

**DRAFT**

## **City of Glendale**

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## **Meeting Minutes**

**Tuesday, August 24, 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.

## **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  
Jim Gruber, Deputy City Attorney  
Julie K. Bower, City Clerk  
Vicki Rios, Assistant City Manager  
Jack Friedline, Assistant City Manager

## **PRAYER/INVOCATION**

The invocation was offered by Judah Montenegro, Surprise Apostolic Church.

## **POSTING OF COLORS**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF THE MINUTES**

### **1. APPROVAL OF THE MINUTES OF THE AUGUST 10, 2021 VOTING MEETING**

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Jamie Aldama to approve the minutes of the August 10, 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. 600000027-L12, TOKYO LOBBY, 5795 W BELL RD STE 1
3. POSITION RECLASSIFICATIONS
4. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH VECTOR SOLUTIONS, INC. FOR ADDITIONAL UNMANNED AIRCRAFT VEHICLES/SYSTEMS
5. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DOOLEY ENTERPRISES, INC. FOR THE PURCHASE OF AMMUNITION FOR THE POLICE DEPARTMENT
6. AUTHORIZATION TO ENTER INTO AMENDMENT NO.1 WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. AND RATIFY EXPENDITURES
7. APPROVAL OF STONEHAVEN PHASE 2 PARCEL 9 FINAL PLAT APPLICATION FP20-14 LOCATED AT THE SOUTHEAST CORNER OF CARDINALS WAY AND 87TH AVENUE
8. APPROVAL OF STONEHAVEN PHASE 2 PARCEL 10 FINAL PLAT APPLICATION FP20-15 LOCATED AT THE SOUTHWEST CORNER OF CARDINALS WAY AND 83RD AVENUE
9. APPROVAL OF STONEHAVEN PHASE 2 PARCEL 13B FINAL PLAT APPLICATION FP20-16 LOCATED AT THE SOUTHEAST CORNER OF MISSOURI AVENUE AND 91ST AVENUE
10. APPROVAL OF STONEHAVEN PHASE 2 PARCEL 16 FINAL PLAT APPLICATION FP20-17 LOCATED AT THE SOUTHWEST CORNER MISSOURI AVENUE AND 87TH AVENUE
11. APPROVAL OF STONEHAVEN PHASE 2 PARCEL 17A FINAL PLAT APPLICATION FP20-18 LOCATED AT THE SOUTHEAST CORNER OF MISSOURI AVENUE AND 91ST AVENUE
12. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ELONTEC, LLC FOR FURNITURE, PRODUCTS AND SERVICES
13. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH SWAIN ELECTRIC, INC., FOR ELECTRICAL SERVICES FOR UTILITIES INFRASTRUCTURE
14. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH ADAMS AND ASSOCIATES ENGINEERS, PLLC FOR ELECTRICAL AND MECHANICAL ENGINEERING SERVICES
15. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH REHRIG PACIFIC COMPANY FOR SOLID WASTE CONTAINERS

16. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE CONSTRUCTION AGREEMENT WITH RECON RESTORATION, INC. FOR PUBLIC HOUSING IMPROVEMENTS
17. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH VIASUN CORPORATION FOR PAVEMENT PRESERVATION SERVICES
18. AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT WITH RURAL ELECTRIC, INC., FOR THE GLENDALE MUNICIPAL AIRPORT AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) & WIND CONE REPLACEMENT
19. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH B & F CONTRACTING, INC., FOR THE CONSTRUCTION OF CONDUITS AND FIBER INSTALLATION TO PUBLIC FACILITIES

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to approve Consent Agenda items 2 through 19.

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 RESOLUTIONS**

Ms. Bower read the Consent Resolutions by title.

### **20. RESOLUTION NO. R21-81**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF AN AGREEMENT WITH THE ARIZONA AUTOMOBILE THEFT AUTHORITY, AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF A FY 2021 LAW ENFORCEMENT GRANT IN THE APPROXIMATE AMOUNT OF \$10,979.99, ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

### **21. RESOLUTION NO. R21-82**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN EQUITABLE SHARING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE FOR CONTINUED PARTICIPATION IN THE FEDERAL EQUITABLE SHARING PROGRAM ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

**22. RESOLUTION NO. R21-83**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN AGREEMENT TO SHARE COSTS ASSOCIATED WITH SEEKING TO OBTAIN APPROVAL FOR OPERATION OF THE FLOOD CONTROL SPACE IN THE MODIFIED ROOSEVELT DAM UNDER A TEMPORARY DEVIATION TO THE WATER CONTROL PLAN AMONG VARIOUS PARTICIPATING ENTITIES AND SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT (SRP) IN AN AMOUNT NOT EXCEED \$61,347.

**23. RESOLUTION NO. R21-84**

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A DEVELOPMENT AGREEMENT WITH COLD SUMMIT PHOENIX 1 JOINT VENTURE LLC IN THE WEST GLENDALE SERVICE AREA FOR STREET IN-LIEU FEES AND STREET INFRASTRUCTURE.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to adopt Consent Resolutions items 20 through 23.

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.

**24. AWARD OF RFP 21-49 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SHIMADZU SCIENTIFIC INSTRUMENTS, INC. FOR THE PURCHASE OF AN INDUCTIVELY COUPLED PLASMA MASS SPECTROMETER AND SERVICE WARRANTY AT THE CITY'S WATER QUALITY LABORATORY**

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Joyce Clark to approve item 24.

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

Councilmember Bart Turner  
Passed

**25. AWARD RFP 21-38 AND AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MAKPRO SERVICES, LLC, FOR PAVEMENT MANAGEMENT PROGRAM PUBLIC OUTREACH**

A motion was made by Councilmember Jamie Aldama, seconded by Vice Mayor Ian Hugh to approve item 25.

Councilmember Clark said, as was her habit and practice, she would be voting no on the 5-year contract.

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

**PUBLIC HEARING - LAND DEVELOPMENT ACTIONS**

**26. AMBRA RESIDENTIAL SUBDIVISION ANNEXATION APPLICATION AN-217 (PUBLIC HEARING) LOCATED EAST OF THE SOUTHEAST CORNER OF NORTHERN AVENUE AND 83RD AVENUE**  
Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the item by title.

Ms. Perry requested Council to hold a public hearing on the blank petition for Annexation Area No. 217 (AN-217). At its March 24, 2020 workshop, Council provided direction to proceed with the annexation request for three (3) parcels totaling approximately 15 acres. The applicant amended the annexation request to include two (2) additional parcels located east of the original annexation request. The amended annexation request was for five (5) Maricopa County parcels. Upon annexation, the five (5) parcels would be combined with five (5) additional small parcels that made up the strip-annexed area located immediately north of the county parcels. The proposal for development would combine all 10 parcels for approximately 24 acres.

Mayor Weiers opened the public hearing.

No one wished to speak.

Mayor Weiers closed the public hearing.,

- 27.** BICKMAN INDUSTRIAL ANNEXATION APPLICATION AN-226 (PUBLIC HEARING) LOCATED AT THE NORTHWEST CORNER OF GLENDALE AVENUE AND REEMS ROAD  
Presented By: Tabitha Perry, Interim Planning Manager

Ms. Bower read the item by title.

Ms. Perry requested Council hold a public hearing on the blank annexation petition for Annexation Area No. 226 (AN-226). The annexation was approximately 75 acres and was located at the northwest corner of Glendale Avenue and Reems Road.

Mayor Weiers opened the public hearing.

No one wished to speak.

Mayor Weiers closed the public hearing.

- 28.** HOPEWELL ANNEXATION APPLICATION AN-228 (PUBLIC HEARING) LOCATED AT THE SOUTHWEST CORNER OF NORTHERN AVENUE AND REEMS ROAD  
Presented By: Tabitha Perry, Interim Planning Manager

Ms. Bower read the item by title.

Ms. Perry requested Council hold a public hearing on the blank annexation petition for Annexation Area No. 228 (AN-228). The annexation was approximately 104 acres in size, and was located at the southwest corner of Northern Avenue and Reems Road.

Mayor Weiers opened the public hearing. The following people spoke:

Glory Williamson, Waddell resident, spoke in opposition.

Jason Farmer, Litchfield Park resident, spoke in opposition.

Mayor Weiers closed the public hearing.

## **ORDINANCES**

- 29.** ORDINANCE NO. O21-54

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 25 (NUISANCES), ARTICLE II (SPECIFIC ACTS, OMISSIONS AND CONDITIONS), SECTION 25-22 (VEHICLES) BY REMOVING THE SECTION IN ITS ENTIRETY; AND DECLARING AN EMERGENCY.

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said on June 22, 2021, Council adopted amendments to Chapter 24 of the City Code including all language previously found in Chapter 25 of the City Code with some minor amendments making the existing provisions in Chapter 25 unnecessary. By eliminating the duplicate language in Chapter 25, there would be only one chapter of the City Code addressing vehicles and parking, making the Code easier to understand.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to adopt Ordinance No. 21-54.

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. ORDINANCE NO. O21-55**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF CONVEYANCES OF EASEMENTS, WARRANTY DEEDS AND MAPS OF DEDICATION AT VARIOUS LOCATIONS THROUGHOUT THE CITY AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

Presented by: Jayme E. Chapin, P.E., Principal Engineer

Ms. Bower read the ordinance by title.

Ms. Chapin said construction of public infrastructure was occurring at several locations throughout the City. The improvements were being constructed either by private entities as a requirement of development or by the City as capital improvement projects. The owners of the private property had agreed to convey the public right-of-way and easements to allow the City to maintain, operate, repair, replace and remove, if necessary, the associated infrastructure.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O21-55.

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. ORDINANCE NO. O21-56**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 24 (MOTOR VEHICLES AND TRAFFIC), ARTICLE IV (SPECIFIC PARKING PROHIBITIONS) SECTION 24-68 (J) (PARKING ON RESIDENTIAL LOTS), SETTING FORTH AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the ordinance by title.

Mr. St. John said the current Code indicated that any violations under Chapter 24 were designated as civil violations unless specifically noted under a particular section. Violations of Section 24-68, Parking on Residential Lots, should be processed as either civil or criminal. As previously discussed with Council, Code Compliance started with civil violations and only moved to citing criminally when the person(s) was found responsible by the Court for the civil violation, but still refused to come into compliance. Adding the proposed language would allow for either civil or criminal citations.

Mr. St. John said there were two open cases that had gone through the civil process and staff was ready to take the cases forward on criminal charges for non-compliance if the ordinance was adopted.

Mayor Weiers asked if the proposed ordinance would allow prosecution of existing cases.

Mr. St. John had conferred with the City Attorney's Office and was advised that staff could proceed with the criminal prosecution. The emergency enactment would allow immediate action on the two cases.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-56.

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, September 14, 2021 at 12:30 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 Aldama said relief was available for any residents struggling with past due water bills. Residents who did not qualify for the relief should contact Councilmember Aldama's office.

Councilmember Clark asked everyone to pray for Americans still in Afghanistan.

Mayor Weiers said renters' assistance was available for residents. He urged any residents struggling to pay rent because of COVID-19 to contact the City for assistance.

### **CITIZEN COMMENTS**

Robert Neibauer, Jr., Ocotillo District resident, commented on the Arizona Coyotes National Hockey League team and Catlin Court.

### **ADJOURNMENT**

Mayor Weiers adjourned the meeting at 6:09 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 24th 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