

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, December 14, 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 5:30 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
Michael Bailey, City Attorney
Julie K. Bower, City Clerk
Vicki Rios, Assistant City Manager

PRAYER/INVOCATION

The invocation was offered by Bishop Joe Cable of The Church of Jesus Christ of Latter-day Saints in Glendale.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE NOVEMBER 23, 2021 VOTING MEETING

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Jamie Aldama to approve the minutes of the November 23, 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

Mayor Weiers said Councilmember Tolmachoff had requested a presentation on Consent Agenda item 7.

2. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000023-L10, RED CHILLI, 8190 W UNION HILLS DR STE 130
3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000033-L12, CHEDDAR'S SCRATCH KITCHEN, 8172 W BELL RD
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000032-L12, TASTY POT, 6645 W BELL ROAD STE 103
5. ADOPTION OF THE 2022 COUNCIL WORKSHOP AND VOTING MEETING SCHEDULE
6. AUTHORIZATION TO ENTER INTO A SERVICES AGREEMENT WITH VIRTRA, INC. FOR A SERVICE AND MAINTENANCE PLAN FOR THE V-300 VIRTUAL TRAINING SIMULATOR
7. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR FIREFIGHTER CANCER SCREENINGS WITH VINCERE PHYSICIANS GROUP, PLLC DOING BUSINESS AS VINCERE CANCER CENTER
Presented by: Rick St. John, Deputy City Manager

Mr. St. John requested that Council approve and authorize the City Manager to enter into a professional services agreement with Vincere Physicians Group, PLLC dba Vincere Cancer Center for a 2-year period to set up a cancer-screening process for the City's firefighters. Criteria had been established based on age, years of service, hazardous duty status and previous health history to categorize the firefighter's risk. Once categorized, the firefighter would enter into the Vincere Cancer Center for a series of tests depending upon the category. The first two years of the program would be funded by a federal grant and approximately \$492,000 would be expended over the next two years. He said a minimal match was required by the City.

8. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ADVANTAGE ASSET TRACKING CORPORATION FOR FLEET MANAGEMENT TECHNOLOGIES
9. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DIAMOND RIDGE DEVELOPMENT CORPORATION FOR CONTRACTOR BUILDING MAINTENANCE SERVICES
10. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH OTTO ENVIRONMENTAL SYSTEMS NORTH AMERICA, INC., FOR THE PURCHASE OF RESIDENTIAL REFUSE AND RECYCLING CONTAINERS AND RATIFICATION OF EXPENDITURES

11. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH ROBERT E. PORTER CONSTRUCTION CO., INC. FOR JOB ORDER CONTRACTING
12. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH AGILENT TECHNOLOGIES, INC. TO PURCHASE A GAS CHROMATOGRAPH MASS SPECTROMETER, AND TO PROVIDE INSTALLATION, TRAINING AND EXTENDED WARRANTY
13. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH NTS MIKEDON, LLC FOR RENTAL OF SHORING EQUIPMENT
14. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH LESLIE'S POOLMART, INC. FOR SWIMMING POOL SUPPLIES, INCLUDING CHEMICALS, EQUIPMENT, AND RELATED SERVICES AND MATERIALS FOR CITYWIDE POOLS AND AQUATICS FACILITIES
15. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH WEST COAST ARBORIST, INC. (C19-0935), WHICH INCREASES THE SCOPE OF WORK TO INCLUDE ADDITIONAL TREE MAINTENANCE AT SAHUARO RANCH PARK AND OTHER TREE WORK NEEDED THROUGHOUT THE CITY
16. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARRINGTON WATKINS ARCHITECTS, LLC FOR PLANNING, DESIGN, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE NEW POLICE EVIDENCE STORAGE FACILITY
17. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH WILLDAN ENGINEERING, INC. FOR PLAN REVIEW AND INSPECTION SERVICES
18. APPROVAL OF MODERN RIDGE ESTATES FINAL PLAT APPLICATION FP21-26 LOCATED SOUTH OF THE SOUTHWEST CORNER OF 53RD AVENUE AND ESCUDA ROAD

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to approve Consent Agenda items 2 through 18.

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.

Mayor Weiers said Councilmember had requested a presentation on Consent Resolutions item 21.

19. RESOLUTION NO. R21-122

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF A HIGHWAY SAFETY CONTRACT (NO. 2022-AI-015) WITH THE ARIZONA GOVERNOR'S OFFICE OF HIGHWAY SAFETY AND AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE GRANT AWARD IN THE APPROXIMATE AMOUNT OF \$69,276 FOR PROFESSIONAL AND OUTSIDE SERVICES, AND MATERIALS AND SUPPLIES FOR THE GLENDALE POLICE DEPARTMENT ACCIDENT INVESTIGATION PROJECT.

20. RESOLUTION NO. R21-123

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE A WASTEWATER BYPASS FOR THE CITY OF PEORIA BUTLER DRIVE WATER RECLAMATION FACILITY TO THE 99TH AVENUE INTERCEPTOR AND THE CITY OF PHOENIX 91ST AVENUE WASTEWATER TREATMENT PLANT DURING EMERGENCY OR BYPASS EVENTS.

21. RESOLUTION NO. R21-124

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE "CITY OF GLENDALE STREET NAMING/RENAMING POLICY"; AND SETTING FORTH AN EFFECTIVE DATE.

Presented by: Don Bessler, PWLF, Engineering Director

Mr. Bessler said the proposed resolution would adopt a formal policy for renaming streets. A formal policy did not currently exist. Councilmembers were periodically asked how to go about renaming a street. Councilmember Malnar had brought the item forward as a Council Item of Special Interest (CIOSI) which was discussed at Council's October workshop.

Councilmember Tolmachoff asked if a CIOSI to rename a street would be permitted under paragraph B of the policy.

Councilmember Malnar suggested that instead of two processes, the section be changed to reflect only the CIOSI process.

Mayor Weiers said in his nine years with the City, only two streets had been renamed using the CIOSI process. Both times worked great, and he did not know why a formal policy was necessary.

Councilmember Turner said the discussion had been to provide a process for residents to request a street name change. He agreed that if it was Council-initiated, it should follow the CIOSI process.

Mr. Bailey clarified that if there was consensus to change the street name at a workshop, it

would still require a formal action by Council at a voting meeting.

Mr. Phelps said there was nothing timely about the item and recommended tabling it for additional discussion at a future workshop.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Vice Mayor Ian Hugh to table the item for further discussion.

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

Passed

22. RESOLUTION NO. R21-125

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT WITH ECL GLENDALE, LLC.

23. RESOLUTION NO. R21-126

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA GAME AND FISH COMMISSION FOR THE COMMUNITY FISHING PROGRAM IN THE CITY OF GLENDALE.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to adopt Consent Resolutions items 19, 20, 22 and 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. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH CAPITAL PUMP AND EQUIPMENT, LLC FOR WATER AND WASTEWATER EQUIPMENT MAINTENANCE AND REPAIR SERVICES

A motion was made by Vice Mayor Ian Hugh, seconded by Councilmember Joyce Clark to approve item 24.

Councilmember Clark said, as was her habit and practice, she would be voting no on the three Bids and Contracts items. She could not support 5-year contracts for customary goods and services.

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

25. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BALAR HOLDING CORP, DOING BUSINESS AS BALAR EQUIPMENT FOR REPLACEMENT PARTS, SERVICE AND PURCHASE OF SMALL EQUIPMENT FOR STANLEY TOOLS AND E.H. WACHS EQUIPMENT

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

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

26. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH HYAS GROUP, LLC FOR DEFERRED COMPENSATION PLAN CONSULTING SERVICES

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 26.

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

LAND DEVELOPMENT ACTIONS

27. ORDINANCE NO. O21-86

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GLENDALE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, SECTION 9-471, ARIZONA REVISED STATUTES BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF GLENDALE TO BE KNOWN AS "ANNEXATION AREA NO. 235"; 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 ordinance by title.

Ms. Perry said the ordinance would annex roadway right-of-way of approximately 6 acres at the northwest corner of Sarival Avenue and Bethany Home Road. The right-of-way was currently Maricopa County. By annexing the roadways, it would eliminate the need for both the City and the Maricopa County Department of Transportation to process the roadway plans and would allow the City to have the roadways improved to City standards. Staff recommended approval of the annexation application.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O21-86.

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. CROW 303 AZ ANNEXATION APPLICATION AN-234 FOR APPROXIMATELY 146 ACRES LOCATED AT THE SOUTHEAST CORNER OF GLENDALE AVENUE AND ALSUP AVENUE (PUBLIC HEARING)

Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the item by title.

Mayor Weiers opened the public hearing.

Ms. Perry said Crow 303 AZ was an approximately 146-acre parcel located at the southeast corner of Glendale and Alsup Avenues. The County jurisdiction zoning was RU-43 and the proposal was to rezone the property to PAD (Planned Area Development) for approximately 1.25 million square feet of mixed-use development.

No one wished to speak.

Mayor Weiers closed the public hearing.

- 29.** THRASHERLAND ANNEXATION APPLICATION AN-232 FOR APPROXIMATELY 5 ACRES LOCATED NORTH OF GLENDALE AVENUE AND WEST OF THE 115TH AVENUE ALIGNMENT (PUBLIC HEARING)
Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the item by title.

Mayor Weiers opened the public hearing.

Ms. Perry said Thrasherland was an approximately 5-acre parcel located northwest of Glendale Avenue and the 115th Avenue alignment. The County jurisdiction zoning was RU-43 and the proposal was to rezone the property to M-2 (Heavy Industrial). She said the M-2 zoning would not allow a private landfill.

No one wished to speak.

Mayor Weiers closed the public hearing.

- 30.** ORDINANCE NO. O21-87

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 15.190 ACRES LOCATED AT THE SOUTHEAST CORNER OF 75TH AVENUE AND ORANGEWOOD AVENUE FROM R1-6 (SINGLE RESIDENCE) TO R1-4 PRD (SINGLE RESIDENCE PLANNED RESIDENTIAL DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "ALTO"; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.
(PUBLIC HEARING)

Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said the rezoning request was for a change from R1-6 to R1-4 PRD on the property located at the southeast corner of 75th and Orangewood Avenues. The gross acreage was 17 acres and after right-of-way dedication, approximately 15 acres would be available for development. The General Plan designation was MHDR (Medium to High Density Residential/ 5.0-8.0 dwelling units/acre (du/ac). The access point for the development would

be off of 75th Avenue and 89 units were planned. Amenities included a tot lot and a basketball court with passive open space.

Ms. Perry said the Planning Commission recommended approval subject to the stipulations listed in the staff report.

Councilmember Turner asked if the community would be gated.

Ms. Perry said it was planned as a gated community.

No one wished to speak.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-87.

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. O21-88

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GLENDALE, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, SECTION 9-471, ARIZONA REVISED STATUTES AND ITS AMENDMENTS, BY ANNEXING CERTAIN TERRITORY LOCATED AT THE SOUTHEAST CORNER OF NORTHERN AVENUE AND COTTON LANE IN THE CITY OF GLENDALE CONSISTING OF APPROXIMATELY 63 ACRES TO BE KNOWN AS ANNEXATION AREA NO. 230; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

(PUBLIC HEARING)

Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said Ergas 303 was an approximately 63-acre parcel located south of the southeast corner of Northern Avenue and Cotton Lane. The County jurisdiction zoning was IND-1 and IND-2. An application had been filed to rezone the property to M-1 (Light Industrial) and was next on the agenda.

No one wished to speak.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Joyce Clark, seconded by Vice Mayor Ian Hugh to adopt Ordinance No. O21-88.

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

Passed

32. ORDINANCE NO. O21-89

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 63 ACRES LOCATED SOUTH OF THE SOUTHEAST CORNER OF NORTHERN AVENUE AND COTTON LANE FROM M-1 (LIGHT INDUSTRIAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "ERGAS 303"; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE. (PUBLIC HEARING)

Presented by: Tabitha Perry, Interim Planning Manager

Ms. Bower read the ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said the request was to rezone approximately 63 acres from M-1 (Light Industrial) to PAD (Planned Area Development) to allow for the development of an industrial warehouse and distribution complex known as Ergas 303. The requested rezoning was appropriate for the site and was consistent with the Regional Mixed Use (RMU) General Plan land use designation.

Ms. Perry said the applicant had agreed to a 200-foot building setback along the northern boundary of the property and a 100-foot setback adjacent to Cotton Lane with a 25-foot landscape buffer. The applicant had also reduced the maximum height from 100 feet to 65 feet.

Councilmember Clark asked what the County zoning of the property was prior to the annexation.

Ms. Perry said it was zoned industrial.

Councilmember Clark asked how long the County had the property zoned industrial.

Ms. Perry said it had been zoned industrial since 1981.

Councilmember Clark said it had been zoned industrial for 40 years and nearby residents who did their due diligence when moving into the area would have known it was zoned industrial. The City's zoning would eliminate unwanted uses. She asked what uses the City recognized as unwanted.

Ms. Perry said unwanted uses would include adult businesses and nightclubs.

Councilmember Clark understood the nearby residents had requested a wall to be built on the subject property as well as a wall on the west side of the subject property. The residents had requested the wall be 8 feet in height.

Ms. Perry said the City did not have the authority to require the applicant to build a wall on an adjacent property. She said staff determined that an 8-foot wall would box in the development and was a potential safety hazard. A 3-foot wall was appropriate for the site.

Councilmember Clark asked what the required setback was on the west side of the property and what had the applicant agreed to.

Ms. Perry said a 60-foot setback was the requirement but the applicant was proposing a minimum setback of 100 feet.

Councilmember Clark said residents had requested that there be no ingress or egress on Cotton Lane and that it occur on Glendale Avenue. She asked if that was feasible.

Ms. Perry said the applicant had no access to Glendale Avenue from the site.

Councilmember Clark said the applicant had originally requested a 100-foot building height but had reduced the height to 65 feet. The residents were requesting a height limit of 35 feet. She asked if 35 feet was workable for the applicant.

Ms. Perry said the end users for the buildings would need a 65-foot building height.

Councilmember Clark asked if the 50-foot signage would be on the east side of the property.

Ms. Perry said the PAD would allow a maximum height of 50 feet for a freeway pylon sign on the east side of the property.

Councilmember Tolmachoff asked if the 50-foot pylon sign was an entitlement that had existed with the County and the sign would be facing the Loop 303.

Ms. Perry said the County zoning allowed billboard signs and the pylon sign would face the Loop 303.

Mayor Weiers said the residents on the west side of the property would not be able to see the pylon sign.

Councilmember Turner asked if the 65-foot building height was for the monument sign near the freeway or for the buildings.

Gary Hays, Ryan Co., applicant representative, said 65-feet was the building height. The initial request was for 100 feet because in today's market, 65-70 feet was required. The Planning Commission had approved 100 feet but in order to address residents' concerns, it was reduced to 65 feet. He said a pylon sign was different than a monument sign. The sign

would not be visible to the residents on the west side of the development.

Debby Hanna, Waddell resident, spoke in opposition to the item and presented documents to be included in the record.

Dr. Greg Greenbaum, Waddell resident, spoke in opposition to the item.

Brett Cameron, Waddell resident, was in opposition to the item but did not wish to speak.

John Rhodes, Waddell resident, spoke in opposition to the item.

Charles Anderson, Waddell resident, spoke in opposition to the item and presented documents to be included in the record.

Jane Summy, Waddell resident, spoke in opposition to the item.

Mr. Hays said the applicant had been working with the County and the City to mitigate the traffic on Cotton Lane. The applicant had voluntarily contributed to the traffic light at Cotton Lane and Glendale Avenue. The applicant had done everything possible to address the residents' concerns.

Mayor Weiers asked about the alternate access point the residents had referenced and if the applicant owned the property.

Mr. Hays said the applicant did not own the property referred to but had reached out to the owners. No response was received.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O21-89.

Councilmember Clark said many of the recent commercial and industrial developments had located along Cotton Lane. The County was aware of the development and would have to address Cotton Lane in the near future. She believed Cotton Lane would be widened.

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

ORDINANCES

33. ORDINANCE NO. O21-90

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 2, ARTICLE VIII, DIVISION 5 HUMAN RELATIONS COMMISSION OF THE GLENDALE CITY CODE.

Presented by: Julie K. Bower, City Clerk

Ms. Bower read the ordinance by title. She said the proposed ordinance would change the name of the Human Relations Commission to the Commission on Diverse Cultures to better reflect the mission and purpose of the Commission.

A motion was made by Councilmember Jamie Aldama, seconded by Vice Mayor Ian Hugh to adopt Ordinance No. O21-90.

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

Passed

34. ORDINANCE NO. O21-91

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 25 (NUISANCES) ARTICLE II (SPECIAL ACTS, OMISSIONS AND CONDITIONS) SECTION 25, BY ADDING SECTION 25-26 (BEEKEEPING) 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 add language to the Code to regulate residential beekeeping. It would set out distance requirements, water requirements, notification requirements and a permitting process.

Mayor Weiers asked who would be notified.

Mr. St. John said it would generally be adjacent neighbors but staff would review on a case-by-case basis to determine the appropriate notification distance.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O21-91.

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. ORDINANCE NO. O21-92

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 26 (OFFENSES-MISCELLANEOUS), ARTICLE I (GENERAL), BY ADDING SECTION 26-73 (CRIMINAL LITTERING) 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 add provisions to the City Code regarding criminal littering. The Code Review Committee had suggested making a first offense for criminal littering a petty offense and any subsequent offense in a twelve-month period a Class 2 misdemeanor.

Mayor Weiers asked what the penalty was for criminal littering.

Mr. St. John said the penalty would be determined by a judge. For a petty offense, the penalty was fairly small to cover court costs and possibly community service.

Mayor Weiers said the penalty should be substantial enough to get the offender's attention. He suggested a mandatory penalty of \$250.

Councilmember Tolmachoff supported amending the ordinance to include the \$250 penalty.

Councilmembers Aldama and Clark also supported a \$250 penalty.

Councilmember Turner suggested adopting the ordinance as presented and adding a mandatory penalty in the future.

Councilmember Tolmachoff asked if mandatory penalty language should be added to Paragraph C.

Mr. Bailey said that was correct.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-92 and amend Paragraph C to read:

C. A person violating this ordinance will be charged with a petty offense for a first offense and a penalty of \$250. Any subsequent offenses in a twelve-month period will be treated as a Class 2 misdemeanor.

Mr. Bailey asked if the Council wanted to provide judicial discretion for the penalty for second and subsequent violations.

Councilmember Aldama said the \$250 penalty should carry over to second and subsequent violations.

Councilmember Tolmachoff withdrew her motion.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Jamie Aldama to adopt Ordinance No. O21-92 and amend Paragraph C to read:

A person violating this ordinance will be charged with a petty offense and a \$250 fine for a first offense. Any subsequent offenses in a twelve-month period will be treated as a Class 2 misdemeanor and subject to a \$250 fine.

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

36. ORDINANCE NO. O21-93

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A FOOD BANK LEASE AGREEMENT WITH PHOENIX GOSPEL MISSION DBA PHOENIX RESCUE MISSION, FOR THE PURPOSE OF WAREHOUSING AND DISTRIBUTING FOOD TO LOW- AND MODERATE-INCOME PERSONS; AND ORDERING THAT A CERTIFIED COPY OF THE FOOD BANK LEASE AGREEMENT AND THE ORDINANCE BE RECORDED; AND DECLARING AN EMERGENCY.

Presented by: Jean Moreno, Director, Community Services

Ms. Bower read the ordinance by title.

Ms. Moreno said the proposed ordinance authorized the lease of City-owned property located at 5605 N. 55th Avenue for the continued use as a food bank by the Phoenix Rescue Mission for a period of five (5) years.

A motion was made by Councilmember Bart Turner, seconded by Councilmember Joyce Clark to adopt Ordinance No. O21-93.

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

NEW BUSINESS

37. AUTHORIZATION TO ENTER INTO AMENDMENT NUMBER TWO (2) TO AGREEMENT BETWEEN CITY OF GLENDALE, AZ AND MOTOROLA SOLUTIONS, INC. FOR P1 CAD & RMS, COMMAND CENTRAL JAIL, MAINTENANCE, COMMAND CENTRAL AWARE SUBSCRIPTION, AND VIGILANT LPR CAMERAS MOTOROLA SOLUTIONS AGREEMENT # AZP19P104A

Presented by: Rick St. John, Deputy City Manager

Ms. Bower read the item by title.

Mr. St. John said the action authorized the City Manager to enter into an amendment with Motorola Solutions, Inc. to allow for replacement of the existing access control system and related hardware at various City facilities and increased the compensation of the agreement from \$2,681,321.21 to a new total not-to-exceed amount of \$3,529,644.69 over the entire term of the agreement. The Council would have to approve the capital improvement project before any money would be expended. If the amendment was approved, the City would avoid a ten percent price increase that would occur after January 1st.

A motion was made by Councilmember Jamie Aldama, seconded by Vice Mayor Ian Hugh to approve item 37.

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

Passed

MOTION TO VACATE FUTURE MEETING

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Ian Hugh to vacate the regularly scheduled City Council workshop meeting and voting meeting on Tuesday, December 28, 2021.

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 thanked City employees for their hard work over the past year and wished everyone a Merry Christmas.

Councilmember Clark said the water to fill Heroes Park Lake would be turned on and a dedication of the lake would be held in the future.

Councilmember Clark said it was time to get back to normal and celebrate the holidays with families and friends. She wished everyone a very Merry Christmas.

Councilmember Malnar wished everyone a Merry Christmas and Happy Holidays.

Councilmember Tolmachoff was pleased that the City would be doing preventative screenings for the City's firefighters.

Councilmember Tolmachoff expressed her appreciation for City staff and wished everyone a Merry Christmas.

Councilmember Turner said the vote on item 36 was conducted by a voice vote instead of a roll call vote. He did support punishing criminal littering but had voted no because Council had very little time to consider the unintended consequences of adding a \$250 mandatory fine and eliminating judicial discretion. He did not think the same fine for a second and subsequent violation was appropriate.

Councilmember Turner wished everyone a Merry Christmas and Happy New Year.

Vice Mayor Hugh thanked Mayor Weiers for organizing the Christmas Parade. It was a big success. He wished everyone Merry Christmas.

Mayor Weiers said the parade was thirty percent smaller but had raised more money for the food bank than in previous years. He said the downtown restaurants were extremely busy. Those who attended were able to practice their freedom of religion and wish people Merry Christmas. He thanked all of the City employees who participated and the City Manager for supporting the parade.

Mayor Weiers expressed his appreciation for the work done by City employees. Employees were making Glendale a shining example of what cities want to be.

CITIZEN COMMENTS

James Deibler, Phoenix resident, addressed concerns regarding traffic and homelessness.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 7:17 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 14th day of December, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this __ day of ____, 2021.

Julie K. Bower, MMC, City Clerk