



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, October 18, 2022

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:07 pm. Community of Hope Pastor, Rusty Akers gave the invocation and Councilmember Vitiello 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

3.1 [PROC 22-08](#) Domestic Violence Awareness Month Proclamation

Mayor Smith invited those present for the proclamation forward to accept the Proclamation. She read the Proclamation and proclaimed the Month of October, 20 22 as Domestic Violence Awareness Month in the City of Maricopa. She presented it to representatives from Against Abuse, Inc. DOVES Network, Hope Women's Center and Maricopa Police Department (MPD) Victim's Advocates Service Unit. Members from each organization gave information on domestic violence and the resources available.

Read

4. Report from the Mayor

Councilmember Marsh reported attending a Maricopa Flood Control District and a Pinal County Water Augmentation Authority meeting. He reported touring the Global Water facility with Councilmember Goettl and Emergency Manager, George Burger. Lastly, he reported on the latest Senior Lunch & Learn about Maricopa emergency services.

Vice-Mayor Manfredi acknowledged the passing of Public Services Director, Mike Riggs and reported attending his funeral services. He gave a statement on the impact that Mr. Riggs had on the community and suggested naming a park or a field after him in the future. He reported attending a Maricopa Economic Development Alliance (MEDA) meeting.

Councilmember Wade echoed Vice-Mayor Manfredi's statement on Mr. Riggs. He

reported spending time with two high school government classes and elaborated.

Vice-Mayor Manfredi acknowledged October was Italian Heritage Month and invited the public to cannolis in the lobby. He stated the Maricopa Swim Team would be hosting a fundraiser at Yogurt Jungle from Wednesday, October 18 through the 20th and 20% of all sales would go to the swim team. Lastly, he stated he would be hosting a Facebook Live on Thursday, October 20 at 6 p.m.

Mayor Smith reported attending the October 8th Pinal County Veteran Celebration. She reminded everyone to get facts on Proposition 469. Lastly, she invited everyone to the State of the City tomorrow (Wednesday, October 19, 2022).

5. Report from the City Manager

There were no items reported.

6. Call to the Public

Peg Chapados thanked the Mayor and Council for supporting the City Public Arts Program. Next, she asked that Mike Riggs memory be honored in some way.

Denise Huddleston and Robin Rowe gave information on the Child and Family Resource Program.

w/ Childhood Family Resources gave information on the organization.

Van and Susan Pelleran asked for suggestions that could resolve their access issues in their property off of McDavid due to the development of Hogenes Farms. They suggested a box culvert as a possible solution.

Leon Potter stated he attended the October 4th meeting in which a zoning code change was approved and expressed concerns with traffic on State Route 347. He proposed slowing down growth until Proposition 469 gets voted on.

Pinal County Supervisor, Kevin Cavanaugh stated the Pinal County Board of Supervisor's meeting scheduled for tomorrow would discuss the election investigation results and elaborated. He noted he would also propose holding meetings in different locations.

7. Consent Agenda

Approval of the Consent Agenda

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

- 7.1 [RES 22-59](#) 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 Parcel 54 of the Lakes at Rancho El Dorado Subdivision, into the City street/road maintenance system. Discussion and Action.

- 7.2 [MIN 22-47](#) Approval of Minutes from the October 4, 2022 City Council Regular meeting.

Discussion and Action.

This Minutes was Approved.

- 7.3 [SUB 22-09](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB19-09, Apex Motor Sports Amended Final Plat, a request to amend the previously approved Apex Final Plat. Discussion and Action.

This Subdivision was Approved.

8. Regular Agenda and/or Public Hearings

- 8.1 [PH 22-17](#) The Mayor and City Council shall hear public comment regarding a Zoning Map Amendment to rezone approximately 325.93 acres, generally located at the southeast corner of N. Murphy Road and W. Farrell Road, within the City of Maricopa incorporated limits, from General Rural (GR) to Planned Area Development (PAD) as described in case # PAD22-08. The land is located in a portion of the West Half of Section 3, Township 5 South, Range 4 of the Gila and Salt River base meridian, Pinal County, Arizona.

Planner Derek Scheerer gave a presentation. He stated the request was made by Angela Carmitchel of DR Horton, on behalf of property owner HBE Farms, LLC for review and approval of a zoning map amendment./rezone for a proposed Planned Area Development (PAD 22-018). He provided site information and a visual map of the zone change. He presented a conceptual site plan and detailed the public comment process. He stated summarized staff findings and stated the Planning & Zoning Commission recommended approval subject to the conditions set in the staff report. The Public Hearing was opened at 7:06 p.m. Following no public comment, the hearing was closed at 7:06 p.m.

The Public Hearing was held.

- 8.2 [ORD 22-24](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 325.93 acres of land generally located at the southeast corner of N. Murphy Road and W. Farrell Road, within the City of Maricopa incorporated limits, from General Rural (GR) to Planned Area Development (PAD) as described in case # PAD22-08. The land is located in a portion of the West Half of Section 3, Township 5 South, Range 4 of the Gila and Salt River base meridian, Pinal County, Arizona. Discussion and Action.

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

- 8.3 [PH 22-18](#) The City Council shall hear public comment regarding a Zone Map Amendment to change the zoning from existing Industrial (CI-2) to Planned Area Development (PAD) for approximately 71 acres of land generally located at the southwest corner of Smith Enke Road (State Route 238) and North Loma Road., within the City of Maricopa incorporated limits , as described in case #PAD22-11. The land is located in the Northwest Quarter of Section 21, Township 4 South, Range 3 East of the Gila and Salt River base and meridian, Pinal County, Arizona.

Senior Planner, Byron Easton presented. He stated the request was made by Pew & Lake, PLC on behalf of PHX Surf, LLC to create the PHX Surf Planned Area Development, (PAD 22-11). He stated PAD 22-11 would include the development land use plan, permitted uses, and development standards for the proposed suft and water

park, on-site hospitality, retail, restaurant and outdoor entertainment center. He provided a visual map of the location and summarized the existing general plan land use. He provided visuals of the site plan for context. He detailed the public comment process and stated the P&Z Commission recommended approval subject to the conditions stated in the staff report. The public hearing was opened at 7:15 p.m. Pew & Lake representative, Reese Anderson thanked the Mayor and Council. There were no additional public comments, the public hearing closed at 7:16 p.m.

Councilmember Vitiello asked how far it would be from the Acacia park. and what type of lighting would be used. City Manager Horst responded approximately a quarter of a mile and clarified this item was to approve the zoning change and would not a site plan so lighting was not being approved but direct lighting would probably be used.

Councilmember Wade inquired about the name and asked if it was possible to incorporate Maricopa. Mr. Anderson explained the name came as part of regional approach and stated incorporating Maricopa was still an option.

Vice-Mayor Manfredi asked Jake from Global Water to explain how the project was possible during a water shortage. Jake with Global Water elaborated. A brief discussion on water supply ensued. Vice-Mayor Manfredi asked the amount of jobs that would be created. City Manager Horst elaborated on the total economic impact from a year ago.

The Public Hearing was held.

- 8.4 [ORD 22-25](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 71 acres of land generally located at the southwest corner of Smith Enke Road (State Route 238) and North Loma Road within the City of Maricopa incorporated limits, from Industrial (CI-2) to Planned Area Development (PAD) as described in Case #PAD 22-11. The parcel of land is located in the Northwest Quarter of Section 21, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.

A motion was made by Vice Mayor Manfredi, seconded by Councilmember Marsh, that this Ordinance be Approved. The motion carried by a unanimous vote.

- 8.5 [PH 22-19](#) The Mayor and City Council shall hear public comment regarding Annexation case # ANX22-02, approximately ±12 acres of land west of John Wayne Pkwy., north of Smith Enke Rd., east of Green Rd. alignment, and south of Smith Enke Rd., within Pinal County.

Development Services Director, Rodolfo Lopez presented on the proposed annexation. He detailed the general process. The public hearing was opened at 7:33 p.m. Following no public comments, the hearing was closed at 7:33 p.m.

The Public Hearing was held.

- 8.6 [PRES 22-09](#) The Mayor and City Council shall hear a presentation from Deputy City Manager Ben Bitter showing a video fly-through of planned improvements along Interstate 10, and discussing the positive impacts these may have on Maricopa. Discussion only.

Deputy City Manager Ben Bitter presented a video of planned improvements along Interstate 10, and discussed the positive impacts these may have on Maricopa.

The Presentation was heard.

8.7 **PRES 22-12**

The Mayor and City Council shall hear a presentation related to considering a City Public Arts Program from Deputy City Manager/Chief Financial Officer Matt Kozlowski. Discussion and Action.

Deputy City Manager/Chief Financial Officer Matt Kozlowski presented on the City of Maricopa Public Arts Initiative. He discussed how other cities and towns use public arts programs and provided visuals as examples. He detailed the funding capabilities in accordance with Arizona State Statutes, the City established and collected Transaction Privilege Tax (TPT) on gross income from operating a hotel and additional Transient Lodging Tax. He explained that the proceeds must be available and dedicated to specific statutory activities and initiatives and the City could calculate a percentage of the undefined funds and establish an Arts Program. He detailed the initial estimates based on the initial analysis was 10% of those undefined funds on a monthly basis would be calculated and held for program funding, currently estimated to be \$1,000 to \$2,000 per month. He stated it was proposed to cap the program at \$50,000, with any annual accrual of \$50,000 triggering a review of the applicable percentage to be re-defined in program policy. He discussed the next steps, if approved tonight, would begin the process of establishing the requirements of the program including creating policy and procedures, finalizing program funding calculations and establishing tracking of available funds, designing a strategic arts and cultural plan consistent with City Code and required development standards and originating the requirements for review and approval of submissions and funding processes.

Councilmember Liermann gave a brief statement in support. Vice-Mayor Manfredi commended Mayor Smith and Councilmember for their efforts and support of the arts. He clarified where funding would be coming from.

Mayor Smith asked if performance arts would be included. Mr. Kowslowski responded it could be used for performance arts but not for arts facilities. She asked the artists present in the audience to stand for recognition.

A motion was made by Councilmember Marsh, seconded by Vice Mayor Manfredi, to Approve moving forward with the creation of the Arts Program. The motion carried by a unanimous vote.

9. Executive Session

The Council moved to Executive Session at 8:07 p.m.

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 18th day of October, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of November, 2022.

Vanessa Bueras
City Clerk