



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, November 7, 2023

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:09 p.m. Pastor Drew Anderson from Legacy Church gave the invocation and Councilmember Manfredi 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

3.1 [PROC 23-14](#) Veteran's Day Proclamation

Mayor Smith invited the Veteran's Day Parade Committee and all Veterans present to accept the proclamation. She read the proclamation and proclaimed November 11, 2023 as Veteran's Day in the City of Maricopa.

Read

3.2 [PROC 23-15](#) Alzheimer's and Caregivers Month Proclamation

Mayor Smith invited Merry Grace, the Alzheimer's Group, and Senator Shope to accept the proclamation. She read the proclamation and proclaimed the month of November, 2023 as Alzheimer's and Caregivers Month in the City of Maricopa.

Read

4. Report from the Mayor

Councilmember Wade reported attending the Girl Yes! empowerment conference on November 4th, hosted by Lei-Sa Anderson, at Central Arizona College (CAC). He commended the event.

Councilmember Marsh reported attending the Maricopa Historical Society tour of the Zephyr and the Maricopa Music Circle Concert on October 7th. Next, he reported attending the Pinal County Water Augmentation Authority meeting, the Wild West Music Fest, the Mayor's breakfast, the last Age-Friendly Committee meeting under

that name, the Chamber of Commerce Panel on Women in Government, the Pumpkin Walk at Pacana Park, the Pinal County Board of Adjustment meeting in Florence, a Southwest Gas training with Emergency Services Staff, the Leadership Academy, a STEM (Science, Technology, Engineering and Math) opportunity meeting at ASU (Arizona State University) in Temple, the Relay for Life Party at the Park at Copper Sky, and a Historical Society event at the library.

Vice Mayor Vitiello reported on the Wild West Music Fest. He commended the event and thanked staff and SLE. He encouraged attendance to the Veteran's Day Parade and gave information on the Izzy Calderon Softball Tournament fundraiser on November 11, 2023.

Councilmember Liermann announced that Maricopa High School maintained their B letter grading.

Mayor Smith reported on the Wild West Music Fest event and noted she received getting various compliments. She commended staff and the production company SLE. She reported on the Rural Transportation Summit, and the Arizona Department of Transportation (ADOT) Board Meeting.

5. Report from the City Manager

City Manager Horst turned over his time to staff:

Deputy City Manager, Ben Bitter introduced intern, McKenna Hubbard and stated she was in the Arizona State University Master of Public Administration Program and gave a brief background.

Deputy City Manager, Micah Gaudet gave a PowerPoint presentation on the Maricopa Fire/Medical Department Drone Program. He gave details on the benefits and provided a video demonstration.

Deputy City Manager, Matt Kozlowski gave a PowerPoint presentation on the upcoming Copper Sky Pool maintenance and upgrades. He discussed the timeline of work between December 2023 through early Spring of 2024. He discussed the vendor selection process and detailed the revitalization elements. Vice-Mayor Vitiello stated he received many phone calls regarding the removal of the scoreboard. Mr. Kozlowski responded that MUSD (Maricopa Unified School District) would be addressing it by getting a portable one.

6. Call to the Public

Ron Angerame gave information on the Veteran's Day Marine Corps Combat Fitness Test fundraiser and detailed the prizes. He stated donations would go to the local veteran chapter and encouraged participation.

Barry McCain commended the due diligence and responsibility of Mayor Smith and staff. He gave a brief statement on voters and the 2024 elections.

William Lange stated he attended church in the Heritage District and expressed concerns that if they make any improvements to the church, they would be fined \$1,500 per linear foot. He stated he wanted to bring it to the Council's attention and asked for help. Mayor Smith asked City Manager Horst who could Mr. Lange be directed to. Mr. Horst explained that every time new buildings were built there was a

requirement for a fair share of public infrastructure and elaborated. He stated he'd be happy to have that conversation.

Chris Belinger thanked the Council. She expressed concerns with books at the library. She requested to read an excerpt.

Brian Ott commended the Police Department and the Chief for putting information out and building relationships with the community including the Homeowner Associations (HOA's).

Dr. Daniel Rogers stated he represented the Heritage District Area and spoke on Agenda Item 8.5. He stated the community attended all the public meetings regarding the Heritage District Redevelopment Plan and reported on the comments. He stated they asked for the accounting of how the money was previously spent, but the accounting was incomplete, and it appeared the money was spent on strategic areas. He stated that while strategic areas were improved, there was still not a park in the area and elaborated. He proposed having several more meetings to hash this out, or re-prioritizing the plan to add sidewalks, fix the roadways, and put a park in for the children. Mayor Smith let him know there be more discussion.

7. Consent Agenda

Approval of the Consent Agenda

A motion was made by Vice Mayor Rich Vitiello, seconded by Councilmember Bob Marsh, to Adopt the Consent Agenda. The motion carried by unanimous vote.

- 7.1 [RES 23-60](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, designating the election date and purpose of election; designating the deadline for voter registration; and designating the place and the last date for candidates to file nomination papers. Discussion and Action.
This Resolution was Approved.
- 7.2 [MISC 23-28](#) The Mayor and City Council shall discuss and take action on approving the addition of ED3 Electrical Upgrade at Southbridge Project to the FY23-24 Capital Improvement Plan. Discussion and Action.
This Miscellaneous Item was Approved.
- 7.3 [MISC 23-29](#) The Mayor and City Council shall discuss and take action on approving the addition of Hartman Road (one lane east side) Project to the FY23-24 Capital Improvement Plan. Discussion and Action.
This Miscellaneous Item was Approved.
- 7.4 [SPEVLIQ 23-06](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor License and Control for a Extension of Premises/Patio Permit application submitted by Alma Farrell on behalf of The New HQ for a special event to be held on November 18 and 19, 2023 at The New HQ, 19640 N. John Wayne Parkway. Discussion and Action.
This Special Event Liquor License was Approved.

- 7.5 [SUB21-51](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB21-51, Final Plat for Palomino Ridge Phase 1, a request for final plat approval to subdivide +/- 63.053 acres of land into two hundred twenty-six (226) Lots and twenty-four (24) Tracts for a residential subdivision. Discussion and Action.

This Subdivision was Approved.

- 7.6 [MISC 23-31](#) The Mayor and City Council shall discuss and take action on approving the addition of the Field House Project to the FY23-24 Capital Improvement Plan, and the reallocation of \$10,000,000 from Bond24 Public Works Capital Project funds to fund this project. Discussion and Action.

This Miscellaneous Item was Approved.

- 7.7 [ORD 23-38](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2023 Amendments to Chapter 10.25: Hauling waste fill or waste excavation material" by reference to amend Chapters 10.05, 10.10, 10.15, and 10.20 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

This Ordinance was Approved.

- 7.8 [RES 23-63](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an update to the City of Maricopa Trails Plan Map and authorizing the Development Services Director to make minor modifications as necessary. Discussion and Action.

This Resolution was Approved.

- 7.9 [SUB23-09](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB23-09, Final Plat of Stonegate, a request for final plat approval to subdivide +/- 54.01 acres of land into eight (8) Lots and for commercial and residential development. Discussion and Action.

This Subdivision was Approved.

- 7.10 [MISC 23-27](#) The Mayor and City Council shall discuss and take action on canceling the January 2, March 19, July 2, August 6, October 15, November 5 and December 17, 2024 City Council meetings. Discussion and Action.

The Cancellations were Approved.

- 7.11 [MIN 23-59](#) Approval of Minutes from the October 3, 2023 City Council Regular meeting. Discussion and Action.

The Minutes were Approved.

8. Regular Agenda and/or Public Hearings

- 8.1 [APP 23-06](#) The Mayor and City Council shall discuss and take action on making an appointment to fill the vacancy on the Parks and Recreation Advisory Committee. Discussion and Action.

Councilmember Goettl stated Karen Sanchez had resigned and acknowledged her service to the committee. He nominated Michael Higashi and gave a brief background.

A motion was made by Councilmember Goettl, seconded by Councilmember

Manfredi, that Michael Higashi be Appointed. The motion carried by a unanimous vote.

8.2 **PH 23-11**

The Mayor and City Council shall hear public comment regarding the Report on Applying Agreed-Upon Procedures Biennial Certification of Land Use Assumptions, Infrastructure Improvement Plan and Development Impact Fees for the July 1, 2020 through June 30, 2022.

Deputy City Manager, Matt Kozlowski introduced Finance Manager, Chris Evripidou. Mr. Evripidou presented on the Development Impact Fees Biennial Audit. He gave information on the Arizona Revised Statute (A.R.S) relating to Development Impact Fees and the Biennial Audit, including the contents and requirements.

The Public Hearing opened at 7:18 p.m. There were no additional public comments. Councilmember Liermann commended the fiscally conservative approach. The Public Hearing closed at 7:19 p.m.

The Public Hearing was held.

8.3 **RES 23-62**

Public Hearing: A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, vacating and abandoning the 33' road easement located west and north boundary of APN 510-15-0060 on the north half of section 17, township 4S, Range 3E within the City of Maricopa incorporated limits. Discussion and Action.

City Engineer, Eduardo Raudales presented. He stated the request was made by Forestar (USA) Real Estate Group Inc. to abandon the 33' road easement located west and north boundary on the north half of section 17, township 4S, Range 3E within the City of Maricopa incorporated limits, as described in case # ABDN23-12. He stated the portions to be abandoned included the easement located on the west and north of the Moonlight Development. He provided a visual map, and discussed the public comment submitted by the Arizona Department of Transportation (ADOT), to preserve the road easement south of the Gila River Indian Community (GRIC). He stated the City was exploring other options. City Manager Horst added that half of that road would be on the GRIC reservation and elaborated why it was redundant and costly. Mr. Raudales elaborated on the public comment notification process and staff findings. He stated staff recommended approval of ABDN23-12 subject to the conditions set forth in the staff memo and as amended by the Mayor and City Council.

The Public Hearing opened at 7:23 p.m. there were no additional public comments, it closed at 7:23 p.m.

Councilmember Wade inquired about the public comment from ADOT. Mr. Raudales elaborated. Mayor Smith asked if the ADOT comments were beneficial. Mr. Raudales elaborated.

A motion was made by Councilmember Wade, seconded by Councilmember Marsh, that this Resolution be Approved. The motion carried by a unanimous vote.

8.4 **RES 23-65**

Public Hearing: A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, finding existence of a slum or blighted area in the City of Maricopa, Arizona and declaring the necessity for redevelopment of such area. Discussion and Action.

Planner II, Derek Sheerer gave a presentation on the designation of the Redevelopment District (Heritage District). He detailed the project information and provided a site map. He stated the purpose for a Redevelopment Area (RDA) Plan and designation was to be able to qualify for Community Development Block Grant (CDBG)

funds. He gave information on how CDBG funds could be used. He stated the RDA was divided into four neighborhoods, including North Maricopa, Maricopa Manor, Maricopa Townsite and Estrella Park. He discussed the existing conditions and challenges. A brief discussion ensued. He discussed the updated goals. He detailed the public outreach and stated residents expressed concerns that it was rezoning properties and clarification was provided. He opened the floor for questions. City Manager Horst further clarified that it was a requirement to establish "blight" to receive CDBG funds. He stated the issues about water and sewers was part of the definitional process and elaborated. He reported on previous projects and emphasized that developers had to pay their share of impact fees. He invited those with concerns to meet for further clarification and elaborated. The Public Hearing opened at 7:40 p.m.

Danie Rogers stated that every plan became institutionalized and proposed not instituting the RDA without being more specific, narrow, and direct. He stated the Heritage District boundaries were also changed and coincided with development. He expressed concerns that large developers were allowed to develop without restrictions, meanwhile the original church was being held to rigorous architectural standards. He expressed concerns that the size of the posted sign was too small and that many residents only spoke Spanish. He expressed concerns with communication with the City. He stated he would like to work with the City to use the funds to help the people in the community who needed it the most.

Mayor Smith clarified the RDA was not a priority or project list. City Manager Horst agreed and stated that notification letters went out to residents. He elaborated on the funding, and how it could be spent. He reiterated that it did not prioritize projects, as that was done annually as part of the Capital Improvement Projects (CIP) budget. He elaborated and reiterated that the topic tonight would give the ability to receive the funds.

Mayor Smith stated she supported having additional discussion on Heritage District architecture standards in the future.

Dana Van Dam stated she attended church in the Heritage District and suggested having bigger signs. Mayor Smith inquired about letter notifications. City Manager Horst elaborated on the public notification process.

The Public Hearing was closed at 7:50 p.m.

Councilmember Liermann inquired about the concerns brought up during the public comment and if most were about rezoning. Mr. Scheerer clarified the majority was about the rezoning and elaborated.

A motion was made by Councilmember Manfredi, seconded by Councilmember Liermann, that this Resolution be Approved. The motion carried by a unanimous vote.

8.5 **[RES 23-66](#)**

Public Hearing: A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving the Heritage District Area Plan, a redevelopment plan for the Maricopa Redevelopment Area. Discussion and Action.

The Public Hearing opened at 7:53 p.m. City Manager Horst clarified the two items; one was the finding of the existence of blight and the second was the plan. The Public Hearing was closed at 7:53 p.m.

Councilmember Goettl agreed that the document would help meet some objectives and goals. He stated he reviewed the plan and noted there were some goals and

objectives that were marked finished and some that were still pending, but he noted he did not see any new goals. City Manager Horst stated it was to establish a generic plan to receive the funds, restricted to the areas of blight and elaborated that the funding was minimal and only partially funded projects. Discussion ensued.

Councilmember Wade commented on the public comment process. City Manager Horst encouraged involvement and elaborated.

A motion was made by Councilmember Goettl, seconded by Councilmember Wade, that this Resolution be Approved. The motion carried by a unanimous vote.

8.6 **RES 23-61**

A Resolution of Mayor and City Council of the City of Maricopa, Arizona adopting the 2023 City of Maricopa Emergency Operations Plan; authorizing the Mayor to execute the approval and implementation of the plan; authorizing the Mayor to execute a letter of promulgation; and declaring portions of the plan confidential in accordance with A.R.S. §41-1801 and §41-1803. Discussion and Action.

Emergency Manager, George Burger presented on the Emergency Operations Plan (EOP) update overview. He stated the purpose was to build community durability and preparedness for all hazards. He stated the current plan was adopted in 2012 and the community has changed since then. He stated the EOP would be a living document that followed a function-focused format. He stated the format would be composed of a base plan, functional annexes, and threat or hazard specific annexes. He described the next steps including distribution of the EOP and review and revise. He discussed Community Contribution including Ready.gov and CERT.

Councilmember Marsh asked for clarification if the base plan was what was being approved. Mr. Burger stated the base plan was part of the full plan and elaborated.

Councilmember Goettl thanked Mr. Burger and his presentation. He presented the Council with packets from FEMA (Federal Emergency Management Agency) that outlined their roles during emergencies. He called to the public to be involved.

Mayor Smith stated she had met with Mr. Burger and elaborated on the concerns on there being only one way out and elaborated.

A motion was made by Councilmember Goettl, seconded by Councilmember Marsh, that this Resolution be Approved. The motion carried by a unanimous vote.

9. Executive Session

The Council moved to Executive Session at 8:10 p.m.

9.1 ES 23-19

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney and designated representatives of the City in order to consider its position and instruct its representatives regarding updates on the status of current agreements and possibly entering into new agreements for the purchase, sale, lease or exchange of real property, the potential terms thereof, and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3), (A)(4) and (A) (7).

9.2 ES 23-20

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney and designated representatives of the City in order to consider its position and instruct its representatives regarding potential annexations and the future growth of the City including any agreement related thereto,

the potential terms thereof, and for legal advice regarding the same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

- 9.3 ES 23-18** The Maricopa City Council may go into executive session to discuss and review desired City Manager qualifications, and to consider its position and instruct its representatives regarding the public body’s position regarding the selection process for the new City Manager, possibly entering into an agreement with a recruiting firm related thereto, and for legal advice regarding the same, pursuant to A.R.S. §38-431.03(A)(1), (A)(3) and (A)(4).

10. Adjournment

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 7th day of November, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of November, 2023.

Vanessa Bueras
City Clerk