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CITY OF CHANDLER COUNCIL MEETING MINUTES

Regular Meeting

Thursday, January 14, 2021

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, January 14, 2021.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

MAYOR HARTKE announced that Chandler Police Officer Tyler Britt passed away from COVID-19 and asked for a moment of silence.

INVOCATION: The invocation was given by Pastor Victor Hardy, Congregational Church of the Valley.

POSTING OF COLORS: Chandler Police and Fire Honor Guard

PLEDGE OF ALLEGIANCE: Councilmember McClymonds led the Pledge of Allegiance.

CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER MCCLYMONDS MOVED TO APPROVE THE CONSENT AGENDA, OF THE JANUARY 14, 2021, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER HUANG.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTION OF CONSENT AGENDA ITEM NO. 5 WHICH CARRIED BY MAJORITY (6-1) COUNCILMEMBER STEWART DISSENTING.

CONSENT AGENDA ITEMS

1. Approval of Minutes
Move to approve the Council meeting minutes of the Special Meeting of December 7, 2020; Study Session of December 7, 2020; Regular Meeting of December 7, 2020; Work Session of December 10, 2020; Regular Meeting of December 10, 2020; Special Meeting of December 10, 2020; Special Meeting - Legislative Breakfast of December 10, 2020; Special Meeting of December 28, 2020.
2. New License Series 12, Restaurant Liquor License, for 3G Culinary Concepts LLC, dba High Tide Seafood Restaurant
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 125420, a Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, 3G Culinary Concepts LLC, dba High Tide Seafood Restaurant, located at 5045 S. Gilbert Road, Suite 1, and approval of the City of Chandler series 12, Restaurant Liquor License No. 300186 L12.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 14, 2021. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

3. New License Series 12, Restaurant Liquor License, for Pita Jungle Chandler Heights LLC, dba Pita Jungle
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 126572, a Series 12, Restaurant Liquor License, for Fouad Khodr, Agent, Pita Jungle Chandler Heights LLC, dba Pita Jungle, located at 5025 S. Gilbert Road, Suite 8, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300213 L12.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 14, 2021. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

4. License Series 12, Restaurant Liquor License, for RAJ K LLC, dba Pizza Twist
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 126443, a Series 12, Restaurant Liquor License, for Rajwinder Kaur Raike, Agent, RAJ K LLC, dba Pizza Twist, located at 3950 W Ray Road, Suite 1, and approval of the City of Chandler Series 12, Restaurant Liquor License No. 300226 L12.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 14, 2021. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to

A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

5. Final Adoption of Ordinance 4951 Amending Chapter 30 - Neighborhood Preservation of the City Code
Move City Council approve final adoption of Ordinance No. 4951, amending Chapter 30 – Neighborhood Preservation of the City Code and providing for the repeal of conflicting ordinances, severability, and penalties.

BACKGROUND FROM COUNCIL MEMO:

In alignment with the Council Strategic Framework and as a result of feedback from residents suggesting a need to improve the current ordinance, staff is recommending the adoption of the proposed Property Maintenance Ordinance. This ordinance repeals and replaces the existing Neighborhood Preservation Code which has not had a significant update since 2007 and is vital to the long-term sustainability of Chandler neighborhoods by promoting aesthetics, safety, and community vitality. Customized for the City of Chandler, the proposed Property Maintenance Ordinance incorporates best practices from other cities, promotes transparency and provides better clarity through considerably more detailed and concise language. Over the last 6 months, the City relaxed compliance efforts in the wake of the pandemic.

Staff will continue its long-standing proactive and educational approach with neighborhoods and strives to seek voluntary compliance whenever possible. Various housekeeping changes were made to the code to assist residents in their understanding of the ordinance. The following includes the substantive changes in the proposed ordinance:

- Increases the required height of tree canopies from 13.5 feet to 15 feet over streets and from 7 feet to 8 feet over sidewalks;
- Prohibits dirt yards that are visible from public rights-of-way;
- Adds the requirement that walls and fence be uniform and compatible in addition to the current requirement that they not be dilapidated;
- Addresses vehicles displayed for sale on private property including requiring that any vehicle displayed for sale be registered to the owner/occupant of the property, no more than one vehicle to be displayed for sale at a time, and no more than three vehicles to be displayed for sale within a calendar year;
- Requires vehicle covers to be made exclusively for the purpose of covering vehicles and prohibits covering vehicles with tarps, sheets, and other materials;
- Provides the ability, working in conjunction with the Building Official and Fire Marshal, to condemn and prohibit entry into unsafe structures;
- Adds the ability, working in conjunction with the Building Official and Fire Marshal, to require the demolition of dilapidated structures;
- Provides the ability to more effectively address cases of building without a permit and provides remedies to address situations where un-permitted construction continues;
- Updates the administrative abatement process reducing the average number of days to complete an abatement from 100 days to just over 60 days providing quicker relief for affected neighborhoods;
- Reduces fees associated with the administrative abatement process by replacing the current fee schedule with a more fair and equitable flat fee of 25% of the contract abatement cost; and

- Sets a civil fine schedule of \$250 fine for first code violation, \$500 fine for second code violation, \$750 fine for third code violation within a 24-month period for those individuals found responsible in Municipal Court. Currently, less than 1% of all code enforcement cases result in a citation to appear in court.

Staff presented the proposed ordinance to the Community Services, Economic Development, Neighborhood Resources, and Cultural Development Council Subcommittee and received direction to move forward on October 12, 2020. Staff then presented the proposed ordinance to the Neighborhood Advisory Committee at a special meeting held on October 26, 2020. During that meeting, the Neighborhood Advisory Committee unanimously voted to recommend the proposed ordinance to the City Council for adoption. The public was provided the opportunity to review and comment on the proposed ordinance through an online public comment form that was open from October 20 - November 20, 2020. Approximately 67 comments were received. Those comments have been summarized and can be reviewed in the attached comment matrix.

This Ordinance was tentatively introduced at the December 10, 2020, City Council meeting.

6. Final Adoption of Ordinance No. 4950 Granting a Non-Exclusive Power Distribution Easement to Salt River Project
Move City Council approve final adoption of Ordinance No. 4950, granting a non-exclusive power distribution easement to Salt River Project (SRP), at no cost, to accommodate the development of Lantana Ranch Park at McQueen and Appleby roads.

BACKGROUND FROM COUNCIL MEMO:

Salt River Project (SRP) has requested that the City grant a non-exclusive power distribution easement along the north side of Appleby Road, east of McQueen Road, to provide power service to the future first phase of Lantana Ranch Park. The park project is currently finalizing design and is scheduled to begin construction in spring 2021. Since this request is for City facilities, the easement will be granted to SRP at no cost. Staff has reviewed and approved the easement and legal description for the requested easement.

This Ordinance was introduced and tentatively adopted on December 10, 2020.

Presentation of Gifts to Outgoing Councilmembers Followed By Remarks

MAYOR HARTKE presented a gift to Councilmember Huang and thanked him for his service.

COUNCILMEMBER ORLANDO said Councilmember Huang has a lot of heart and really wants to make Chandler a better place and respected that a lot. Councilmember Orlando said Councilmember Huang had many ideas and enjoyed the different perspectives.

COUNCILMEMBER ROE said they have become friends over the years and Councilmember Huang has worked very hard for the community and was not likely to be swayed easily. Councilmember Roe said it is a great accomplishment to come from another country to start a new life and then serve on the Council.

VICE MAYOR LOPEZ said Councilmember Huang showed a lot of perseverance and thanked him for his service.

COUNCILMEMBER McCLYMONDS said it was a pleasure serving with Councilmember Huang and said he had accomplished so much.

COUNCILMEMBER STEWART said Councilmember Huang bravery to continues to fight for the things he believes in even when others do not agree.

MARSHA REED, City Manager, presented a gift to Councilmember Huang and thanked him for his service. Ms. Reed said she appreciates the questions, thoughtful conversations, and all he has done for Chandler.

COUNCILMEMBER HUANG made remarks about his time on Council and said he enjoyed working with the other Councilmembers. Councilmember Huang said he has a passion for the City and still believes in the United States and they would continue to do better and better.

MAYOR HARTKE presented a gift to Councilmember McClymonds and thanked him for his service.

COUNCILMEMBER STEWART said it has been great to work with Councilmember McClymonds and for stepping up to fill the position on Council. Councilmember Stewart said his background was exactly what the City needed during the pandemic.

VICE MAYOR LOPEZ said Councilmember McClymonds was selected to join Council because of his passion for the City and has always considered the people of Chandler especially as they have made difficult decisions. Vice Mayor Lopez said Councilmember McClymonds is an asset to the City.

COUNCILMEMBER HUANG said Councilmember McClymonds has a lot of patience and it has been great working with him on Council.

COUNCILMEMBER ROE said Councilmember McClymonds came onto Council and came up to speed quickly and his expertise in finance has been beneficial to the City. Councilmember Roe and Councilmember McClymonds has done a lot of charity work in the City and appreciated his passion.

COUNCILMEMBER ORLANDO said Councilmember McClymonds has a lot of enthusiasm and passion in everything he does. Councilmember Orlando said he appreciates everything Councilmember McClymonds has done for the City.

MS. REED presented a gift to Councilmember McClymonds and thanked him for his service. Ms. Reed said she appreciates the passion he has brought to the City and all he has done for the citizens and businesses.

COUNCILMEMBER McCLYMONDS said he is excited to see what the next chapter holds. Councilmember McClymonds said he has worked to improve the quality of life for Chandler and made remarks about his time on Council. Councilmember McClymonds thanked Council for their work and thanked Team Chandler and wished the City Manager a great retirement.

ADJOURNMENT: The meeting was adjourned at 6:42 p.m.

ATTEST: _____

City Clerk

Mayor

Approval Date of Minutes: January 28, 2021

CERTIFICATION

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 Chandler, Arizona, held on the 14th day of January, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of January, 2021.

City Clerk