



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.

Tuesday, September 19, 2023

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:13 p.m. Brother Doug Ford from the Elders Quorum President of the Pacana Park Ward gave the invocation and Councilmember Liermann 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 presented.

4. Report from the Mayor

Councilmember Goettl announced the next quarterly Community Coalition meeting would be on Thursday (September 21) at Global Water at 6 p.m. He gave information on the coalition and thanked those who have participated.

Councilmember Marsh reported that on September 14, the University of Arizona's presented a vision plan for a major research and education center north of the Civic Center. He elaborated on the vision plan and stated it was available on YouTube on the Pinal County Board of Supervisor Work Session meeting of September 14. He reported attending a Pinal County Water Augmentation Authority meeting and elaborated on the items discussed. He reported attending the Maricopa Chamber of Commerce breakfast with Mayor Smith and Vice Mayor Vitiello and stated the guest speaker was Ak-Chin Indian Community Chairman Robert Miguel. He stated that the Chairman discussed history, partnership and the upcoming Masik Taz celebration. Next, he reported on the Senior Lunch & Learn featuring former Vice Mayor Peg Chapados. He stated that at the event he announced the gift card prizes would increase from \$25 to \$50 and invited the community to participate. He thanked Dr. John Donahue and May for putting together the Maricopa Kids Day and elaborated. Lastly, he stated that the Pinal Partnership would host a panel discussion on Friday (September 22) on local water solutions.

Vice Mayor Vitiello thanked Dr. John and his wife May for the Maricopa Kids Day and elaborated on the event. He thanked staff for the Wild West Music Fest and commended them and SLE for coordinating the event.

Mayor Smith reiterated praise for Maricopa Kids Day and elaborated.

5. Report from the City Manager

City Manager Horst recognized the following staff for their dedication to the Wild West Music Fest: Quinn Konold, Travis Orian, Nick Brooks, Kelly Keleman, Brenda Campbell, Luis Vila, Monica Williams, Abel Acosta, Vinnie Latona, and Leslie Campos. He stated that the Sonoran Parkway was anticipated to open in time to accommodate the additional traffic flow. He stated that the traffic issues would be around 10 p.m. so it wouldn't impact many people. He mentioned that partner SLE stated the inaugural event ticket sales were out-pacing other major cities with more established events, specifically passes with tickets for all 3 days of the event. He stated the sponsorship budget had been exceeded by over 30 percent and additional sponsorships were anticipated, and added the planned expenditures were reduced by as much as 30 percent. He stated there was a ticket sale surge with the initial talent announcement and again with the most recent talent announcement. He stated the final talent lineup would be announced in the next coming days or early next week. He stated vendor registration was currently open until September 29 and that there were more applications than the space to accommodate. He added that SLE was still accepting applications and evaluating finding more space. He stated the carnival provided continued to add rides and food vendors due to the successful early response. He elaborated on other cities interest and the marketing and advertising campaign. He stated that the adjacent landowner had granted permission to use their undeveloped land for additional parking.

6. Call to the Public

Willard Korges expressed concerns with the lack of meeting space for the recovering community. He stated he would like to put together a presentation for Council to sponsor at a future agenda item and elaborated on his concerns.

Peg Chapados acknowledged staff at the Community Center who organized the Lunch & Learn and the members of the Age-Friendly Committee. She announced two events: 1- The Friends of the Library mini book sale on Saturday (September 23), at the library from 10 a.m. to 1 p.m. 2- The second annual Maricopa Friends of the Arts fundraiser on Saturday, September 30 at Global Water from 6 p.m. to 8 p.m. She stated tickets were still available and encouraged support.

Rita Alman and Brother Donald Love invited the Council to attend the celebration honoring Reverend Arnold Jackson at Mount Moriah Church on October 21 at Harrah's Ak-Chin from 3 to 7 p.m. They stated it was a formal affair in appreciation of all he does for the community. They stated tickets were available for \$65 or \$500 for a table for 8. They provided flyers of the event.

Denis B. stated he was a resident since 2005. He expressed concerns that the sidewalks in the city were too narrow, and parked cars often blocked the sidewalks. He asked if anything could be done to clean up sidewalk areas. He was directed to speak with Chief Goodman.

7. Consent Agenda

Mayor Smith asked to temporary pull Agenda Item 7.3. See agenda item for discussion.

Approval of the Consent Agenda

A motion was made by Councilmember Eric Goettl, seconded by Councilmember Bob Marsh, to Adopt the Consent Agenda. The motion carried unanimously.

- 7.1 [RES 23-46](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, accepting public improvements and maintenance responsibility for all local internal streets within Sorrento Parcel 10, into the City Street/Road Maintenance System. Discussion and Action.

This Resolution was Approved.

- 7.2 [RES 23-48](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving the designation of Applicant's Authorized Representative and Alternate Authorized Representative forms submission to the Arizona Department of Emergency and Military Affairs, which designates the city's representatives for applying for certain public assistance; and authorizing the Applicant's Authorized Representatives to execute and deliver said application on behalf of the City of Maricopa. Discussion and Action.

This Resolution was Approved.

- 7.3 [IGA 23-16](#) The Mayor and City Council shall discuss and take action to approve Amendment No. One to the Intergovernmental Agreement between the Arizona Department of Transportation and the City of Maricopa for roadway improvements along State Route 347 from north of State Route 238 to Maricopa City limits. Discussion and Action.

Deputy City Manager, Ben Bitter elaborated. He stated the Arizona Department of Transportation (ADOT) was administering the project and would be for work on State Route 347 within city limits, north of Smith-Enke. He stated they would start next month and elaborated.

Councilmember Goettl asked for timeline of the start. Mr. Bitter stated they were working on a kickoff day, but it would be somewhere in October and would go on through summer of next year and elaborated.

Councilmember Wade elaborated on the progress and funding. Councilmember Manfredi asked about construction hours and if rush hour could be avoided. Mr. Bitter explained they were working having the traveling public be inconvenienced as little as possible and elaborated. Mayor Smith asked for patience during construction.

This Intergovernmental Agreement was Approved.

- 7.4 [CON 23-31](#) The Mayor and City Council shall discussion and take action on the Purchase and Sale Agreement and Escrow Instructions with Bunker Family Funeral Homes, Inc., related to the sale of approximately 11.34 acres of real property generally located north of SR 238 between N. Green Road and N. White Road for \$350,000.00 and authorizing the City Manager to execute this agreement, any future amendments to extend the Closing as he deems necessary and any closing documents related thereto. Discussion and Action.

This Contract was Approved.

- 7.5 [MIN 23-47](#) Approval of Minutes from the September 5, 2023 City Council Regular meeting. Discussion and Action.

The Minutes were Approved.

8. Regular Agenda and/or Public Hearings

- 8.1 [PRES 23-15](#) The Mayor and City Council shall discuss the Proposed Facility Rental Policy and Facility Rental Fees. Discussion Only.

Assistant City Manager, Jennifer Brown presented the proposed City Facility Rentals with the changes recommended by Council. She reported the base rate would be what local businesses would pay, and the non-resident rate would be 200 percent of the base rate, and the resident/non-profit would be 35 percent off the base rate. She detailed the changes incorporated from feedback from July 25 including: Section 1-a-i- "City Facilities available for rent shall generally be made available to be booked no less than one year in advance..."; Removing section 2-a-ii; Section 2-a-iii "Renters may use the a discounted rate at one event per fiscal year (July 1 to June 30) while charging or requiring donations for entry..."; Section 2-d "Departments overseeing the rental of City Facilities may designate rooms or facilities that may be reserved for residents of Maricopa without an assessed fee." She elaborated on the free library rooms. She stated that a base rate needed to be established and explained that currently there was a resident rate and a non-resident rate. She elaborated on the comparisons with other cities and stated 15 percent was added to the current resident rate to establish a base rate. She provided details of the five similar cities used in the comparison including Casa Grande, Chandler, Marana, Goodyear and Apache Junction. She stated the next steps would be to post the proposed rates for 60 days and bring them back for approval.

Resident Speaker, Peg Chapados recommended adding the advisory committees. She stated Non-Profits should include Homeowners Associations (HOAs) in good standing with the IRS and the Arizona Corporation Commission. She stated using 35 percent off the base rate for non-profits was still too high and recommended starting at 0. She expressed concerns with the refundable deposit. She stated the events within the same fiscal year hosted by the same renter discourages use by groups that fundraise. On section 2-a-v, she recommended adding that "...must be to the benefit of the Maricopa community or align with the mission or purpose of the group." She stated she would like more details on how hard costs were calculated and what qualified as excessive demand on electricity means. She stated that during normal hours, staff costs should not be a faction and elaborated. She stated the library spaces designated for use without an assessed fee should include rooms at the community center. She stated the rental process should be efficient and expeditions from start to finish and elaborated. She stated she would like to see the groups that currently use the facilities be grandfathered in and elaborated.

City Manager Horst clarified that usage of more than once per year could be addressed by contract. He stated that city committees hosting events would city sponsored and therefore have free use of facilities.

Vice Mayor Vitiello asked for clarification on how the base rate increase was calculated. Mrs. Brown elaborated that after comparisons with other cities they applied 15 percent increase to the base rate to be consistent. He clarified that the base rate was the local business rate. He stated he opposed charging local businesses more money. Clarification ensued on the rates. Vice Mayor Vitiello asked if there were numbers on the usage of the rooms to help determine the rates. Mrs. Brown explained

that numbers could be pulled on how often the rooms were used now, but the information of what they were used for was not currently submitted. She stated that the proposed amendments would help keep and track better data. He stated that the information was important to make an educated decision.

Councilmember Liermann thanked staff for researching similar cities because she was aware of concerns from the community that the city was charging higher rates than comparable communities.

Councilmember Wade asked about equipment set up costs. Mrs. Brown explained that those have not changed, and everything was calculated in the hard cost already.

Councilmember Goettl stated he also did not support charging local businesses more and elaborated. He stated he would like to know the hard costs for the rooms just being open and then explore the possibility of lowering the rate if the hard costs are less. City Manager Horst explained staff time and hard costs. He stated that he also elaborated on the fees for local businesses and finding balance. He agreed that the data available was not great, but the program would create that data going forward. Councilmember Goettl elaborated and stated more data was needed before making a decision.

Councilmember Liermann asked if other communities had a business rate. Mrs. Brown responded some communities had it and some didn't and stated the rate was below other cities fees. Councilmember Goettl stated he would still like to see what the hard costs were and keep it as minimal to residents as possible.

Councilmember Manfredi stated the information from other cities was useful. He asked about the refundable deposit and information on how often it was not refunded. He expressed concerns that some people did not have the credit funds available to pay a deposit. He stated the local business rate goes up and the rate for people would go down. He asked how usage would be tracked, for example if it was a local business or individual. Mrs. Brown elaborated. City Manager Horst recommended to recess the item and coming back to revisit some of the concepts discussed in 30 days.

Mayor Smith stated she brought this forward as part of the future's planning because the rooms were empty and a discounted rate for non-profits and residents was important. She stated she did not want big changes and would like to make small changes as the data was analyzed. She reported talking to the chamber of commerce on whether businesses needed rooms. She stated that they stated that business usually budgeted room rentals and elaborated. She stated that because there was a lack of data, she would propose staying with the old local business rate until there was new data. She stated she would like to move forward with the resident and non-profit proposed rates. She recommended moving forward at the current rate with the 35 percent discount for non-profits and residents and leaving the business rate alone for now. Mrs. Brown clarified that the resident rate would become the new base rate, and then take 35 percent off that new base rate for the non-profit/resident rate.

Councilmember Marsh asked if the rooms in the Fire Stations and Police Stations were included in the fee chart. City Manager Horst explained those rooms were now needed for primary purposes for the departments. Councilmember Liermann elaborated on the comparison of fees with other cities for information for the community. Consensus was to move forward with Mayor Smith's recommendation. Mrs. Brown stated they would bring back the new policy at the next council meeting, and since rates weren't increasing, the 60 day notice was not needed. She clarified that the

Information Technology Department would just need time to have the system ready for three different rates. City Manager Horst recommended adding that the policy would be reviewed annually as part of the budget process.

The Presentation was heard.

8.2 [RES 23-52](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, creating the Senior Advisory Committee, establishing the requirements for members of the committee and setting forth the goals for the committee. Discussion and Action.

Councilmember Marsh stated the Age-Friendly Committee met yesterday and reviewed the Resolution. He stated they recommended adopting the name Senior Advisory Council and crossed out that they could meet monthly at the Maricopa Senior Center during operational hours because they currently met at 4 p.m. which was after the operation hours. City Attorney Denis Fitzgibbons advised that City Code only allowed for Boards, Committees and Commissions and there was no definition for Council in the Code other than the City Council. Consensus was to go with Senior Advisory Committee and have meetings at City Hall where they were currently held. Councilmember Goettl stated he read section 5-b as an outreach opportunity meeting not their monthly meeting. He recommended having an outreach meeting either semi monthly or bimonthly. A brief discussion ensued.

A motion was made by Councilmember Manfredi, seconded by Councilmember Marsh, that this Resolution be Approved as Amended to strike out "The SAC can meet monthly at the Maricopa Senior Center, during operational hours, with an invitation for all seniors to attend these meetings." on Section 5 (b), and leave "Solicit input and act as a public forum for issues that affect seniors in the City." The motion carried by a unanimous vote.

8.3 [RES 23-53](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, creating the Cultural Affairs and Arts Advisory Committee, establishing the requirements for members of the committee members and setting forth the goals for the committee. Discussion and Action.

Councilmember Goettl commented on the process and expressed gratitude for staff.

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

8.4 [RES 23-54](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, creating the Parks and Recreation Advisory Committee, establishing the requirements for members of the committee and setting forth the goals for the committee. Discussion and Action.

Councilmember Goettl stated that some community members asked why the library was left off the name. He provided history and stated there was more support for the library now. He expressed gratitude for staff.

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

8.5 [CON 23-28](#)

The Mayor and City Council shall discuss and take action on the Purchase and Sale Agreement and Escrow Instructions between the City of Maricopa (Buyer) and Moric Nico Rev Trust (Seller), related to the purchase of approximately 146.8 acres of real property generally located at between W Cowtown Road and W Peters and Nall Road

west of Hartman Road for \$7,500,000.00 and authorizing the City Manager to execute this agreement, any future amendments to extend the Closing as he deems necessary and any closing documents related thereto. Discussion and Action.

Josh Bowman presented on the Maricopa Commerce Park Land Purchase. He provided visuals of the potential land purchase and detailed the site. He stated it was 146.8 acres and the purchase price was 7.5 million. He explained the city already owned 230 adjacent acres to this land and this would give all 375 acres potential rail access and be a mega site. He elaborated on the potential for the site to bring in jobs and noted a master study would be conducted.

Councilmember Goettl asked for further information on the potential rail access. Mr. Bowman elaborated on the existing rail line and the potential opportunities. Councilmember Wade asked if there was any data on how many businesses would benefit from rail site. Mr. Bowman responded he could come back with that data. City Manager Horst reiterated sites were needed and elaborated on the master study in partnership with Maricopa Economic Development Alliance (MEDA). A brief discussion ensued.

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

9. Executive Session

A motion was made by Councilmember Vincent Manfredi, seconded by Councilmember Eric Goettl, to move in to Executive Session at 7:47 p.m. The motion carried unanimously.

10. Adjournment

Adjourned.

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 19th day of September, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of October, 2023.

**Vanessa Bueras
City Clerk**