



# City of Maricopa

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## Meeting Minutes - Final City Council Special Meeting

**Mayor Christian Price**  
**Vice Mayor Edward Farrell**  
**Councilmember Marvin L. Brown**  
**Councilmember Peggy Chapados**  
**Councilwoman Julia R. Gusse**  
**Councilmember Bridger Kimball**  
**Councilmember Leon Potter**

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Thursday, December 19, 2013

5:00 PM

Council Chambers

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**1. Call to Order**

*The City Council special meeting was called to order at 5:06 p.m.*

**2. Roll Call**

**Present** 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilmember Peggy Chapados, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball, and Councilmember Leon Potter

**3. Public Hearing**

**3.1 [PH 13-15](#)**

The Mayor and City Council shall hear public comment regarding Annexation Case ANX13-01, approximately ±831 acres of land generally located south of Maricopa-Casa Grande Highway, north of Teel Road, and west of Russell Road, within Pinal County.

*Mayor Price opened the public hearing at 5:07 p.m.*

*Court Rich, with Rose Law Group, spoke on behalf of the applicant. He stated that last year the property owner and the City of Maricopa reached an agreement to annex the property into the city as requested by the applicant. He added that as part of the agreement the city agreed to process a general plan amendment and the applicant agreed to bring a general plan amendment forward asking to turn the property into a master plan community (MPC). He reviewed a 2005 intergovernmental agreement with the City of Casa Grande which states it would be the land owners decision. He stated that when the applicant comes back for zoning they will address concerns regarding the Ak-Chin Airport.*

*Paul Tice, Planning and Development Director from Casa Grande approached the podium and addressed council. He stated that the portion of the annexation that lies between the Russell and Anderson Roads is contained within the City of Casa Grande planning area boundary and as such the city envisioned that it would eventually be part of Casa Grande. He stated they had made the effort to make it happen by making the area part of their general plan among other things. He added that the city has a water company that provides services through the area. He commended Mayor Price's letter to the Mayor of Casa Grande and expressed his appreciation towards the efforts to reach out. He asked that the annexation be delayed.*

*Mayor Price closed the public hearing at 5:13 p.m.*

**The Public Hearing was held.**

**3.2**      [PH 13-16](#)

The Mayor and City Council shall hear public comment on a proposed Major Amendment to the City of Maricopa General Plan Land Use Map, case #GPA13-01, to change the General Plan land designations from "Employment/Industrial" to "Master Planned Community" on approximately 189 acres, and adding approximately 654 acres of land currently designated in the City of Casa Grande's Planning Area as "Neighborhoods" to Maricopa's General Plan as "Master Planned Community" designation.

*Mayor Price opened and closed the public hearing at 5:13 p.m.*

*There were no speakers or comments.*

**The Public Hearing was held.**

**4.          Agenda Items**

**4.1**      [ORD 13-17](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, extending and increasing the corporate limits of the City of Maricopa, Pinal County, State of Arizona, pursuant to the provisions of Title 9, Chapter 4, Article 7 Arizona Revised Statutes and Amendments thereto, by annexing thereto certain territory contiguous to the existing city limits of the City of Maricopa, Consisting of 831 acres, more or less, located in a portion of sections 15, 22, 23, and 26 of Township 5 South, Range 4 East of the Gila and Salt River base meridian, Pinal County, Arizona, not currently within the corporate limits of the City of Maricopa, Pinal County, Arizona, known as Annexation Case 13-01. Discussion and Action.

*City Planner Dana Burkhardt presented. He reviewed maps of the area being annexed. He discussed the fiscal year impact analysis and stated that the net positive impact would be between \$11M and \$19M in city revenues. He stated that as of day one, should council decide to approve the annexation, the initial impact would be approximately \$25,000 in minor road maintenance. He reviewed the existing land use map and the proposed new boundaries. He summarized the development agreements with BNC Bank and Anderson Russell. He noted the review process and public outreach. He opened the floor for questions.*

*Councilmember Potter asked Court Rich if the applicant is willing to postpone in light of the concerns from the Ak-Chin community and the City of Casa Grande.*

*Court Rich responded that postponing is not an option. He clarified that the Ak-Chin concerns are not something they can address presently until it is brought back for zoning. Next, he stated that the annexation agreement included closing by the end of the year. He noted that as the annexation moves forward they would be happy to talk to other cities regarding future land use and annexation boundaries. He added that if the City of Maricopa does not annex this land they will not be able to expand south.*

**A motion was made by Councilwoman Gusse, seconded by Councilmember Potter, that this Ordinance be Approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Price, Vice Mayor Farrell, Councilmember Brown, Councilmember Chapados, Councilwoman Gusse, Councilmember Kimball, and Councilmember Potter

**4.2**      [RES 13-41](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, finding

certain facts and adopting the proposed major general plan amendment to the general plan of the City of Maricopa, Arizona as requested by Anderson Russell, LLC. Discussion and Action.

*Mr. Burkhardt stated that the Planning and Zoning Department recommend approval.*

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

**4.3**      **MISC 13-90**

The Mayor and City Council shall discuss and possibly take action on approving a request to honor a youth that previously lived in the City of Maricopa and has passed away. Discussion and Action.

*Community Services Director Jennifer Campbell presented. She gave a brief background on the request and stated that the Youth Council was asked to come up with options and recommendations on how to honor Tommy Fitzgerald. She stated that the Youth Council met on December 10th along with the two young students who brought the petition to council, Mayor Price, and Councilwoman Gusse. Next, she summarized previous guidelines presented by former Assistant City Manager, Danielle Casey, at a Council work session. She shared the Youth Council's top three ideas: One, a focal point, piece of artwork, statue of a child playing baseball. Two, naming ball field one at Pacana Park in his honor. Or three, the community could conduct 33 days of fundraising that would go with a scholarship in his honor.*

*Councilmember Potter spoke in favor of option two and made a motion to approve. Mayor Price placed the motion on hold until further discussion.*

*Councilwoman Gusse spoke in favor of option two and noted the petition signatures collected by two young ladies in the audience represent community members who are in favor of naming the field after Tommy.*

*Mayor Price stated that it is important to consider all points and while he is not opposed to naming the field after Tommy, there is no existing policy or guidelines. He acknowledged the petition signatures and stated they are being taken into consideration. He stated his favorite idea suggested at the Youth Council meeting was a walkway with a plaque honoring Tommy, and that it could be tied to the recipient of the Tommy Fitzgerald award by adding the name of the winner every year.*

*Councilwoman Gusse stated that a statue is also a good option to honor Tommy.*

*Councilmember Kimball inquired whether the statue would have a plaque with Tommy's name. Discussion ensued. Councilmember Kimball spoke in favor of option one.*

*Vice Mayor Farrell spoke in favor of options one and three. He reiterated Councilmember Kimball's statement on option one and included community involvement with option three.*

*Mayor Price clarified that with option three there would have to be coordination with the little league. He added that with option one there would also be the question of how to raise funds for the statue. He suggested a fundraiser that includes the community, council, and the city.*

*Councilmember Brown stated community involvement is important and asked for clarification on the plaque in which award recipient's names would be added to year after year.*

Community Services Director Jennifer Campbell noted it is important to establish guidelines as soon as possible and added that the Youth Council was in consensus about the community fundraiser and city contributions.

Councilmember Chapados spoke in favor of combining options one and three and inquired about the Tommy Fitzgerald Sportsmanship award and little league season schedules. A former little league coach approached the podium and clarified. Discussion ensued.

Councilmember Kimball inquired about funding. Interim City Manager Trisha Sorensen stated that it was her understanding that the city would not be paying for the statue. A lengthy discussion ensued regarding funds for the statue. Interim City Manager Sorensen cautioned that funding this item would set a precedent and a policy would need to be established. Discussion ensued.

Kevin McDill approached the podium and addressed council. He stated that the little league can host a tournament to raise the money for the statue and suggested approval of all three options.

Mayor Price asked Councilmember Potter if his motion still stands. Discussion continued.

Councilmember Chapados recommended putting item on hold for sixty days and take it back to the Youth Council, the Parks, Recreation, and Library Committee (PRL), and the Marketing and Communication Committee. Councilmember Kimball opposed the recommendation to hold item for sixty more days. Discussion ensued.

Vice Mayor Farrell suggested matching the amount that the little league fund raises in their tournament. Discussion ensued.

Councilmember Potter amended his motion. After being advised by Interim City Manager Sorensen against approving an open ended motion and who recommended putting a cap on the amount to be matched, Councilmember Brown motioned to approve options one, two, and three and matching funds raised by the little league up to \$1,000 per councilmember from the Council's Discretionary Funds. Councilwoman Gusse seconded.

Councilmember Kimball asked for further discussion.

Councilmember Potter rescinded his previous motion and moved to approve option two, no one seconded that motion.

Councilmember Kimball moved to approve option one, with funds collected through community involvement and Council matching up to \$1,000 per councilmember from the Council Discretionary Funds, not exceed a total of \$3,200. Councilmember Brown seconded.

Councilmember Chapados asked for further discussion. Discussion ensued.

Councilmember Kimball rescinded his first motion then moved to approve option one, a statue, and number three to include community involvement, should they raise a certain dollar amount, Council will match up to \$3,200 from Council's Discretionary Funds and any additional funds would be absorbed through community involvement. Councilmember Brown seconded.

*Mrs. Campbell clarified that there would be additional installment costs and the Community Services Department has not budgeted for the additional expense.*

*Councilmember Kimball amended his motion to strike out \$3,200 and replace with a cap of \$7,000. Councilmember Brown rescinded his support.*

*Vice Mayor asked for clarification of option three, and addressed concerns that it would be an annual event. A lengthy discussion ensued. City Attorney Denis Fitzgibbons counseled against option three from a legal standpoint.*

*Councilwoman Gusse recommended approving option two, and revisiting other options after the fundraising tournament comes to a conclusion.*

*Councilwoman Gusse motioned for option two, the naming of the field, and committing to review option one when the tournament comes to a conclusion. Councilmember Potter seconded. The motioned failed by the following vote:*

*Aye: 2 Councilwoman Gusse, Councilmember Potter. Nays: 5 Councilmember Chapados, Councilmember Brown, Vice Mayor Farrell, Councilmember Kimball, and Mayor Price.*

*Councilmember Kimball countermotioned to approve option one, a statue. Vice Mayor Farrell seconded.*

**A motion was made by Councilmember Kimball, seconded by Vice Mayor Farrell, that this Miscellaneous Item be Approved as Amended. The motion carried by the following vote:**

**Aye:** 7 - Mayor Price, Vice Mayor Farrell, Councilmember Brown, Councilmember Chapados, Councilwoman Gusse, Councilmember Kimball, and Councilmember Potter

## **5. Executive Session**

*The City Council entered into executive session at 6:20 p.m.*

**A motion was made by Councilmember Bridger Kimball, seconded by Councilmember Leon Potter, to enter in to Executive Session . The motion carried unanimously.**

**5.1 ES 12-01** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's Attorney on any of the above agenda items pursuant to A.R.S. §38-431.03 (A)(3).

**5.2 ES 13-28** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City attorney and to consider its position and instruct representatives regarding the possible relocation or removal of the air quality monitor located along the Maricopa Casa Grande Highway pursuant to A.R.S. §38-431.03(A)(3).

## **6. Adjournment**

*The City Council Special meeting was adjourned at 6:40 p.m.*

**Certification of Minutes**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Maricopa, Arizona, held on the 19th day of December, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of January, 2014.

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**Vanessa Bueras**  
City Clerk