



# City of Maricopa

## Meeting Minutes - Draft City Council Regular Meeting

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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.*

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Tuesday, April 18, 2023

6:00 PM

Council Chambers

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### 1. Call to Order

*The meeting was called to order at 6:05 p.m. Pastor, Luke Panter from Grace Fellowship Church gave the invocation and Councilmember Marsh 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 23-03](#) National Crime Victims' Rights Week Proclamation

*Mayor Smith invited Victim Advocate, Jim DeVenezia and his guests to accept the proclamation. Mayor Smith read the proclamation and proclaimed the week of April 23rd through the 29th of 2023, as National Crime Victim's Rights Week in the City of Maricopa. Mr. DeVenezia gave a brief statement on the importance of victim services and turned it over to his guests. The following people introduced themselves, their organization, and the services offered: Jennifer Pitt, with Voices Against Fraud; Vanessa Behrens, for Tessa O'Halloran, with Face of Survivor; Vanessa Behrens with the Hope Women's Center; and Tiffany Mensah, with DOVES Network. Mr. DeVenezia announced he had copies of the Arizona Victim's Bill of Rights for anyone interested, and that a video would be released in commemoration of the proclamation.*

**Read**

### 4. Report from the Mayor

*Mayor Smith acknowledged Arizona House Representative, Keith Seaman in the audience. She reported he took a tour of Maricopa and met with Council and staff.*

*Councilmember Wade reported on the Maricopa Historical Society's, Black History exhibit at the Museum and Visitor Center, and announced the upcoming Copa Cultural Night Market on Saturday, April 22 at 4 p.m. to 10 p.m. at Copper Sky. He elaborated on the activities and encouraged participation.*

Councilmember Marsh reported that he and Councilmember Goettl attended a meeting with Cox Communications and elaborated on their fiber optic cable installation project. He reported attending the Planning and Zoning (P&Z) Commission meeting, a Pinal County Water Augmentation Authority (PCWAA) Board meeting and a meeting with Maricopa Economic Development Alliance (MEDA) President, Christian Price. He reported on the Senior Senior Prom that was held at Copper Sky.

Vice Mayor Vitiello elaborated on the Senior Senior Prom. He thanked staff, Events and Arts Coordinator, Brenda Campbell and Senior Services Recreation Coordinator, Brandie Hughes.

Mayor Smith reported on the meetings with Arizona State Land Department Commissioner, the Governor's Office staff and the Budget and Finance Council Subcommittee meeting. She elaborated on topics of discussion, including State Route (SR) 347 and the importance of local control.

## 5. Report from the City Manager

City Manager Horst stated a brief presentation would be presented as an item on the agenda.

## 6. Call to the Public

Barry McCain gave a statement on legislation. He gave background on his upbringing and discussed the importance of leadership, responsibility, and accountability. He reported attending the Budget and Finance Council Subcommittee meeting and thanked staff.

Raymond Oeverndiek stated that he and wife have participated in trips from the Senior Center and expressed concerns that the current van was not big enough for handicapped accessibility.

Councilmember Wade stepped down to the lectern and addressed the public as a citizen. He stated that Black lives mattered and discussed two recent incidents in which children were shot for going to the wrong house. He encouraged the community to serve as an example to the rest of the nation.

## 7. Consent Agenda

### 7.6 [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 stated he had unresolved concerns with Agenda Item 7.6, Ordinance 23-24 and asked that it be tabled. City Attorney Fitzgibbons explained the changes were proposed by the City Court and elaborated on the fees. Assistant City Manager, Jennifer Brown stated they looked at other jurisdictions in Pinal County and they all charged the same \$20 fee and elaborated. Councilmember Goettl clarified that he agreed with the fee, however still wanted to table due to concerns with the reporting process and where the money from the fees would be allocated. He stated he would like to discuss with Judge McCarville and staff.

**A motion was made by Councilmember Goettl, seconded by Vice Mayor Vitiello, that this Ordinance be Tabled. The motion carried by a unanimous**

vote.

### Approval of the Consent Agenda

**A motion was made by Councilmember Henry Wade, seconded by Councilmember Eric Goettl, to Adopt the Consent Agenda. The motion carried unanimously.**

- 7.1 [IGA 23-03](#) The Mayor and City Council shall discuss and take action to enter into an Intergovernmental Agreement (IGA) between the City of Maricopa and Pinal County regarding the sharing of a regional mass notification system. Discussion and Action.  
**This Intergovernmental Agreement was Approved.**
- 7.2 [CON 23-08](#) The Mayor and City Council shall discuss and take action to ratify a Purchase and Sale Agreement and Escrow Instructions with Alamo Wall Holdings LLC for the sale of approximately 2.5 acres of real property generally located south of Honeycutt Road between N. White and Parker Road and N. Gunsmoke Road, for a purchase price of \$326,700.00, and authorizing the City Manager to execute the agreement, any future amendments to extend closing and any other necessary closing documents related to this agreement. Discussion and Action.  
**This Contract was Approved.**
- 7.3 [CON 23-09](#) The Mayor and City Council shall discuss and take action to ratify a Purchase and Sale Agreement and Escrow Instructions with The Kelly Family Revocable Trust dated May 24, 2005 ("Seller") for the purchase of approximately 0.1651 acres of real property located in the City of Maricopa, Pinal County, Arizona, a portion of Assessor Parcel No. 510-300040, for an approximate purchase price of the construction of certain improvements to Porter Road (Exhibit B attached to PSA), and authorizing the City Manager to execute the agreement, any future amendments to extend closing and any other necessary closing documents related to this agreement. Discussion and Action.  
**This Contract was Approved.**
- 7.4 [RES 23-20](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, appointing the members of the Planning and Zoning Commission to serve as the members of the Transit Advisory Committee. Discussion and Action.  
**This Resolution was Approved.**
- 7.5 [ORD 23-26](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, establishing the City Council as the Board of Adjustments for the City of Maricopa. Discussion and Action.  
**This Ordinance was Approved.**
- 7.7 [MIN 23-14](#) Approval of Minutes from the April 4, 2023 City Council Regular meeting. Discussion and Action.  
**The Minutes were Approved.**
8. **Regular Agenda and/or Public Hearings**
- 8.1 [PRES 23-07](#) The Mayor and City Council shall hear a presentation regarding amending the City's

Zoning Code Title 18.115.120 related to temporary signs. Discussion only.

*Wes Moss gave a PowerPoint presentation on the proposed Temporary Sign Code Amendment. He stated the purpose of amendment was to establish comprehensive provisions that would eliminate confusing, distracting, unsafe signs, and establish reasonable regulations to enhance the visual environment of the city and elaborated. He reported on the work session held to gather feedback and stated they discussed compliance with case law, requiring contact information on the signs, increasing the number of directional signs, clearer language on setbacks, the one-hour timeframe before and after an event for placement and removal, and adding a 'sight of visibility triangle' illustration.*

*Andrea Jackson expressed concerns with the 10-feet minimum spacing from other signs. She elaborated on her concerns and asked how it would be determined which sign was out first, and how it would be enforced.*

*Liz Recchia, Government Affairs Director for the WeSERV Association of Realtors expressed similar concerns with minimum spacing, how determination would be made on which sign was placed first, and enforcement. She pointed out that on page 2, table 18.115.120.A the first item on the table regarding the maximum number of signs per parcel included an asterisk, and the information was not clear, she recommended putting the information directly in the graph. She commended the visual triangle illustration and encouraged more illustrations be included.*

*Councilmember Liermann expressed concerns that the timeframe of 1-hour before and after the event might be unreasonable and proposed 3-hours instead, to allow enough time to remove signs after events. Councilmember Wade countered to 1.5-hours. Councilmember Goettl asked if the a-frame signs used by churches would be included. He expressed concerns that religious organizations would probably like to notify the public more than an hour before services. He agreed that the timeframe should be more than an hour.*

*Councilmember Marsh expressed concerns that 10-feet minimum spacing was excessive and suggested 3-4 feet separation. Mayor Smith asked for clarification of that rule and if it was per sign or company. Mr. Moss responded it was per sign and elaborated. Mayor Smith asked how it would be regulated or enforced. Mr. Moss explained that Code Enforcement would contact the sign owner and elaborated. City Manager Horst explained that the goal was not to enforce, rather to set a compromise and educate the residents of the new provisions. He stated the timeframe for placement and removal of signs needed to be determined and suggested changing it from 10-feet to 5-feet to start. He noted the asterisk concern was an easy fix.*

*Mayor Smith concurred she didn't anticipate a problem with enforcement and agreed the timeframe needed to be determined. Councilmember Goettl thanked Mr. Moss for adding the illustration of the visibility triangle and recalled discussion about the possibility of a cheat-sheet pamphlet with more illustrations. Mr. Moss responded they would revisit that option.*

*Councilmember Wade brought up concerns with the removal of signs and where the removed signs would be kept. Mr. Wess explained that goal was to cut down on removed by requiring contact information and that they were currently working on locating a secured location for removed signs. Discussion ensued. City Manager Horst elaborated on the quality of the signs and the purpose of the contact information.*

*Discussion ensued, consensus was on adjusting the timeframe for 2-hours before and*

*after an event, a proposed 5-foot minimum spacing from other signs and fixing the asterisk issue. Mayor Smith pointed out grammatical typos that needed to be addressed.*

**The Presentation was heard.**

**8.2**      **RES 23-23**

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, adopting a policy for the placement of roadside memorials within the City of Maricopa. Discussion and Action.

*Wes Moss gave a presentation on the proposed Memorial Marker Policy. He stated the policy was intended to honor and respect those that have died as a result of motor vehicle, pedestrian, or bicycle incidents while maintaining clean and safe public right-of-ways. He stated the policy also would assist in facilitating the safe return of the memorials to the owners if, and when removed by the city. He explained it covered all roadside memorials erected or placed on public right-of-ways within the city. He reviewed the following roadside memorial guidelines: must be placed in a safe location, not within the visibility triangle; must be no more than 36 inches in height by 36 inches in width; must be maintained in good repair and not cause blighting conditions or safety hazards (if determined a blight or safety hazard, the city retained the right of removal); must not be displayed for more than forty-five (45) days from the recognized incident date of the loss of life (after the 45-day period the city reserved the right to remove); and must be marked with contact information, if the marker is to be returned (if a memorial marker is removed by the city, the marker will be stored for fourteen (14) days in an effort to return to the owner). It was clarified that the 14-day storage would begin after the 45-day posted period.*

*Councilmember Liermann expressed concerns that the 45-day timeframe was not an honorable amount of time and proposed making it a year. Vice Mayor Vitiello expressed concerns the public safety aspect. Councilmember Goettl and Councilmember Marsh agreed that the 45-day period was too short. Councilmember Marsh stated that he would support the 1-year time frame if the memorial was maintained. Councilmember Manfredi concurred and added that the contact information must be included otherwise the 45-day time frame apply. He added that 3 by 3 feet was too big and recommended 2 by 2 feet. Councilmember Wade stated that between 6 months to one year was sufficient and inquired about memorials on private property.*

*Mayor Smith agreed with memorials being up between 6 months to a year and agreed that 3 by 3 feet was too big. Vice Mayor Vitiello asked how current memorials would be addressed. City Manager Horst responded that the city would try to reach out and hopefully the press and media would help. He elaborated on maintenance. Mayor Smith asked if placing lights on memorials was addressed. Mr. Moss responded it was addressed on item C in the guidelines, under safety. Councilmember Manfredi clarified that all current standing memorial markers would fall into the new guidelines and those without any contact information would have 45 days to rectify to be able to stay up for a year. Mayor Smith requested that the changes be publicized.*

**A motion was made by Councilmember Liermann, seconded by Councilmember Wade, that this Resolution be Approved as Amended; extending the memorial term to one year with contact information or 45 days without contact information, reducing the roadside memorial size limit to 24 inches by 24 inches, and that roadside memorials must be maintained. The motion carried by a unanimous vote.**

**8.3**      **PRES 23-06**

The Mayor and City Council shall hear a presentation regarding mass notification

alerts. Discussion only.

*Communications and Cultural Services Director, Quinn Konold gave a presentation on Mass Notification Alerts. He explained the city always partnered with Pinal County and they had a new system called Genasys which sent two types of alerts: the Integrated Public Alert and Warning System (IPAWS) and Mass Notification Alerts. He explained IPAWS would be issued when there was clear and immediate danger to the public and would be raised to County control. He explained the key differences between notifications was the subscription or opt-in requirement. The IPAWS would not require opt-in and would go out to everyone in the area, and the Mass Notification Alerts would require users to opt-in. He provided a graph of the criteria of escalation of the notices. He discussed the methods of notifications and said options included push alerts, text messages, emails, and phone calls. He stated the content of the alerts would provide clear and concise information about the incident, nature and location, any instructions, or precautions that the community should take, and updates, changes, or resolution. He stated the alerts would be sent only when necessary and would not be used for routine communications or non-emergency situations. He stated the notifications would be issued as soon as possible after the event occurred with the goal of providing timely accurate information. He explained the city's communication team would be responsible for managing the mass notification alerts but the public safety department retained responsibility for originating alerts that rose to the level of IPAWS. He opened the floor for questions or comments.*

*Councilmember Liermann asked how people would receive alerts. Mr. Konold explained the options for residents. Councilmember Goettl asked if there was a way for the public to report incidents. Mr. Konold responded there was already a system in place for residents to report problems of a non-emergency nature, but they could explore options. A brief discussion ensued on the existing system to report problems. City Manager Horst clarified that while the city would partner in pushing information out on utility emergencies, the utilities would retain responsibility for the information, and the city was not the primary source for utility notifications.*

*Councilmember Manfredi inquired about the current notification process. Mr. Konold responded IPAWS was used with other system and elaborated on all other channels. A brief discussion ensued. Councilmember Manfredi asked when residents would be able to subscribe. Mr. Konold and City Manager Horst responded it was a presentation item and elaborated.*

**The Presentation was heard.**

**8.4**      [RES 23-22](#)

A Resolution of the Mayor and Council of the City of Maricopa, Pinal County, Arizona, (1) providing for the sale and issuance of City of Maricopa, Arizona General Obligation Refunding Bonds, Series 2023 and for the annual levy of a tax for the payment of the bonds; (2) approving the form and authorizing the execution and delivery of necessary agreements, instruments and documents related to the sale and issuance of the bonds; (3) delegating authority to the Mayor, the Manager and the Deputy City Manager / Chief Financial Officer of the City to determine certain matters and terms with respect to the foregoing as well as certain matters with respect to certain bonds being refunded with the proceeds of the sale of the bonds; (4) adopting written policies and procedures for tax-advantaged obligations and procedures for compliance with continuing disclosure undertakings; and (5) authorizing the taking of all other actions necessary to consummate the transactions contemplated by this Resolution and ratifying all actions taken to further this Resolution. Discussion and Action.

*Matt Kozlowski, Deputy City Manager/Chief Financial Officer (CFO) Matt Kozlowski presented on General Obligation Refunding Bonds. He explained the refinancing of the*

*General Obligation Bonds issued in 2013 that would save citizens money. He stated the Resolution would approve the forms, authorize the execution and delivery of the bonds, and delegate authority to the Mayor, City Manager and Deputy City Manager/CFO to determine, adopt and/or execute certain matters, terms, policies, procedures, compliance, and actions necessary to complete the transaction. He detailed that bond refinancings were used by state and local governments to achieve debt service savings on outstanding bonds. He explained bonds were typically issued with an optional redemption date, "call date" at approximately 10—years from the date of issuance that allowed the government issuer to refinance the outstanding bonds with refunding bonds. He stated that as of April 13, 2023 the city's financial advisors with Lewis Young Robertson & Burningham Inc., estimated that the projected savings would be in the range of \$1.2 million to \$2.3 million via annual tax rate reductions. He noted that the projections were preliminary and could change at any time prior to the transaction closing, as it was dependent upon multiple market factors such as interest rates and rating agency reviews. He stated that if market factors rose, it could make the transaction not beneficial, and the city was not required to move forward. He reviewed the projected calendar and stated they hoped to have everything redeemed by July 1st. Lastly, he introduced Bond Counsel Attorney Zach Sakas, with Greenberg Traurig, and Laura Lewis with Lewis Young Robertson & Burningham Inc. Laura Lewis gave a statement on their background and process. She commended staff and city metrics. Councilmember Marsh commended the savings, expertise, and knowledge.*

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

**9. Executive Session**

**10. Adjournment**

**This meeting was Adjourned at 7:52 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 18th day of April, 2023. I further certify that the meeting was duly called and held and that a quorum was present.**

**Dated this 2nd day of May, 2023.**

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**Vanessa Bueras  
City Clerk**