

**DRAFT**

## **City of Glendale**

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## **Meeting Minutes**

**Tuesday, August 10, 2021  
5:30 P.M.**

**Voting Meeting  
Council Chambers**

### **City Council**

*Mayor Jerry Weiers*

*Vice Mayor Ian Hugh*

*Councilmember Jamie Aldama*

*Councilmember Joyce Clark*

*Councilmember Ray Malnar*

*Councilmember Lauren Tolmachoff*

*Councilmember Bart Turner*

## **CALL TO ORDER**

Mayor Weiers called the meeting to order at 5:31 p.m. He asked for a moment of silence for Glendale Police Officer Lonnie Durham who passed away from complications of COVID-19.

## **ROLL CALL**

Present: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Also Present: Kevin Phelps, City Manager  
Michael Bailey, City Attorney  
Julie K. Bower, City Clerk  
Vicki Rios, Assistant City Manager  
Jack Friedline, Assistant City Manager

## **PRAYER/INVOCATION**

The invocation was offered by Pastor Emmanuel Allen of the Breakthrough Life Church.

## **POSTING OF COLORS**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF THE MINUTES**

### **1. APPROVAL OF THE MINUTES OF THE JUNE 22, 2021 VOTING MEETING**

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to approve the minutes of the June 22, 2021 voting meeting.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

## **CONSENT AGENDA**

2. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000020-L10, MARK ITT, 6031 N 67TH AVE STE 1
3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000002-L07, PIZZA HUT, 5825 W BELL ROAD
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000021-L12, NAKEDQ, 9405 W GLENDALE AVENUE BLDG C STE 120
5. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000022-L12, HALDI INDIAN CUISINE, 18561 N 59TH AVE STE 122
6. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000026-L12, FIRST WATCH RESTAURANT #451, 9425 W GLENDALE AVE STE 110
7. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000010-L06, MARSICOS Y SUSHI EL DORADO, 5912 W GLENDALE AVENUE
8. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000023-L12, THE PINK DOOR TEAHOUSE, 7153 N 59TH AVENUE
9. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000024-L12, LEGEND AT ARROWHEAD, 21027 N 67TH AVENUE
10. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000025-L12, CHEBA HUT, 5925 W OLIVE AVENUE #2
11. AUTHORIZATION TO ENTER INTO AN ASSOCIATE MEMBER AGREEMENT WITH ARIZONA BLUE STAKE INC, DBA ARIZONA 811 FOR CONTINUED PARTICIPATION IN THE ONE-CALL NOTIFICATION CENTER (ARIZONA 811) FOR THE IDENTIFICATION OF UNDERGROUND UTILITIES
12. AUTHORIZATION TO AMEND CONTRACT C20-0040 AND INCREASE SPENDING AUTHORITY FOR FDC RESCUE PRODUCTS, LLC. FOR THE PURCHASE OF F500 ENCAPSULATOR AGENT
13. EXPENDITURE AUTHORIZATION FOR COSTS ASSOCIATED WITH CONTINUED PARTICIPATION IN THE REGIONAL WIRELESS COOPERATIVE IN FISCAL YEAR 2021-22
14. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH AMERICAN CONSERVATION EXPERIENCE FOR SUSTAINABLE TRAIL IMPROVEMENTS AND ENHANCEMENTS AT THUNDERBIRD CONSERVATION PARK
15. AUTHORIZATION TO ENTER INTO AND RATIFY AGREEMENT WITH MAP STRATEGIES GROUP LLC

16. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ENTELLUS, INC., FOR DESIGN SERVICES FOR THE RECONSTRUCTION OF 83RD AVENUE – GLENDALE TO NORTHERN AVENUES
17. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ENTELLUS, INC., FOR DESIGN SERVICES FOR THE RECONSTRUCTION OF 75TH AVENUE – GLENDALE TO NORTHERN AVENUES
18. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH COMBS CONSTRUCTION COMPANY, INC., FOR THE GLENDALE MUNICIPAL AIRPORT TAXIWAY A REHABILITATION
19. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH GALFAB, LLC, FOR REPAIR AND REFURBISH METAL BINS AND ROLL-OFF CONTAINERS
20. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH NORWOOD EQUIPMENT, LLC, FOR HEAVY-DUTY FLEET PARTS, SERVICE, AND ACCESSORIES

The item was pulled from the Consent Agenda by Councilmember Clark for a separate vote.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ray Malnar to approve item 20.

AYE: Mayor Jerry Weiers  
 Vice Mayor Ian Hugh  
 Councilmember Jamie Aldama  
 Councilmember Ray Malnar  
 Councilmember Lauren Tolmachoff  
 Councilmember Bart Turner  
 NAY: Councilmember Joyce Clark  
 Passed

21. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH WATER & ENERGY SYSTEMS TECHNOLOGY, INC. FOR PERFORMANCE WATER TREATMENT PROGRAM SERVICES

## **CONSENT RESOLUTIONS**

Ms. Bower read the Consent Resolutions by title.

22. RESOLUTION NO. 21-74

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING DUTIES AND RESPONSIBILITIES FOR THE GOVERNMENT SERVICES COMMITTEE.

**23. RESOLUTION NO. R21-75**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF AN AGREEMENT WITH THE STATE OF ARIZONA, OFFICE OF THE ATTORNEY GENERAL, AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE FY 2022 VICTIMS' RIGHTS PROGRAM AWARD (A.G. #2022-031) IN THE APPROXIMATE AMOUNT OF \$5,422 ON BEHALF OF THE GLENDALE PROSECUTOR'S OFFICE.

**24. RESOLUTION NO. R21-76**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF AN AGREEMENT WITH THE STATE OF ARIZONA, OFFICE OF THE ATTORNEY GENERAL, AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE FY 2022 VICTIMS' RIGHTS PROGRAM AWARD (A.G. #2022-044) IN THE APPROXIMATE AMOUNT OF \$44,822 ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

**25. RESOLUTION NO. R21-77**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THIS NOTICE OF INTENTION TO INCREASE WATER AND SEWER USER CHARGES; SETTING A PUBLIC HEARING ON PROPOSED INCREASES; AND FILING WRITTEN REPORTS SUPPORTING THE PROPOSED INCREASES WITH THE CITY CLERK.

Presented by: Vicki Rios, Assistant City Manager  
Jack Friedline, Assistant City Manager  
Craig Johnson, P.E., Water Services Director

The resolution was pulled from the Consent Agenda by Councilmember Tolmachoff for a presentation and separate vote.

Ms. Rios said the purpose of the proposed resolution was to notify the public of the Council's intent to increase the water and sewer rates and set a public hearing on the proposed increases for October 26, 2021. Council would also vote on the proposed rate increase on that date. The resolution also informed the public that a report was on file with the City Clerk's Office and on the City's website that supported and provided background on the need for the rate increases.

Councilmember Tolmachoff would support the resolution notifying residents of a proposed rate increase. She would not support a 5-year rate increase with the current conditions on the Colorado River and the uncertainty regarding the future cost of water. She would support a 2-year rate increase. A 5-year plan could be adopted with an assessment in 2 years. The Central Arizona Project (CAP) would be delivering less water. It was inevitable that the cost of water would increase and a 2-year rate increase would be more prudent.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to approve Resolution No. R21-77.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama

Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

**26. RESOLUTION NO. R21-78**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A DEVELOPMENT AGREEMENT WITH SARIVAL DEVELOPMENT LLC, A DELAWARE LIMITED LIABILITY COMPANY IN THE WEST GLENDALE SERVICE AREA FOR STREET IN-LIEU FEES AND STREET INFRASTRUCTURE.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Jamie Aldama to approve Consent Agenda items 2 through 19 and 21 and adopt Consent Resolutions items 22 through 24 and 26.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

**BIDS AND CONTRACTS**

Ms. Bower read the Bids and Contracts items by title.

**27. AUTHORIZATION TO ENTER INTO A SERVICES AGREEMENT WITH FORENSIC TECHNOLOGY INC. FOR AN INTEGRATED BALLISTICS IDENTIFICATION SYSTEM WARRANTY AND PROTECTION PLAN**

A motion was made by Councilmember Lauren Tolmachoff, seconded by Vice Mayor Ian Hugh to approve item 27.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

- 28.** AWARD OF IFB 21-50, AUTHORIZATION TO ENTER INTO AN AGREEMENT, AND APPROVE EXPENDITURE OF FUNDS TO PURCHASE FIREFIGHTER TURNOUT GEAR FROM L.N. CURTIS & SONS

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 28.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

- 29.** AWARD OF IFB 21-50, AUTHORIZATION TO ENTER INTO AN AGREEMENT, AND APPROVE EXPENDITURE OF FUNDS TO PURCHASE FIREFIGHTER TURNOUT GEAR FROM MATLICK ENTERPRISES DBA UNITED FIRE EQUIPMENT COMPANY  
Presented by: Terry Garrison, Fire Chief

A motion was made by Councilmember Jamie Aldama, seconded by Vice Mayor Ian Hugh to approve item 29.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

- 30.** AWARD OF IFB 21-50, AUTHORIZATION TO ENTER INTO AN AGREEMENT, AND APPROVE EXPENDITURE OF FUNDS TO PURCHASE FIREFIGHTER TURNOUT GEAR FROM WITMER PUBLIC SAFETY GROUP, INC.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to approve item 30.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff

Councilmember Bart Turner

Passed

- 31.** AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CONSOLIDATED ELECTRICAL DISTRIBUTORS DBA AZ ELECTRIC SUPPLY FOR INDUSTRIAL AND NON-INDUSTRIAL ELECTRICAL AND PROCESS/SCADA CONTROLS, EQUIPMENT, PARTS, SUPPLIES AND TOOLS

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to approve item 31.

Councilmember Clark said it was her practice to vote no on 5-year contracts.

The vote on the motion was:

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

NAY: Councilmember Joyce Clark

Passed

- 32.** AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ELLIOT ELECTRIC SUPPLY, INC. FOR INDUSTRIAL AND NON-INDUSTRIAL ELECTRICAL AND PROCESS/SCADA CONTROLS, EQUIPMENT, PARTS, SUPPLIES AND TOOLS

A motion was made by Councilmember Lauren Tolmachoff, seconded by Vice Mayor Ian Hugh to approve item 32.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

NAY: Councilmember Joyce Clark

Passed

- 33.** AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PLAZA DEL RIO MANAGEMENT CORPORATION TO PROVIDE CONSULTING SERVICES REGARDING DEVELOPMENT OPPORTUNITIES FOR CITY-OWNED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 95TH AVENUE AND CARDINALS WAY

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Ian Hugh to approve item 33.

Councilmember Tolmachoff said during her tenure on Council, she had never been presented with a similar professional services agreement. After researching the agreement, she had emailed Mr. Phelps with questions regarding the agreement. She had asked for documentation of the available sources reviewed. Mr. Phelps' response was to direct her to the rationale for the special procurement. He also stated that the special skill sets of the vendor would be critical to realize the City's vision for Class A office space.

Councilmember Tolmachoff said the funding was not included in the FY21-22 budget or Capital Improvement Plan (CIP). She asked Mr. Phelps where the funding would be coming from and what would not be funded because of the unfunded expense. Mr. Phelps had responded that if costs were incurred, staff would identify funding sources to be used. His response did not answer her question.

Councilmember Tolmachoff said the minutes from the June 22nd workshop indicated that Plaza Companies would analyze options and return to Council with recommendations and that all opportunities, not just Class A office space, would be explored based on market needs. Mr. Phelps had said that no vertical construction would take place without Council approval.

Councilmember Tolmachoff said her questions were not answered and without clarity for when and if options would be returned to Council, where the project funding would come from, what would not be funded as a result and the stated reason for the special procurement could not be documented, she would not be able to support the item.

Councilmember Turner was concerned with the information presented. There was a lack of any measurable deliverables or timeframes. The reasons provided for the sole source procurement had not been justified and did not meet requirements. He would be voting no on the item.

The vote on the motion was:

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
NAY: Councilmember Lauren Tolmachoff  
Councilmember Bart Turner  
Passed

## **PUBLIC HEARING - LAND DEVELOPMENT ACTIONS**

**34. RESOLUTION NO. R21-79**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA21-02 FOR PROPERTY LOCATED SOUTH OF THE SOUTHEAST CORNER OF 51ST AVENUE AND PEORIA AVENUE.

ORDINANCE NO. O21-49

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED SOUTH OF THE SOUTHEAST CORNER OF 51ST AVENUE AND PEORIA AVENUE FROM R1-6, C-2, AND C-3 TO R-2 (MIXED RESIDENCE) AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the resolution and ordinance by title.

Ms. Perry said the two requests being made were to approve a Minor General Plan Amendment from GC (General Commercial) and MDR5 (Medium Density Residential, 3.5-5 dwelling units/acre (du/ac)) to MHDR12 (Medium High Density Residential, 8-12 du/ac) and a zoning change from R1-6, C-2, and C-3 to R-2 (Mixed Residence). The property was located south and east of the southeast corner of 51st Avenue and Peoria Avenue and was approximately 17.72 acres in size.

Ms. Perry said the applicant proposed a gated development of 197 single-story, detached rental units ranging from 1 - 3 bedrooms with 7.6 acres of open space. Amenities included a pool, jacuzzi, tot lot and a dog park.

Ms. Perry said the proposal would result in a quality development product which was consistent with the goals and objectives of the General Plan by promoting infill development and a variety of housing types for all income levels and supporting people at various stages in their lives.

Ms. Perry said the Planning Commission considered the requests at its August 5th meeting and recommended approval subject to eight stipulations.

Mayor Weiers opened the public hearing.

Dennis Godfrey, Barrel District resident, was in support of the requests but had questions regarding the 55-foot half street improvement and ingress and egress for the development.

Brennan Ray, Applicant, said the 55-foot dedication was a clean-up for Peoria Avenue and was not an improvement. Primary access for the site would be off of Peoria Avenue and there was a secondary access point off of 51st Avenue.

Councilmember Tolmachoff asked about the tenant garage depicted on the site plan.

Mr. Ray said all tenants were provided with a covered parking space. For an additional fee, tenants could have access to enclosed garages that were internal to the site.

Councilmember Turner asked if the developer would complete 49th Avenue.

Mr. Ray said the developer was required to complete the western half of 49th Avenue including curb, gutter and sidewalk.

Councilmember Turner said there would be no exits into the existing neighborhoods. He also asked about the ingress and egress on 51st Avenue.

Mr. Ray said there would be no exits into the neighborhood. He said a Planning Commissioner had raised concerns about safe movement out of the development onto 51st Avenue and the entrance should be limited to a right-in/right-out movement. It was currently planned as a full movement. The applicant's traffic engineer had determined that a full movement at that location was safe and City staff had agreed. After the Planning Commission meeting, the applicant had agreed to take another look at it and would defer to professional staff.

Mayor Weiers closed the public hearing.

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to adopt Resolution No. R21-79.

Councilmember Aldama said the development was a long time coming. The property had been vacant for many years.

Councilmember Clark said there were times when build-for-rent were appropriate. The development was a mile from Glendale Community College and it would provide students with rental options.

Councilmember Turner said in the past the property had been known as Sarival Farms and Harrelson Stables. It had been the preferred stable for the Budweiser Clydesdales whenever the team was in town.

Vice Mayor Hugh said the development would be a fine addition to the Cactus District.

The vote on the motion was:

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-49.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh

Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

**35. RESOLUTION NO. R21-80**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GENERAL PLAN MAP OF THE CITY OF GLENDALE, ARIZONA, BY APPROVING GENERAL PLAN AMENDMENT GPA21-04 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF 67TH AVENUE AND GREENWAY ROAD.

ORDINANCE NO. O21-50

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF 67TH AVENUE AND GREENWAY ROAD FROM C-2 (GENERAL COMMERCIAL) AND R-3 (MULTIPLE RESIDENCE) TO R-5 (MULTIPLE RESIDENCE) AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the resolution and ordinance by title.

Ms. Perry said the two requests being made were to approve a Minor General Plan Amendment from GC (General Commercial) to HDR20 (High Density Residential, 12-20 dwelling units/acre (du/ac)) and a zoning change from C-2 (General Commercial) and R-3 (Multiple Residence) to R-5 (Multiple Residence). The property was located at the northeast corner of 67th Avenue and Greenway Road and was 9.4 acres in size.

Ms. Perry said the applicant proposed a gated multiple family residential apartment complex consisting of twelve 2- and 3-story buildings with a total of 182 units ranging from 1 to 3 bedrooms. Amenities included a pool and dog park.

Ms. Perry said the amendment was consistent with the policies and objectives of the City's General Plan, Zoning Ordinance, and Residential Design and Development policies. It promoted infill development within portions of the City where infrastructure was already available, contributed to the supply and diversity of housing and furthered the public health, safety and general welfare of the citizens of Glendale.

Ms. Perry said the Planning Commission, at its August 5th meeting, recommended approval subject to seven stipulations.

Mayor Weiers opened the public hearing.

Councilmember Malnar said the particular corner was close to Cactus High School and traffic was heavy. He asked if a traffic study had been completed.

Ms. Perry said a traffic impact study had been received and the traffic at Greenway and 67th

Avenue was addressed.

Councilmember Malnar asked if a traffic light with a flashing turn signal could be expedited and what the timeline was for the project.

Jon Froke, appearing for the applicant, said Greenway was not a through street west of 67th Avenue, so most of the turning movements onto 67th Avenue would be north or south. By eliminating commercial uses, the impact of the proposed development would be less. If the requests were approved, construction would begin early 2022.

Mr. Friedline said he would work with staff to see if the traffic light could be expedited.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to adopt Resolution No. R21-80.

Councilmember Malnar said it would be a great project for the area and appreciated the developer moving forward on the project.

The vote on the motion was:

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Ian Hugh to adopt Ordinance No. O21-50.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

## **ORDINANCES**

**36. ORDINANCE NO. O21-51**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 25 (NUISANCES) ARTICLE III (ADMINISTRATION AND ENFORCEMENT) SECTION 36 (ENFORCEMENT-GENERAL), SECTION 42 (COURT-ORDERED ABATEMENT) AND SECTION 43 (APPEAL OF COURT DECISION) AND SETTING FORTH AN EFFECTIVE DATE.

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the proposed ordinance would create a provision for court-ordered abatement. It would be used infrequently but would provide another tool for Code Compliance to obtain a court-ordered abatement to use in very egregious cases of code violations.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-51.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

**37. ORDINANCE NO. O21-52**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 24 (MOTOR VEHICLES AND TRAFFIC) ARTICLE VI (SPEED REGULATIONS) SECTION 24-94 (UNNECESSARY VEHICLE NOISE) AND CHAPTER 25 (NUISANCES) ARTICLE VIII (MISCELLANEOUS NUISANCES), SECTION 25-67 (VEHICULAR NOISE; VIOLATIONS) AND SETTING FORTH AN EFFECTIVE DATE.

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the proposed amendments contained in the ordinance had been discussed at a Council workshop and related to vehicle engine noise. The Code currently classified engine noise as a criminal violation. At Council's request, the amendment would make the first two violations in a twelve-month period civil offenses with minimal fines. Third and subsequent offenses in a twelve-month period would be criminal offenses.

Mayor Weiers asked if engine noise included squealing tires. He did not know how there would be enough officers to enforce it.

Mr. St. John said it dealt with only engine and exhaust noise. There were other statutes that

dealt with squealing of tires.

Mayor Weiers asked if it was a decibel reading.

Mr. St. John said it was a distance ordinance not a decibel level ordinance.

Councilmember Aldama asked if the ordinance targeted owners who had modified their engines.

Mr. St. John said it would be complaint driven. Currently, there was a hesitancy on the part of officers to cite because it was a criminal citation. The proposed ordinance would address the hesitancy.

Councilmember Tolmachoff confirmed that the penalty was being reduced.

Mr. St. John said that was correct.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-52.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

**38. ORDINANCE NO. O21-53**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING CASH AND APPROPRIATION BALANCE TRANSFERS BETWEEN BUDGET ITEMS IN THE ADOPTED FISCAL YEAR 2020-2021 BUDGET. Presented by: Lisette Camacho, Director, Budget and Finance

Ms. Bower read the ordinance by title.

Ms. Camacho said the City's FY20-21 total budget appropriation across all funds remained unchanged with the action. Exhibit A contained the requested cash and appropriation transfers between departments and funds.

Councilmember Tolmachoff asked if line 4 of Exhibit A regarding a transfer from 2019 Streets DIF Contingency to Pyramid Peak Wastewater Treatment Plant (WTP) Expansion was for the 67th Avenue Project.

Ms. Rios said it was an appropriation transfer for the Pyramid Peak WTP expansion.

Craig Johnson, Water Services Director, confirmed it was for the expansion project.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O21-53.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

## **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to hold the next regularly scheduled City Council workshop on Tuesday, August 24, 2021 at 2:30 p.m. in City Council Chambers, to be followed by an executive session pursuant to A.R.S. 38-431.03.

AYE: Mayor Jerry Weiers  
Vice Mayor Ian Hugh  
Councilmember Jamie Aldama  
Councilmember Joyce Clark  
Councilmember Ray Malnar  
Councilmember Lauren Tolmachoff  
Councilmember Bart Turner

Passed

## **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Clark said Glendale Police Officer Lonnie Durham had succumbed to complications of COVID-19. Council and City employees were holding Officer Durham's family in their hearts and prayers. She said the City had lost two other employees to COVID-19, sanitation truck driver Tom Pena and sanitation fleet supervisor Montana Slack. She offered condolences to their families.

Councilmember Tolmachoff said it was good to be back and holding meetings in the Council Chambers.

Councilmember Turner asked that the audio equipment in the Council Chambers be checked.

Vice Mayor Hugh thanked Mayor Weiers and Councilmember Aldama for attending the free swim day at the Rose Lane pool. The Fire Department served hamburgers and hot dogs to the community and provided safety lessons. The community really appreciated it.

Mayor Weiers said he, Vice Mayor Hugh and Councilmember Aldama had used spare district funds for the installation of the American flag, POW flag and the Arizona flag in front of the Civic Center. The flags looked great.

## **CITIZEN COMMENTS**

James Deibler, Phoenix resident, spoke regarding issues with the homeless.

Craig Kurek, Cholla District resident, spoke regarding a 5G tower located at the fire station at 67th Avenue and Deer Valley.

Jessica Koory, Ocotillo District resident, addressed concerns with the closure of alleys in the Ocotillo District.

Bernadette Bolognini, Ocotillo District resident, addressed concerns with the closure of alleys in the Ocotillo District.

Saravanan Mathivanan, Cholla District resident, addressed concerns regarding the small business licensing process.

Chad Shimek and Audree Denekamp, Custom Holiday Lights, LLC, spoke regarding RFP 21-15.

## **ADJOURNMENT**

Mayor Weiers adjourned the meeting at 7:01 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the Glendale City Council of Glendale, Arizona, held on the 10th day of August, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_ day of \_\_\_, 2021.

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Julie K. Bower, MMC, City Clerk