

Meeting Minutes

City Council Study Session

May 5, 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 Vice Mayor Christine Ellis at 6:00 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

*Mayor Kevin Hartke attended virtually.

Scheduled Public Appearances

VICE MAYOR ELLIS invited Councilmember Orlando to join her for the recognitions.

1. Service Recognitions

Kristy Swan – 10 years, Police
Ricardo Diaz – 20 years, Neighborhood Years
Mickey Ohland – 30 years, Community Services

2. Recognition: Road to Riches Car Show

VICE MAYOR ELLIS invited Leah Powell, Neighborhood Resources Director, to introduce Jerome and Lisa Daniels and other members of the Be a Mushroom Foundation.

MS. POWELL shared the Be a Mushroom Foundation has partnered with the City of Chandler Housing Youth Program to provide education regarding financial literacy. The Foundation launched Road to Riches, an initiative to enhance financial literacy for high school students.

MR. DANIELS shared information about the Road to Riches program. He presented awards to First Interstate Bank for their sponsorship, and to Myra and Rudy Ruiz, for Best in Show at the Road 2 Riches Car Show.

3. Proclamation: National Water Safety Month/Drowning Prevention Month

COUNCILMEMBER ORLANDO read the proclamation and invited Aquatics, Fire, and Police Department staff to accept.

CHRIS SMITH, Aquatics Supervisor, shared information about the ABC's of water safety: adult supervision, barriers, classes, and floatation devices. Registration for the City of Chandler summer recreation and aquatics classes opens May 6.

BLAS MINOR, Fire Battalion Chief, encouraged residents to have a safe summer by supervising children in pools and by taking swimming classes.

4. Proclamation: National Police Week and Peace Officers Memorial Day

VICE MAYOR ELLIS read the proclamation and invited Jason Sieczkowski, Assistant Police Chief, to accept.

ASSISTANT CHIEF SIECZKOWSKI thanked Mayor and Council. The Annual Memorial Service for Fallen Officers was held on May 5. This week is both to remember and honor fallen officers as well as celebrate and recognize the profession.

5. Proclamation: Municipal Clerks Week, May 4 -10, 2025

VICE MAYOR ELLIS read the proclamation and invited City Clerks Office staff to accept.

DANA DELONG, City Clerk, thanked Mayor and Council. Ms. DeLong share that the City Clerk's Office promotes transparency in government, and this week honors the important work municipal clerks do.

6. Thayne Martin - Nuisance Bird Feeding

THAYNE MARTIN addressed Council regarding an ordinance regulating feeding wild birds. Mr. Martin shared a concern in his neighborhood where a neighbor feeds birds, resulting in health and property nuisances.

COUNCILMEMBER POSTON asked about any response from the neighbor.

MR. MARTIN said the response has been negative. He has worked with Community Services and Code Enforcement to attempt to mitigate the issue.

COUNCILMEMBER POSTON asked staff to look into solutions the county can offer, and what other cities are doing about this issue.

COUNCILMEMBER ORLANDO noted this concern has been brought up before, and requested an ordinance be presented to a subcommittee of the City Council.

COUNCILMEMBER ENCINAS requested information on what other municipalities have taken action on this issue.

COUNCILMEMBER HARRIS requested to study the issue.

VICE MAYOR ELLIS asked if Chandler has studied this issue previously.

JOSHUA WRIGHT, City Manager, said Chandler has investigated this issue from other complaints received. Other complaints were able to be resolved through action within the community not requiring an ordinance. Staff may begin to research a possible ordinance addressing this and outside municipalities' actions.

VICE MAYOR ELLIS emphasized resolving the issue.

COUNCILMEMBER HARRIS requested the actions taken by Code Enforcement in this case.

Consent Agenda

City Clerk

1. Approval of Minutes
Move City Council approve the Council meeting minutes of the Study Session of April 21, 2025, the Regular Meeting of April 24, 2025, and the Work Session of April 24, 2025.
2. Boards and Commissions Member Appointments
Move City Council approve the Boards and Commissions appointments as recommended.

Development Services

3. Final Adoption of Ordinance No. 5125, Rezoning, PLH25-0003 Countrywide Frye Road Campus, Generally Located 1/4 Mile East of the Northeast Corner of Frye Road and Price Road
Move City Council adopt Ordinance No. 5125 approving PLH25-0003 Countrywide Frye Road Campus, amending the existing Planned Area Development (PAD) zoning district to allow medical uses in addition to the uses currently allowed, which include general office

and Planned Industrial (I-1) type uses, subject to the conditions as recommended by Planning and Zoning Commission.

Facilities and Fleet

4. Professional Services Agreement No. BF2502.201, with LSW Engineers Arizona, Inc., for the Development Services Building HVAC Design Services
Move City Council award Professional Services Agreement No. BF2502.201 to LSW Engineers Arizona, Inc., for the Development Services Building HVAC Design Services, in an amount not to exceed \$138,250.

Management Services

5. New License Series 12, Restaurant Liquor License Application for Larry Warren White, Jr, Agent, Warren's Supper Club, LLC, DBA Warren's Supper Club
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 333496, a Series 12, Restaurant Liquor License, for Larry Warren White, Jr, Agent, Warren's Supper Club, LLC, DBA Warren's Supper Club, located at 1040 N. 54th Street, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307989.

Police Department

6. Resolution No. 5901 Approval and Acceptance of the 2024 Edward Byrne Justice Assistance Grant
Move City Council pass and adopt Resolution No. 5901 accepting and approving the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2024 Local Solicitation in the amount of \$39,518; authorizing the Mayor and City Attorney to sign the required certifications; and authorizing the Chief of Police, as designated by the City Manager, to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.
7. Purchase of Fixed Camera Automated License Plate Reader (ALPR) Solution
Move City Council approve the purchase of fixed camera automated license plate reader (ALPR) solutions, from Flock Group, Inc., utilizing the City of Tempe Contract No. T21-119-01, in an amount not to exceed \$114,356.

Public Works and Utilities

8. Professional Services Agreement No. ST2404.501, SRP Contract No. 4224287, with Salt River Project, for the Willis Road (Vine Street to 1,700 Feet East) Improvements Design Services
Move City Council award Professional Services Agreement No. ST2404.501, SRP Contract No. 4224287, to SRP, for the Willis Road (Vine Street to 1,700 Feet East) Improvements Design Services, in an amount not to exceed \$236,577.
9. Purchase of Inductively Coupled Plasma Mass Spectrometer (ICPMS)

Move City Council approve purchase of an ICPMS, utilizing State of Arizona Contract No. CTR069681, from VWR International, LLC, in an amount not to exceed \$190,000.

10. Agreement No. PW5-745-4887, with M.R. Tanner Development and Construction, LLC, for Street Maintenance Repaving, Surface Seal, and Repair Services
Move City Council approve Agreement No. PW5-745-4887, with M.R. Tanner Development and Construction, LLC, for street maintenance repaving, surface seal, and repair services, in an amount not to exceed \$17,300,000, for a one-year term, May 9, 2025, through May 8, 2026.
11. Construction Agreement No. WW2001.403, Change Order No. 3, with Garney Companies, Inc., for the Ocotillo Brine Reduction Facility Hydrochloric Acid Storage and Weak Acid Containment Mixing Improvements
Move City Council award Agreement No. WW2001.403, Change Order No. 3, to Garney Companies, Inc., for the Ocotillo Brine Reduction Facility Hydrochloric Acid Storage and Weak Acid Containment Mixing Improvements, increasing the agreement amount by \$125,183.69.

Adjourn

The meeting was adjourned at 6:38 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: May 22, 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 22nd day of May 2025. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of May, 2025.

City Clerk

May 5, 2025

Thayne Martin
457 N Newport St.
Chandler, AZ 85225
Cell: (602) 502-2002

Re: Request for New Ordinance Regarding Nuisance Feeding of Wild Birds and Animals

Mayor and Members of the Chandler City Council,

Thank you for the opportunity to speak. My name is Thayne Martin, and I'm a proud Chandler resident and Arizona native. I'm here today to request that the City Council consider enacting a **nuisance bird feeding ordinance** to protect homeowners like me from the serious consequences of excessive and irresponsible wild bird feeding.

What started as one neighbor's attempt to protect his extensive gardening (both front and back yards) has now become a **neighborhood-wide health and property nuisance**. By placing large amounts of feed outdoors daily, he has unintentionally created a **bird buffet** that has attracted not only native birds like doves, but worse, flocks of **pigeons, starlings, and sparrows**—birds classified in Arizona as nuisance species not native to our State. A morning flock is usually 100 to 200 birds, that fly every time we close our trash can and our property gets literally dive bombed with feces. I have been hit multiple times taking out the trash and laying at my pool.

The impact has been devastating:

- **Our homes, patios, and decks are constantly soiled with bird feces**, which is not just unsightly, but corrosive and staining to our home, deck and outdoor furniture. Our furniture has to be replaced often.
- **We recently replaced our roof as it began leaking and it cost \$24,000. When they lifted the ceramic tile, you could see where bird droppings had eaten away the underlayment particularly on the edges and the hip of the roof where the birds sit. I am nearing retirement and should not have to worry that my new roof will fail prematurely.**
- And perhaps most disturbing, **we've begun seeing rats in the neighborhood and amongst the neighbors**—drawn to the leftover birdseed and free garden food.

This is not just a matter of personal inconvenience due to the extensive time we spend daily hosing down our home, deck, and outdoor furniture, **This is a public health issue.**

According to the CDC, both wild birds and rodents can carry over **60 diseases** that are transmissible to humans, including **salmonella, histoplasmosis, and leptospirosis**. Bird droppings are a known breeding ground for fungal spores, and rats follow food. Once rats are established, **they can infest attics, chew electrical wiring, and spread further throughout the community**. And it doesn't take much, studies have shown that **as little as one pound of bird seed left outside daily can support hundreds of rodents let alone the birds**. We're seeing infestation firsthand in our neighborhood and the surrounding neighbors have also complained but fear to "get involved".

We don't want to punish people for enjoying nature but **unregulated and excessive feeding crosses a line**—one that impacts neighbors, damages property, lowers home values, and threatens the health of our families and pets. We've lived in our home since 2005, and the bird and rodent problem only began when the gardens were put in during COVID and they began feeding the birds so they wouldn't eat the garden, but at our expense.

I respectfully urge this Council to consider adopting a **nuisance feeding ordinance**—not to prevent responsible bird lovers from enjoying backyard visits, but to establish **limits and consequences for excessive, negligent behavior** that invites infestation and harm.

Other Arizona cities, such as Phoenix, Tempe, Mesa & Scottsdale, have addressed similar issues with balanced ordinances for nuisance birds and it's time Chandler does the same.

Thank you for your time, your leadership, and for protecting the livability of our great city.

Sincerely,



Thayne Martin



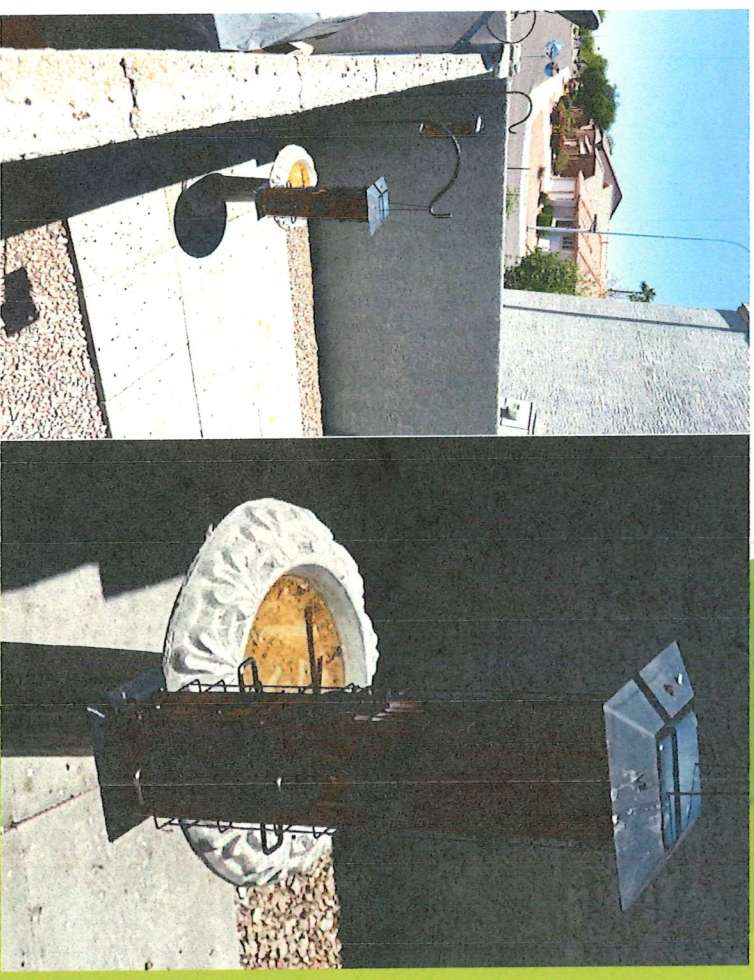
City of Chandler Ordinance Request

Nuisance Bird and Animal Feeding Ordinance

By Thayne and Joy Martin

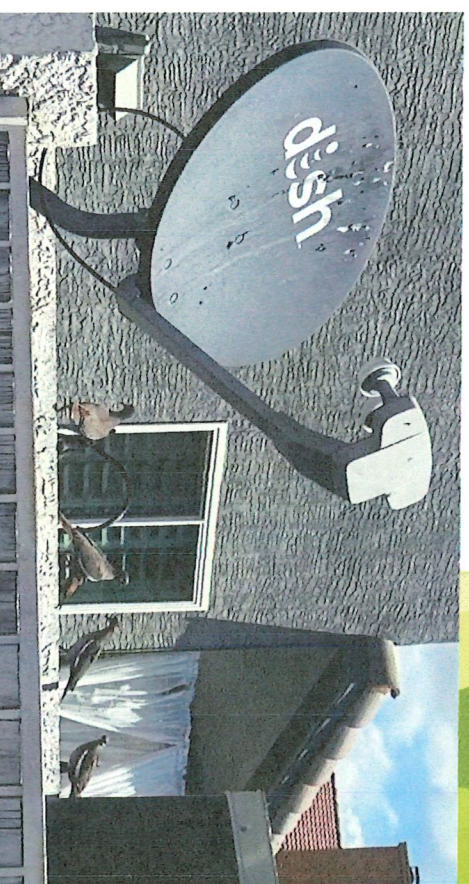
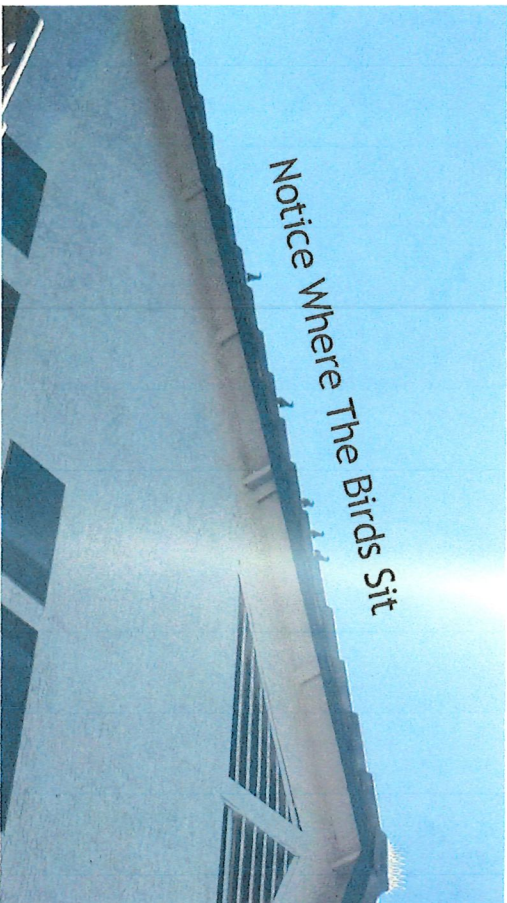


Photos of Property Causing the Infestation



Two, 24" x 5" Feeders Completely
Full With Multiple POUNDS of Seeds

Evidence On Our Property



Evidence On Our Property



Small Flock of 88 Birds



Small Flock of 50 to 60 Birds at Noon, Morning Is 100 to 200



Small Flock of 88 Birds Landing On OUR Roof



Anti-bird Measures Don't Work For Flocks
(We've spent at least \$500 already. Bird wires
will cost an additional \$2,000 (per estimate)).

