



# City of Maricopa

## Meeting Minutes - Draft City Council Work Session

Meeting Location  
44150 W. Maricopa-Casa  
Grande Highway  
Maricopa, AZ 85138

City Hall  
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**Mayor Christian Price**  
**Vice Mayor Edward Farrell**  
**Councilmember Marvin Brown**  
**Councilwoman Julia Gusse**

**Councilmember Bridger Kimball**  
**Councilmember Alan Marchione**

**Councilmember Leon Potter**

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Tuesday, August 21, 2012

6:00 PM

MUSD Board Room

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**1. Call to Order**

*The City Council Work Session was called to order at 6:05 p.m.*

**Present** 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Julia Gusse, Councilmember Bridger Kimball, Councilmember Alan Marchione, and Councilmember Leon Potter

**2. Roll Call**

*Councilmember Potter arrived at 6:07 p.m.*

**Present** 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Julia Gusse, Councilmember Bridger Kimball, Councilmember Alan Marchione, and Councilmember Leon Potter

**3. Agenda Items**

**3.1 WS 12-001** The Mayor and City Council shall review items on the Regular City Council meeting agenda.

*Councilwoman Gusse indicated that she would like additional discussion on agenda item 9.1, the Contract with Action Alliance.*

**3.2 WS 12-002** The Mayor and City Council shall hear reports on meeting and/or conferences attended by Council.

*There were no reports from the Council.*

**3.3 WSPRES 12-026** The Mayor and City Council shall hear a presentation regarding the Seven Ranches Area Plan as discussed in the final report prepared by the Community Planning Assistance Team (CPAT).

*Planning Manager Kazi Haque presented.*

*Councilmember Marchione asked Mr. Haque to repeat the comments he made*

regarding the Seven Ranches Area Plan as related to the strategic plan. Mr. Haque stated that the Seven Ranches Area Plan would come back for discussion during the next strategic plan if it is the will of the Council. Councilmember Marchione stated that he would like to see the item back during next year's strategic plan discussions.

**3.4 WSPRES  
12-027**

The Mayor and City Council shall hear a presentation providing analysis of "Smoke Shop" retail use in municipalities and trending practices nationally regulating such uses.

*Interim Planning Consultant Dana Burkhardt presented. He provided a map demonstrating the various levels of leniency for smoke shop and paraphernalia across the country as well as a table demonstrating leniency across the state.*

*Police Chief Steve Stahl updated the Council on their involvement with the smoke shop. He stated that they are in frequent communication with the business owner to mitigate any potential issues.*

*Councilmember Marchione asked if there had been higher calls for service than other businesses Chief Stahl stated that there have not been higher calls for service compared to other businesses. He did however indicate that the police department is paying closer attention to the business based on the preparatory nature of some of the crimes that can take place with such establishments. Councilmember Marchione then asked if there was more attention paid to other establishments such as the Shell Gas Station which sells similar merchandise. Chief Stahl indicated that there was no additional attention paid to that businesses versus the smoke shop.*

*Councilmember Brown asked if there was any evidence of similar leniency in Hawaii. Mr. Burkardt stated that it was a green state with laws similar to California.*

*Chief Stahl reported that Yavapai County ran a pilot program with voluntary compliance from similar business owners that had been successful. He indicated that he had discussions with the Pinal County Attorney to implement a similar program in Pinal County.*

*Councilmember Marchione stated his concerns for limiting certain types of businesses in Maricopa Discussion ensued.*

*Councilmember Marchione asked Mr. Bukhardt to explain difference between "by right" and those cities with distance requirements. He also asked what the difference was between cities who had many more smoke shops than others.*

*Mr. Burkardt stated that "by right" means that no special permits were required to operate the business. He then stated that those with distance requirements had special use permit requirements, whereby an applicant must comply with special use requirements to obtain the permit. He then stated that increased density usually lead to more smoke shops.*

**4. Executive Session**

*The Council entered into Executive Session at 6:30 p.m.*

*The Council adjourned from Executive Session at 7:10 p.m.*

**A motion was made by Councilmember Alan Marchione, seconded by Councilmember Julia Gusse, to enter in to Executive Session . The motion carried unanimously.**

- 4.1    **ES 12-002**    The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's attorney and to consider its position and instruct representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(7).
  
- 4.2    **ES 12-005**    The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorney to consider its position and instruct representatives regarding the pending claims and lawsuits filed against the City pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).

**5.        Adjournment**

*The City Council Work Session adjourned at 6:30 p.m.*

**Adjourn**