

Meeting Minutes

City Council Study Session

February 3, 2025 | 6:00 p.m.
Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Mayor Kevin Hartke at 6:04 p.m.

Roll Call

Council Attendance

Mayor Kevin Hartke
Vice Mayor Christine Ellis
Councilmember Angel Encinas
Councilmember Jane Poston
Councilmember Matt Orlando
Councilmember OD Harris
Councilmember Jennifer Hawkins

Appointee Attendance

Joshua Wright, City Manager
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Councilmember OD Harris attended virtually.

Scheduled Public Appearances

MAYOR HARTKE invited Councilmember Orlando to join him for the recognitions.

1. Service Recognitions

Tara Anglin – 25 Years, Community Services

2. Proclamation: Anti-Human Trafficking Month

MAYOR HARTKE read the proclamation and invited Scott September, former Gilbert Councilmember; Pastor Mike Gowans, Bethel Church; Pastor Jason Turner, Christian Faith Fellowship Church; Neece Jackson, Director of Not In Our City; and the Council to accept.

SCOTT SEPTEMBER, former Gilbert Councilmember, thanked Mayor and Council for this proclamation. Trafficking thrives in silence and the community stands united to illuminate this darkness in our communities.

NEECE JACKSON, Director, thanked Mayor and Council for supporting Not In Our City in the battle against human trafficking. On February 23 the 7th Annual Night of Hope event will be held at Grace Community Church in Tempe, visit notinourcity.org for more information.

3. Proclamation: Teen Dating Violence Awareness Month

COUNCILMEMBER ORLANDO invited the Domestic Violence Commission to accept and read the proclamation.

LATISHA CODKIND, Domestic Violence Commission Chair, thanked the Chandler Police Department Victim Services Division, City Council, Mayor Kevin Hartke, and Vice Mayor Christine Ellis for their unwavering support this past year. This support enabled the Healthy Relationships Initiative, a cornerstone for the Domestic Violence Commission.

4. Brian Fox – Comments Regarding the City Attorney, City Manager, and Mayor and Council to Deny his Codified Rights and Duties

MR. FOX shared that all have received irrefutable evidence of efforts to suppress his rights, and shared the following information. On November 13, 2024, during a Neighborhood Advisory Committee meeting, I, Commissioner Brian Fox, submitted my intention to discuss evidence of public bullying, documented lies, and the legal issues surrounding Councilmember OD Harris to determine if an investigation was warranted. This matter was set for discussion in the next meeting. However, City Attorney Kelly Schwab emailed me the following day, withdrawing the item from the discussion, claiming it was outside her purview. We can conclude two things: Attorney Schwab is unaware of Chandler's laws and my rights, or she is intentionally denying them, violating my First Amendment rights and municipal codes and Resolution 5166. On November 23, I responded, disputing this decision and citing numerous documented instances of Harris's questionable behavior and legal troubles, asserting my rights as a commissioner to request investigations. The city attorney's office replied that their decision was final without providing legal justification. The city's attorney undermines my rights to voice concerns against Councilmember Harris. I approached the city manager, met with indifference. This is illegal and deliberate, and I must know who directed this and why. Notably, the Mayor and Council were aware, being copied on all relevant emails, thus complicit in this suppression. After presenting evidence to the city prosecutor's office, I was allowed three minutes to speak tonight. I now demand an impartial investigation into this behavior, with findings openly debated in a public inquiry to ensure government transparency. It must be noted that this city management and council are already facing a lawsuit from a veteran for similar misconduct.

Consent Agenda and Discussion

Discussion was held on items 4 and 13.

City Clerk

1. Approval of Minutes
Move City Council approve the Council meeting minutes of the Work Session of January 23, 2025, and the Regular Meeting of January 23, 2025.
2. Boards and Commissions Member Appointments
Move City Council approve the Board and Commission appointments as recommended.

Cultural Development

3. Job Order Project Agreement No. GG2402.401 with SDB, Inc., Pursuant to Job Order Master Agreement No. JOC2402.401, for the Overstreet Parking Structure Fence
Move City Council award Job Order Project Agreement No. GG2402.401 to SDB, Inc., Pursuant to Job Order Master Agreement No. JOC2402.401, for the Overstreet Parking Structure Fence, in an amount not to exceed \$166,555.29.

Development Services

4. Ordinance No. 5116, Introduction and Tentative Adoption of Rezoning and Preliminary Development Plan, PLH24-0024 Costco Business Center, Located at the Southwest Corner of Alma School Road and Pecos Road
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5116 approving PLH24-0024 Costco Business Center, Rezoning from Planned Area Development (PAD) for an office park with ancillary retail and restaurant uses to PAD for wholesaling, a fuel service station, and commercial uses permitted under the Community Commercial District (C-2), subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH24-0024 Costco Business Center for site layout and conceptual building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

DARSY SMITH, Planner, Presented the following presentation.

- PLH24-0024 Costco Business Center Rezoning & Preliminary Development Plan
- Intro
 - Location:
 - Southwest corner of Alma School and Pecos Road
 - Request:
 - Rezoning to PAD for wholesaling a fuel service station, and commercial uses permitted under the Community Commercial District (C-2)

- Preliminary Development Plan (PDP) approval for site layout and building architecture.
- Background
 - Approximately 18.65 acres
 - In 2016, the vacant subject site was zoned Planned Area Development (PAD) for an office park with ancillary retail and restaurant uses including a mid-rise overlay for building height up to 75 feet.
- Background
 - 3 office buildings, a parking structure, and two retail pads, with a potential buildout of 400,000 sq ft.
 - In 2019, a time extension was approved
- Proposal
 - Building Square Footage: 141,366 Sq Ft
 - Parking:
 - Parking: Parking Required: 536 Spaces
 - Parking Provided: 603 Spaces
 - Number of Fuel Pumps
 - 15 fuel pumps
- Costco Business Center
 - Business Centers cater directly to small businesses
 - Business Centers stock more food and supplies in bulk. Some of the local businesses in the community that it may serve are professional offices/services, restaurants, hotels/motels, convenience stores, vending machine operators etc.)
 - Peak Hours at a Business Center are typically mid-morning and early afternoon.
 - A Business Center will typically see roughly half of the number of customers compared to its Warehouse counterpart.
- Renderings
 - Entry Perspective
 - East Perspective
 - Northwest Perspective
- Concept Fuel Elevations
- Neighborhood Outreach
 - A neighborhood meeting was held on December 4th, 2024. There were 11 people in attendance, with concerns regarding potential traffic.
 - Notice was posted on social media via next door
 - Staff is unaware of any opposition
- Planning and Zoning Commission Recommendation
 - General Plan conformance
 - Compatible land use
 - Planning and zoning commission recommends approval

COUNCILMEMBER POSTON asked about measures taken to alleviate traffic congestion and its impact on the neighborhood.

DANA ALVIDREZ, City Transportation Engineer, stated that the team had examined the site from a traffic perspective and reviewed the relevant documents regarding a traffic study. Previously it was noted that there are fewer trips than those associated with the previously approved PAD. The surrounding areas, including the enhancements this development will bring by constructing the third lane on Alma School, would accommodate the traffic in this area. The Planning staff worked with the developer to position the fuel station pumps to ensure smooth traffic flow within the site, alleviating concerns about backup onto adjacent arterial streets. This was a priority for the staff in collaboration with the developer to minimize potential disruptions.

COUNCILMEMBER POSTON said one concern was the location of the loading docks; they now face traffic on the road's east side.

MS. ALVIDREZ said the docks are now positioned at the southeast corner of the building.

COUNCILMEMBER POSTON asked about the availability of a delivery schedule.

MS. ALVIDREZ said the delivery activity is like that of normal Costco operations. There are local deliveries made with commuter vans. However, their deliveries typically occur during off-hours, not when the store is open to the public.

COUNCILMEMBER POSTON asked if this type of Costco Business Center caters primarily to businesses, with few consumers typically visiting.

MS. ALVIDREZ said Costco Business Center retail sales are mainly done for small businesses. Any Costco member can use the fuel pumps.

COUNCILMEMBER ORLANDO asked for further clarification regarding the applicant's proposals for the streets, specifically on Pecos Road and Alma School.

MS. ALVIDREZ said that part of this development would require off-site street improvements, including adding a third lane on Alma School adjacent to the frontage road. Additionally, both driveways on Pecos and the driveway on Alma School would need to incorporate decelerating lanes. These elements are included in the traffic study and documented in the civil site plan.

COUNCILMEMBER ORLANDO asked whether this would result in less traffic than the prior PAD proposals.

MS. ALVIDREZ said this proposed development is expected to generate less traffic than the previously approved office park development.

COUNCILMEMBER ORLANDO confirmed that even with the fuel pumps there would be less traffic.

MS. ALVIDREZ said yes.

MAYOR HARTKE asked if the hours of this facility were the same as those of the other facilities.

BRYAN WRIGHT, Principal Engineer with Kimley-Horn, said the hours are 7:00 a.m. to 6:00 p.m. Monday through Saturday and 8:00 a.m. to 4:00 p.m. Sunday.

COUNCILMEMBER HARRIS asked about the project's timeline and asked for an estimate of the duration from the start of construction to its completion.

MR. WRIGHT estimated the project duration to be nine months.

COUNCILMEMBER HARRIS said the expectation is for this project to be completed by early 2026.

MR. WRIGHT agreed.

COUNCILMEMBER ORLANDO inquired about the construction start date for the third lane on Alma School and whether this will include any overlap.

MR. WRIGHT said the rest of the Alma School widening project should not interfere except for the half-street improvements discussed by the applicant. Mr. Wright specified that it pertains solely to the street's western side, specifically the section between Pecos and Loop 202, which needs to match the rest of the street that the applicant will construct.

COUNCILMEMBER ORLANDO asked about the timeline for the last phase of Alma School improvements.

MR. WRIGHT said he would check on the actual date but mentioned that this phase is situated much further south from the current location, with Germann or Kingbird being the relevant streets leading to Queen Creek Road.

COUNCILMEMBER ORLANDO said we are transitioning from three lanes to two lanes and back to three lanes. In a later discussion this can be brought up how to avoid forming a traffic bottleneck.

5. Resolution No. 5872, General Plan Update 2026 Public Participation Plan, Adopting Written Procedures for Public Participation in the Update of the Chandler General Plan
Move City Council pass and adopt Resolution No. 5872 General Plan Update 2026 Public Participation Plan, establishing written procedures to provide effective, early, and continuous public participation in the General Plan update process.

6. Final Adoption of Ordinance No. 5118, establishing a General Plan Resident Advisory Committee
Move City Council adopt Ordinance No. 5118, establishing a Resident Advisory Committee to guide staff and consultants in the Chandler General Plan Update.
7. Construction Agreement No. DS2202.401 with Sunland Asphalt & Construction, LLC, for the Traffic Signal at Layton Lakes Boulevard and Queen Creek Road
Move City Council award Construction Agreement No. DS2202.401 to Sunland Asphalt & Construction, LLC, for the Traffic Signal at Layton Lakes Boulevard and Queen Creek Road, in an amount not to exceed \$1,024,917.
8. Use Permit, PLH24-0037 ZJMKR, LLC, 542 W Chandler Boulevard, Generally Located 1/2 Mile West of the Northwest Corner of Arizona Avenue and Chandler Boulevard
Move City Council approve Use Permit, PLH24-0037 ZJMKR, LLC, for the continued use of a residential home zoned Single-Family District (SF-8.5) as a general office subject to the conditions as recommended by the Planning and Zoning Commission.

Fire Department

9. Agreement No. FD2-340-4440, Amendment No. 2, with LN Curtis, Swift Group, Velocity Fire, and United Fire, for Fire Turnouts and Personal Protective Equipment (PPE)
Move City Council approve Agreement No. FD2-340-4440, Amendment No. 2, with LN Curtis, Swift Group, Velocity Fire, and United Fire, for fire turnouts and PPE, in a combined amount not to exceed \$300,000, for a one-year term, February 1, 2025, through January 31, 2026.

Information Technology

10. Purchase of Microsoft Unified Enterprise Support
Move City Council approve the purchase of Microsoft unified enterprise support, from SHI International Corp., utilizing the NASPO Contract No. AR2488, in an amount not to exceed \$136,975.

Management Services

11. New License Series 6, Bar Liquor License Application for Andrea Dahlman Lewkowitz, Agent, Round One Entertainment, Inc., DBA Round1 Bowling & Arcade
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 321459, a Series 6, Bar Liquor License, for Andrea Dahlman Lewkowitz, Agent, Round One Entertainment, Inc., DBA Round1 Bowling & Arcade, located at 3177 W. Chandler Boulevard, and approval of the City of Chandler, Series 6, Bar Liquor License No. 308782.
12. New License Series 10, Beer and Wine Store Liquor License Application for Gian J Rondon, Agent, Coby's, LLC, DBA Coby's

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 319258, a Series 10, Beer and Wine Store Liquor License, for Gian J. Rondon, Agent, Coby's, LLC, DBA Coby's, located at 570 E. Galveston Street, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 202048.

Neighborhood Resources

13. Resolution No. 5870, rescinding Resolution No. 5361 which authorized extended use of temporary signage to promote Chandler businesses, and authorizing the Zoning Administrator to waive provisions of Chapter 39-10 of the Chandler City Code as reasonably necessary to promote Chandler businesses during the COVID-19 Coronavirus Pandemic
- Move City Council Pass and Adopt Resolution No. 5870, rescinding Resolution No. 5361 which authorized extended use of temporary signage to promote Chandler businesses, and authorizing the Zoning Administrator to waive provisions of Chapter 39-10 of the Chandler City Code as reasonably necessary to promote Chandler businesses during the COVID-19 Coronavirus Pandemic.

LEAH POWELL, Neighborhood Resources Director presented the following presentation.

- Temporary Sign Code Moratorium Repeal of Resolution No. 5361
- Extended Use of Temporary Signage
- March 26, 2020 – Resolution No. 5361
 - Envisioned as immediate response to COVID-induced business challenges
 - Suspends all time limits on the use of temporary signs
 - Waives the requirements to obtain a permit before displaying a temporary sign
 - Authorizes the Zoning Administrator to temporarily waive further provisions of this section as reasonably necessary to promote increased economic activity
 - Thirty days after the Chandler City Council terminates the authority of this resolution, business will need to apply for the use of temporary signs pursuant to the normal City process
- Examples of Temporary Signage
- Common Types of Temporary Signs
- A-Frame/T-Frame:
 - One sign per street frontage and maintain 5-foot pedestrian clearance
 - Additional signs allowed for model homes and open houses
- Feather Signs:
 - Two signs per street frontage for no more than 30 days every six months
 - A temporary sign permit is required
- Banners:
 - One sign per street frontage with size limitations (based on property characteristics)
 - No more than 30 days every six months and a temporary sign permit is required
 - Additional requirements related to securing of banners
- Temporary Sign Code Violations

- Bandit Signs
- The moratorium did not include bandit signs. Bandit Sign removals are proactively initiated by Code Enforcement Inspectors or in response to complaints from residents or staff.
- Statistics:
 - FY 2021- 2022: 3,467
 - FY 2022- 2023: 1, 339
 - FY 2023 – 2024: 4,015
 - July 1, 2024 – December 31, 2024: 2,409
- Campaign Signs
 - Without a moratorium, prior to and after campaign season
 - Chandler City Code Chapter 39 regulations will be enforced for all types of temporary signs posted on any dates that fall outside of May through November which is the enforcement exempt election season.
 - Code Enforcement will contact candidates with signs that are in violation of Chandler City Sign Code and provide the candidate 24 hours to remove the sign. Subsequent violations will result in the removal of signs by Code Enforcement.
 - Example: May 27, 2024 through November 20, 2024
 - Beginning 71 days prior to the Primary Election date and until 15 days following the General Election dates, as long as state law requirements are met (ARS16-1019):
 - No enforcement action will be taken on signs in the rights-of-way, or
 - Signs on commercial properties placed with the permission of the property owner.
 - May 27, 2024 – 71 days before the 2024 Primary Election
 - November 20, 2024 – 15 days after the 2024 General Election
- Recommendations for Enforcement
 - Educational correspondence sent to businesses and other stakeholders within 30 days of Council action.
 - Planning and Code staff conduct information briefings to educate the public on Sign Code (Ch 39) requirements and procedures.
 - Commercial Code Enforcement team begins to proactively identify sign code violations and respond to complaints by taking the following actions:
 - contact businesses to educate and ensure existing temporary signage in compliance with city code.
 - Issue Courtesy Notice focused on Education for code violations and provide 30 days to contact inspector and/or correct violation
 - Reinspection conducted after 30 days to ensure that the property is in compliance with city code.
- Notice of Violation and/or additional enforcement actions may be taken for properties that continue to remain in violation of city code.

COUNCILMEMBER POSTON said it is essential to reach a broad community base. She noted that the current regulations have been in place for a significant period, suggesting that newer business owners may believe they comply with the law. She inquired whether any outreach has been conducted to these business owners and asked how calls regarding these matters are currently handled.

MS. POWELL said that if they receive a call regarding a hazard, Code Enforcement will address the issue and educate the property owner to ensure it is secured. If complaints come from residents, they explain the status regarding the sign code, including what can and cannot be enforced at that time. The Code Enforcement staff engages in discussions with business owners and tenants and continues to educate them to some extent. If multiple businesses are not in compliance or there are challenges in understanding, they will do their best to work with those businesses to achieve compliance.

COUNCILMEMBER POSTON said how does code enforcement achieve compliance if the temporary sign code moratorium is in place.

MS. POWELL stated that it is difficult to enforce compliance unless there is a hazardous situation.

COUNCILMEMBER POSTON said it was a good idea to make this allowance when needed but agreed that it was time to implement some changes and tidy things up. She values the proactive educational approach.

MAYOR HARTKE asked if staff has done any outreach to industries such as realtors and real estate businesses.

MS. POWELL said they would reach out to these business groups, including contacting professional groups. Specific rules apply, like allowing additional A-frame signs for model homes or open houses.

MAYOR HARTKE asked if staff contacts organizations such as the Chandler Business Association.

MS. POWELL said yes.

COUNCILMEMBER HARRIS said other avenues of sharing this education could be through the business renewal program, or through utility bill inserts.

MR. WRIGHT said staff is exploring different methods for contacting businesses directly.

Police Department

14. Purchase of Mobile Communication Services
Move City Council approve the purchase of mobile communication services, from AT&T FirstNet, utilizing the State of Arizona Contract No. CTR052804, in an amount not to exceed \$170,000.
15. Agreement No. PD3-200-4510, Amendment No. 4, with FX Tactical, LLC, and Skaggs Companies, Inc., for Police Uniforms
Move City Council approve Agreement No. PD3-200-4510, Amendment No. 4, with FX Tactical, LLC, and Skaggs Companies, Inc., for police uniforms, in the amount of \$600,000.

Public Works and Utilities

16. Resolution No. 5851 Authorizing the Acquisition of Real Property in Fee or by Easement Required for the Ray Road and Dobson Road Intersection Improvement, Project No. ST2103
Move City Council pass and adopt Resolution No. 5851, authorizing the acquisition of real property in fee or by easement as needed for the Ray Road and Dobson Road Improvement, Project No. ST2103; authorizing the city's real estate administrator to sign, on behalf of the city, the purchase agreements and any other documents necessary to facilitate the acquisitions; authorizing eminent domain proceedings as needed to acquire the real property and obtain immediate possession thereof; and, authorizing relocation assistance as may be required by law.
17. Professional Services Agreement No. ST2103.501, SRP Engineering Services Agreement No. 2200531, with Salt River Project (SRP), for the Ray Road and Dobson Road Intersection Improvements Design Services
Move City Council award Professional Services Agreement No. ST2103.501, SRP Engineering Services Agreement No. 2200531, to SRP, for the Ray Road and Dobson Road Intersection Improvements Design Services, in an amount not to exceed \$113,080.
18. Resolution No. 5862, Intergovernmental Agreement Between the City of Chandler and Roosevelt Water Conservation District, for Design and Construction to Relocate Irrigation System Facilities Impacted by Cooper Road/Insight Way Loop Extension Improvements
Move City Council pass and adopt Resolution No. 5862, approving an Intergovernmental Agreement between the City of Chandler and Roosevelt Water Conservation District, for design and construction to relocate irrigation system facilities impacted by Cooper Road/Insight Way Loop Extension Improvements, in an amount not to exceed \$58,223.
19. Professional Services Agreement No. WW2110.101, Amendment No. 5, with Construction Product Marketing, LLC, dba CPM Pipelines, for the Air Release Valve (ARV) Study and Rehabilitation Consultant Services

Move City Council award Professional Services Agreement No. WW2110.101, Amendment No. 5, to Construction Product Marketing, LLC, dba CPM Pipelines, for the ARV Study and Rehabilitation Consultant Services, in an amount of \$181,007.79.

20. Professional Services Agreement No. WA2409.201, with GHD, Inc., for the Olsen Addition Main Replacement Design Services
Move City Council award Professional Services Agreement No. WA2409.201, to GHD, Inc., for the Olsen Addition Main Replacement Design Services, in an amount not to exceed \$390,999.

Informational

21. November 20, 2024, Planning and Zoning Commission Meeting Minutes
22. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

Adjourn

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

ATTEST: *Dana R. DiLong*
City Clerk

Kevin Harbke
Mayor

Approval Date of Minutes: February 20, 2025

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Chandler, Arizona, held on the 3rd day of February 2025. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20th day of February 2025.

Dana R. DiLong
City Clerk

