



# City of Maricopa

## Meeting Minutes - Draft City Council Regular Meeting

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**Mayor Christian Price**  
**Vice-Mayor Peggy J. Chapados**  
**Councilmember Marvin L. Brown**  
**Councilwoman Julia R. Gusse**  
**Councilmember Vincent Manfredi**  
**Councilmember Nancy Smith**  
**Councilmember Henry M. Wade Jr.**

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Tuesday, April 24, 2018

7:00 PM

Council Chambers

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### 1. Call to Order

*The City Council Regular Meeting was called to order at 7:04 p.m. Pastor Roger Thompson from Calvary Chapel gave the invocation and Mayor Price led the meeting attendees in the Pledge of Allegiance.*

### 2. Roll Call

**Present:** 7 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Vice Mayor Peggy Chapados and Councilmember Marvin L. Brown

### 3. Proclamations, Acknowledgements and Awards

*Mayor Price invited Finance Director, Brenda Hasler to join him as he announced that the City of Maricopa received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR).*

### 4. Report from the Mayor

*Mayor Price gave information on the notice of 30 day public review for the Draft Subdivision Ordinance Update. He stated the draft was available for review at the Maricopa Public Library, at City Hall and in the City's website and directed any questions to Senior Planner Kazi Haque. He discussed the City Manager interview process from Monday and Tuesday (April 16 and 17). Next, he reported on the earlier meeting of the Budget, Finance and Operations (BFO) Council Subcommittee. He reported taking a trip to Washington D.C with staff from the Maricopa Fire and Medical Department with the effort of acquiring federal funds. Next, he reported attending a ceremony at the Hindu temple in the Maricopa area and elaborated. He reported attending various meetings at the Arizona League of Cities and Towns and teaching a Government and Economics class at Sequoia Pathway Academy.*

### 5. Report from the City Manager

*Interim City Manager, Trisha Sorensen reported that interviews for Community Services Director were held yesterday and they narrowed the candidates to the top 4. She stated a meet and greet was scheduled for Tuesday (March 1), instead of the work session*

at 5:30 p.m.

## 6. Call to the Public

*Cynthia Morgan clarified that she had not asked for the Maricopa Chamber of Commerce to take over the Maricopa Center for Entrepreneurship (MCE). She stated she wanted to know why there was such a hurry to spend tax payer money on a program that had not worked in the past three years. She suggested that the City slow down their role and take time to work with the Chamber of Commerce and see what they could do. She elaborated and reiterated she does not believe tax payer money should go toward the program.*

*Bill Griffin introduced himself as a candidate for Maricopa Constable. He provided background of his experience and added he looked forward to meeting all members of the Council.*

*Rich Vitiello gave an update on the Israel Calderon Benefit Softball Tournament. He thanked the Mayor and Councilmember Wade for their donations and the councilmembers that attended. He thanked staff and the PRL (Parks, Recreation and Library) Committee for donating the fields. He gave a brief update on Mr. Calderon's condition. He thanked the following entities: The Maricopa Police Chief, Maricopa Fire and Medical Chief, Maricopa Auto, Home Depot, former Mayor Kelly Anderson, Kevin and Vanessa McDill, Jeremy Hunt from Hunt's Pest Control, Brooklyn Boys and the community. He announced that \$7,000 was raised.*

*Councilmember Wade introduced the youth participants of the mock youth city council meeting to be held as part of the Councilmember on the Corner quarterly event on Saturday, May 19 from 9 a.m. to 10:30 a.m. at City Hall. The Mayor and Council posed for pictures with the participants.*

*Sheri Anderson stated she had lived in Maricopa for 11 years. She explained that, due to medical issues, she might need to downsize to an apartment, condo or town home. She stated that she attended the housing committee meetings and she was impressed with their work and felt encouraged. She spoke in support of future diverse housing in Maricopa.*

## 7. Minutes

- 7.1 [MIN 18-36](#) Approval of Minutes from the April 3, 2018 City Council Work Session.

**A motion was made by Councilmember Manfredi, seconded by Vice Mayor Chapados, that the Minutes be Approved. The motion carried by a unanimous vote.**

- 7.2 [MIN 18-37](#) Approval of Minutes from the April 3, 2018 City Council Regular meeting.

**A motion was made by Councilmember Manfredi, seconded by Vice Mayor Chapados, that the Minutes be Approved. The motion carried by a unanimous vote.**

## 8. Public Hearings

- 8.1 [PH 18-02](#) The Mayor and City Council shall hear public comment on a request to rezone to

Planned Area Development on approximately 776 acres generally located south of the intersection of Anderson Road and Maricopa-Casa Grande Highway.

*The Public Hearing was opened at 7:33 p.m. Planner, Ryan Wozniak gave a PowerPoint Presentation on the Anderson Russell Planned Area Development (PAD 16-04). He detailed the request, for approximately 776 acres generally located south of the intersection of Anderson Road and Maricopa-Casa Grande (MCG) Highway, seeking approval of conceptual land use mixes and supporting proposal details as required by Article 510 of the Zoning Code. He stated the applicant, Kelly Hall of Phillip Miller Consultants (PMC), would be represented by the Rose Law Group. He detailed the Zoning Code Key References on Section 510.4 Required Findings. He noted the PAD did not meet staff's expectations on the following Subsections: "A. The proposed development is consistent with the General Plan, the Subdivision Ordinance, and any applicable specific plan or master plan, including the density and intensity limitations that apply." "C. Adequate transportation facilities and public services exist or will be provided in accordance with the conditions of PAD plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be detriment to public health, safety, or welfare." "F. The proposed development carries out the intent of the Planned Area Development provisions by providing a more efficient use of the land and an excellence of architecture and site design greater than that which could be achieved through the application of the base district regulations." He provided a visual of the site and location. He discussed the proposed land uses and detailed the mixed use areas. He reviewed site conditions and stated that Ak-Chin was dissatisfied with the proximity of adjacent Parcel G and that the applicant moved all housing to try to accommodate Ak-Chin's concerns. Next, he addressed considerations pertaining to infrastructure that included the Union Pacific Railroad (UPRR), the Maricopa Stanfield Irrigation & Drainage (MSIDD) Canal and the Santa Cruz Wash. He stated approximately 3 or more potential bridges would need to be accommodated and that staff would stand firm on allocating the costs that would be determined through a Transportation Impact Analysis (TIA). He stated the applicants participated in the Regional Transportation studies and further discussed the Val Vista Parkway. He detailed the findings of Assistant Fire Chief John Storm on emergency response times. He noted there were concerns with coinciding constraints for emergency access and added that the Maricopa Police Department had similar concerns. He stated a master floodplain solution would be required to be reviewed and approved prior to pre-plat. He stated the General Plan required the City to minimize conflict and coordinate land management and planning activities with neighboring Indian Communities, Federal, State and private interest. He stated the following stakeholders were notified throughout the process: Ak-Chin Indian Community and Airport, UPRR, MSIDD, City of Casa Grande, Pinal County, State Land Department, the school district, utilities and all private owners within 300 feet. He detailed the General Plan elements. He discussed the Transportation Impact Analysis (TIA) and noted that the City Engineer had not accepted the prepared TIA with the PAD. He provided an analysis summary and stated the required findings not met, including: Response times for emergency services, secondary response route, secondary access to Phase 3, short on providing resources to establish services needed to serve the development and design details remain uncommitted. He stated the required findings met included, flood control (by stipulation), mixed use development (by stipulation), commercial land uses for economic development, open space and trails and housing product mix. He discussed the potential infrastructure-intensive elements and inadequate commitments to provide the resources to establish the infrastructure and services needed to serve that development. He elaborated on the consequences of inadequate commitments including response times and the potential impact on the current ISO rating. In conclusion he stated that staff was not confident that the proposal "will not be a*

*detriment to public health, safety or welfare.” Planning Maricopa (General Plan) elements were unmet, specifically the elements of growth strategy, circulation/connectivity and public services. He stated the Planning & Zoning Commission concurred with staff’s findings of the proposal of Anderson Russell Planned Area Development to be insufficient in the Required Findings of the Zoning Code per the details of staff’s analysis. He continued that based on the lack of Required Findings the Planning and Zoning Commission recommended denial of PAD 16-04 Anderson Russell Planned Area Development as proposed. Lastly, he stated that as backup, stipulations were provided if the Council takes action to approve with conditions. He opened the floor for questions or comments. There were no comments from the public. The hearing was closed at 7:58 p.m.*

**The Public Hearing was held.**

## **9. Consent Agenda**

### **Approval of the Consent Agenda**

**A motion was made by Vice Mayor Peggy J. Chapados, seconded by Councilmember Vincent Manfredi, to Adopt the Consent Agenda. The motion carried by a unanimous vote.**

- 9.1**      [GRA 18-04](#)      The Mayor and City Council shall discuss and possibly take action on approving the fire department apply for an Assistance to Firefighters (AFG) SAFER Grant requesting additional operational personnel. Discussion and Action.

**This Consent to Apply for Grant was Approved.**

- 9.2**      [CON 18-11](#)      The Mayor and City Council shall discuss and possibly take action on approving a Retail Lease with Duke Plaza, LLC for 990 square feet of office space for the Maricopa Domestic Water Improvement District. Discussion and Action.

**This Contract was Approved.**

- 9.3**      [IGA 18-02](#)      The Mayor and City Council shall discuss and possibly take action to approve Amendment No. 1 to the current Intergovernmental Agreement (IGA) between the State of Arizona and the City of Maricopa for design and construction of roadway improvements for the Maricopa/Casa Grande (MCG) Highway, Porter Road to White and Parker Road. The City’s funding match is estimated at \$340,498. The funding will be drawn from budget line item MCG Highway Widening, Porter to White & Parker (30044146-67750-35022). Discussion and Action.

**This Intergovernmental Agreement was Approved.**

- 9.4**      [IGA 18-03](#)      The Mayor and City Council shall discuss and possibly take action on approving an Intergovernmental Agreement with Maricopa Unified School District (MUSD) for the City to provide a City police officer to serve as a School Resources Officer (SRO) when the City’s resources allow and MUSD will offset any cost for City usage of MUSD facilities by the amount of the cost for any SRO services provided by the City. Discussion and Action.

**This Intergovernmental Agreement was Approved.**

- 9.5**      [PUR 18-08](#)      The Mayor and City Council shall discuss and possibly take action on approving repairs on Engine 575 that exceed \$25,000 and to increase the purchasing threshold at

WW Williams. The expenditure is paid from the general Fire Department budget and no additional funds are requested. Discussion and Action.

**This Purchase was Approved.**

**10. Regular Agenda**

**10.1 APP 18-03**

The Mayor and City Council shall discuss and possibly take action on making appointments to the Age-Friendly Maricopa Advisory Committee. Discussion and Action.

*Mayor Price nominated Joan Koczor for appointment and Vice Mayor Chapados nominated Colleen Strom.*

**A motion was made by Councilmember Manfredi, seconded by Councilmember Smith, that the nominations be Appointed. The motion carried by a unanimous vote.**

**10.2 MOU 18-04**

The Mayor and Council shall discuss and possibly take action to approve the Addendum to the 2017-2019 Memorandum of Understanding (MOU) with the Professional Firefighters of Maricopa, IAFF Local 4561. Discussion and Action.

*Human Resources Director, Kathleen Haggerty elaborated that both parties mutually agreed to re-open the MOU for the sole purpose of discussing a potential salary adjustment as determined by the Classification and Compensation Study.*

**A motion was made by Vice Mayor Chapados, seconded by Councilmember Wade, that this Memorandum of Understanding be Approved. The motion carried by a unanimous vote.**

**10.3 ORD 18-01**

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 zone certain property described in Zoning Case PAD 16-04 for approximately 776 acres generally situated south of the Maricopa-Casa Grande Highway between Anderson Road and Russell Road within the City of Maricopa Incorporated limits. The parcel of land is situated in a portion of Sections 15, 22, 23 and 26 of Township 5 South, Range 4 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona. Discussion and Action.

*Court Rich from the Rose Law Group introduced himself as the applicants' representative and acknowledged Chase Emmerson (owner of the property) and Kelly Hall. He gave a brief history of the request including the annexation, the development agreement and the General Plan amendment. He provided a map of the City and detailed why the site was the perfect location for growth. Next, he discussed the possible benefits of the Anderson Russell Community including the creation of jobs, the 100+ acres of Business Park with 30 acres of commercial land, diverse housing options, great community design, preservation of the annexation corridor, substantial open space and that it would include a school site and a dedicated fire station site. He explained that stipulations were common and used in nearly every zoning. He elaborated that they could protect the City while setting clear expectations and that they were enforceable. He stated that as an added measure, stipulations were placed directly in the ordinance. He discussed solutions for the issue with the Union Pacific Railroad (UPRR) including possibly expanding Anderson Road and the future Val Vista Overpass. He stated that UPRR stated that after the zoning was in place, they would engage in further discussion about the crossing. Next, he discussed the issue with public safety access and stated the applicant agreed to donate \$200 per residential unit on top of the impact fees. He added that stipulations would require Fire and Police to review and approve access at their discretion and noted they would donate a fire*

station site. He further elaborated on concerns and stated approval would protect the City, allow the owner to solve issues, place all risks on the owner, preserve the annexation corridor and would continue the process the City initiated more than 5 years ago. He invited questions from the Council.

Councilmember Smith stated she attended some of the Planning & Zoning Commission meetings and that they were very concerned with the response time. She stated that she felt they did not understand the stipulations and how the applicant was going to work to improve response times. She stated the applicant presented the letter they received from UPRR and elaborated on the discussion at the meeting. She asked City Attorney, Denis Fitzgibbons to elaborate on the power of the stipulations. Mr. Fitzgibbons elaborated on why the stipulations were placed directly in the ordinance. He explained the stipulation on access stated that "two points of access to each phase to the satisfaction of the Police Department and Maricopa Fire and Medical Department, which approval shall be in writing and in the City's discretion." Further discussion ensued, and Councilmember Smith concluded by expressing her support for the ordinance.

Councilmember Wade asked if there was enough legal power to survive any future issues that might arise. Mr. Fitzgibbons explained that it was tough to predict what issues might arise but that they tried to address all predictable issues. Councilmember Wade expressed concerns with the UPRR crossing. Mr. Fitzgibbons elaborated that it would be the applicants' responsibility.

Vice Mayor Chapados inquired how the issue with the internal parcel with the one-way street had been addressed. Mr. Rich responded the applicant agreed to revise the internal circulation through the stipulations. He elaborated that they would revise the internal circulation to staff's satisfaction. Vice Mayor Chapados inquired about the TIA (Traffic Impact Analysis). Mr. Rich responded.

Mayor Price elaborated on the challenges of the issues and noted the ordinance stipulations would place all risks on the owner.

**A motion was made by Councilmember Smith, seconded by Councilmember Brown, that this Ordinance be Approved as amended to include the stipulations as attached to the item and with the Proposition 207 waiver. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Vice Mayor Peggy Chapados and Councilmember Marvin L. Brown

**10.4**     **CON 18-16**

The Mayor and City Council shall discuss and possibly take action on offering a three (3) year Employment Agreement to Ricky Horst to serve the City of Maricopa as its City Manager. Discussion and Action.

*Mayor Price gave a brief statement on the need for longevity and the negotiation process including annual reviews.*

*Vice Mayor Chapados acknowledged everyone who participated in the process and stated both candidates would have been good choices.*

*Councilmember Wade stated he would have liked to see the contract extended longer and elaborated.*

A motion was made by Vice Mayor Chapados, seconded by Councilmember Smith, that this Contract be Approved. The motion carried by a unanimous vote.

**11. Executive Session**

**12. Adjournment**

A motion was made by Councilmember Henry Wade, seconded by Councilmember Nancy Smith, to Adjourn at 8:45 p.m. The motion carried unanimously.

**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 24th day of April, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of May, 2018.

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Vanessa Bueras  
City Clerk