discuss and take action to approve a Purchase and Sale Agreement and Escrow Instructions with Red River Cattle, LLP, and Pinal Feeding Co., for the purchase of approximately 230 acres of real property, generally located east of N White and Parker Rd between W Maricopa-Casa Grande Hwy and W Peters and Nall Rd, for an purchase price of \$12,000,000, and authorizing the City Manager to execute the agreement, including exhibits, any future amendments to extend closing and any other necessary closing documents related to this agreement. Discussion and Action.

City Manager Horst clarified that the City was not borrowing the 12 million dollars, there was no interest, and no tax dollars would be used or raised. He stated the money would be taken from the City reserves and broke down the costs. He explained that the City had been working with the Greater Phoenix Economic Council (GPEC) to bring more commerce into the city. He elaborated the main obstacle was not having land. He stated the ultimate goal was to sell the land to recoup the money with a possible profit, bring jobs, a capital investment and create a better quality of life. He elaborated and recommended moving forward.

This Contract was Approved.

- 7.6 [MISC 22-34](#) The Mayor and City Council shall discuss and take action to approve the addition of the Municipal Court Facility project to the FY22-23 Capital Improvement Plan for the design and construction of the infrastructure, building foundation and site improvements. Funding for the design and construction of the infrastructure, building foundation and site improvements will be drawn from the Public Market Project (Project #38092) which is included in this year's budget. Discussion and Action.

This Miscellaneous Item was Approved.

- 7.7 [IGA 22-15](#) The Mayor and City Council shall discuss and take action on approval of an Intergovernmental Agreement (IGA) between the City of Maricopa and the Maricopa Unified School District (MUSD) for shared parking and access between the MUSD District Office and Heritage Park. Discussion and Action.

This Intergovernmental Agreement was Approved.

- 7.8 [RES 22-62](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting a Fiscal Agent/Grant Agreement in support of the funding awarded by the Ak Chin Indian Community to the Boys & Girls Clubs of the Sun Corridor. Discussion and Action.

This Resolution was Approved.

- 7.9 [SUB 22-36](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB22-36, City Center Subdivision, a request for a replat of Map of Dedication for Maricopa City Hall Complex, Fee No. 2013-000598, Map of Dedication for City of Maricopa Library, Fee No. 2020-103909, and Record of Survey, Amended, City of Maricopa Lot Split, Fee No. 2013-075289. Discussion and Action.

This Subdivision was Approved.

- 7.10 [MOU 22-05](#) The Mayor and City Council shall discuss and take action to ratify and update the Step Pay Plans included in the Memorandum of Understanding with the Maricopa Police Officer's Council - City of Maricopa Fraternal Order of Police Lodge #78 and the Memorandum of Understanding with the Maricopa Police Sergeant's Council - City of Maricopa Fraternal Order of Police Lodge #78 for the period of July 1, 2022 through June 30, 2025. Discussion and Action.

This Memorandum of Understanding was Approved.

- 7.11 [MISC 22-36](#) The Mayor and City Council shall discuss and take action on canceling the December 20, 2022, January 3, March 21, July 4, and December 19, 2023 City Council meetings. Discussion and Action.

This Miscellaneous Item was Approved.

- 7.12 [MIN 22-51](#) Approval of Minutes from the October 18, 2022 City Council Regular meeting. Discussion and Action.

This Minutes was Approved.

8. Regular Agenda and/or Public Hearings

- 8.1 [MISC 22-35](#) The Mayor and City Council shall discuss and possibly take action on the creation of a Teen Court. Discussion and possible action.

Councilmember Liermann explained that the Pinal County Court ran the program for five years but recently they announced they would discontinue the program. She explained she received phone calls from citizens asking for the City to take over the program. She asked those in support to stand and turned over the presentation to the volunteer attorneys, Jeffrey Traversino and Angel Raymond.

Attorney Traversino and Raymond introduced the youth volunteers, Leila, Ely and Evelyn. Each teen gave information on the program. They explained the teen court was a diversion program in which youth ages 8 to 17 were sentenced by their peers. They stated the youth volunteers served as judge, jury members, attorneys, bailiffs and court clerks. They stated that guilt was not determined since participants admitted to the charges in order to participate in the program. They explained they would be assisted by two volunteer attorneys. They stated the program was endorsed by the Maricopa Police Department, School Resource Officers (SRO), City Manager Rick Horst, Councilmember Liermann, Judge Lyle Riggs, Judge Pro Temp Jack Prix, City Magistrate Stephen McCarville, City Prosecutor Murdock Holloway, Pinal County Attorney Kent Volkner and numerous community volunteers. They asked the city to take over the program and discussed the benefits. Attorney Raymond gave details on the teen court program. She explained what pre-diversion was and that it was based on referrals from school, justice court or city court. She discussed the process and how it would help avoid creating unnecessary criminal records that could harm them for life. Attorney Travesino detailed statistics on teen court versus juvenile justice system recidivism. He explained how teen court would benefit respondents and the youth volunteer community. He discussed teen court consequences and the requirements for volunteers. Next, he explained they program would not cost anything since it's referral and volunteer based.

Resident and Teen Court volunteer Rosemary Kuzmic spoke in support of the creation of the Teen Court Program and discussed her experience in the program.

Councilmember Wade asked where the teen court would be held. Attorney Traversion responded it was not determined and discussed some possibilities. Attorney Raymond stated it could be held from anywhere and emphasized the need.

Councilmember Vitiello asked what level of offenses determined referral to the program as opposed to the regular court. Attorney Raymond explained the parameters stated ultimately it would be at the discretion of the SRO.

Councilmember Liermann stated the Be Awesome Youth Coalition agreed to partner and offered to give classes to families if the jury decided that would be a proper consequence. She stated that if a teen was referred to teen court, and did not complete the consequence they would be referred back to the SRO and Police Department.

Attorney Raymond elaborated on the partnership with the Be Awesome Youth Coalition. Councilmember Wade recommended reaching out the Youth Council as well. City Manager Horst asked what support from the SRO and prosecutor would entail. Attorney Raymond clarified it was the referral process. City Manager Horst stated policies would need to be instated if the Council wished to proceed. He asked for clarification of the request of the program and if it would include a space and umbrella coverage for insurance. Attorney Raymond stated she would like to have something in place for parameters and procedures. City Manager recommended background checks, and a risk assessment with legal and the police department. He stated an interim location would need to be identified.

Mayor Smith commended the youth volunteers who presented and stated the program sounded valuable. She stated she would like to table the item until, costs, liability and legalities were explored.

A motion was made by Mayor Smith, seconded by Vice Mayor Manfredi, that this Miscellaneous Item be Tabled. The motion carried by a unanimous vote.

8.2 **[PRES 22-10](#)**

The Mayor and City Council shall hear a presentation regarding roadside memorial markers. Discussion only.

Code Enforcement Wes Moss presented on the proposed Roadside Memorial Program. He stated the purpose was to provide residents a safe and respectful means to remember loved ones. He stated the application process would involve a short, one-page application available on the City website. He stated the application would need to be submitted to the Traffic Operations Division and markers would be a standardized design and size installed by the traffic division. He further explained it would be placed in a safe location near or at the location of the incident, and would be placed for one year unless earlier removal was necessary. He stated the cost would be \$300 and detailed the standardized design and installation. He provided a visual sample of the roadside markers. He stated that any memorial markers installed without approval would be allowed to stand for no more than 21 days, but could be removed immediately if it was a hazard in any way. He stated staff would make an effort to contact the parties involved to return the marker. City Manager Horst explained that some markers were no encroaching right-of-ways, impairing line of sight, on utilities and with lights that could potentially distract drivers. He stated the markers could be customized and explained the fee would cover perpetual maintenance.

Councilmember Goettl expressed concerns with the markers and asked if the families would be involved to design something within parameters that could be more individualized. City Manager Horst elaborated. Councilmember Goettl inquired what the

process would be for moving markers when needed. City Manager Horst responded that if it became a hazard or due to construction, the family would be contacted and elaborated.

Councilmember Marsh asked for clarification on the amount of time the marker would be up, whether one year or perpetual. City Manager Horst stated the slide in the presentation indicated the intention to have them up for one year, but it would be at the discretion of Council. Councilmember Marsh proposed five years as an alternative.

Councilmember Liermann, agreed one year was short in time. City Manager Horst stated the City also wanted to introduce the program to the public and have the opportunity for input.

The Presentation was heard.

8.3 [PRES 22-11](#)

The Mayor and City Council shall hear a presentation regarding Temporary Sign Code amendments. Discussion Only.

Code Enforcement Supervisor, Wes Moss presented. He stated the intent of the Sign Code change was to maximize establishment identification, minimize visual clutter and maintain a high quality of signs throughout the City. He stated that recent court law cases made it unlawful to regulate signage based on the content and made it so that jurisdictions have to address signs such as garage sales, open house, and church signs equally. He provided visuals of the signs and discussed sign clutter. City Manager Horst elaborated that some signs were in ADA violation and blocked the side walk, other were placed on utility or traffic poles. Mr. Moss discussed enforcement based on zoning, size and location. He stated staff recommended holding a work session to discuss acceptable regulations and revisions to the temporary sign code, to assist with clarity on sign placement and determine desirable setbacks from public right of way. City Manager Horst elaborated and stated a work session would be advertised to the public. Councilmember Marsh volunteered to be in the workshop and elaborated. Councilmember Wade supported moving forward with a work session.

The Presentation was heard.

9. Executive Session

10. Adjournment

This meeting was Adjourned at 7:44 pm.

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 1st day of November, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of November, 2022.

Vanessa Bueras

City Clerk