

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, November 8, 2022

5:30 P.M.

**Voting Meeting
Council Chambers**

City Council

Mayor Jerry Weiers

Vice Mayor Jamie Aldama

Councilmember Joyce Clark

Councilmember Ian Hugh

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

Also Present: Kevin Phelps, City Manager
Michael Bailey, City Attorney
Sheryl Rabin, Deputy City Clerk
Vicki Rios, Assistant City Manager
Jamsheed Mehta, Acting Assistant City Manager

PRAYER/INVOCATION

The invocation was offered by Glendale Police Chaplain Dan Lopeman.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE OCTOBER 25, 2022 VOTING MEETING

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve the minutes of the October 25, 2022 voting meeting.

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

Passed

PROCLAMATIONS AND AWARDS

2. PROCLAIM NOVEMBER 2022 EMPLOYEE GRATITUDE MONTH
Presented by: Mayor Jerry P. Weiers

Mayor Weiers proclaimed November as "Employee Gratitude Month" in the City of Glendale.

CONSENT AGENDA

3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000037-L10, HAWT BOXX'N SMOKE SHOP, 6333 N 59TH AVE STE 6
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000058-L12, OPA LIFE GREEK CAFE, 9404 W WESTGATE BLVD C103
5. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BLACK & VEATCH CORPORATION FOR WATER/WASTEWATER MODELING SERVICES
6. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH THE FISHEL COMPANY FOR JOB ORDER CONTRACT SERVICES FOR WATER AND WASTEWATER PROJECTS
7. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 WITH MULTIPLE VENDORS FOR REQUEST FOR STATEMENT OF QUALIFICATIONS 17-13 AND 17-26 FOR AUTO BODY REPAIR AND PAINTING SERVICES
8. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH ELONTEC, LLC., FOR FURNITURE AND RELATED SERVICES

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve Consent Agenda items 3 through 8.

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

Passed

CONSENT RESOLUTIONS

Ms. Rabin read the Consent Resolutions by title.

9. RESOLUTION NO. R22-111

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A MEMORANDUM OF UNDERSTANDING WITH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY REGARDING COMMERCIAL VEHICLE ENFORCEMENT MATTERS ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

10. RESOLUTION NO. R22-112

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, RATIFYING THE ACCEPTANCE OF AN AWARD (#15JCOPS-22-GG-01461-TECP) FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) IN THE APPROXIMATE AMOUNT OF \$480,000 UNDER THE FUNDING OPPORTUNITY ENTITLED "2022 FY 2022 COPS TECHNOLOGY AND EQUIPMENT PROGRAM INVITATIONAL SOLICITATION" ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

11. RESOLUTION NO. R22-113

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, RATIFYING THE ACCEPTANCE OF AN AWARD (#15JCOPS-22-GG-01460-TECP) FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) IN THE APPROXIMATE AMOUNT OF \$715,000 UNDER THE FUNDING OPPORTUNITY ENTITLED "2022 FY 2022 COPS TECHNOLOGY AND EQUIPMENT PROGRAM INVITATIONAL SOLICITATION" ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.

12. RESOLUTION NO. R22-114

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, AND THE GLENDALE POLICE DEPARTMENT FOR CONTINUED PARTICIPATION IN A TACTICAL DIVERSION TASK FORCE THROUGH FEDERAL FISCAL YEAR 2025-26.

13. RESOLUTION NO. R22-115

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 DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS (AZDEMA) FOR THE CONTINGENT USE OF EMERGENCY OPERATIONS CENTERS.

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Joyce Clark to adopt Consent Resolutions items 9 through 13.

AYE: Mayor Jerry Weiers
Vice Mayor Jamie Aldama
Councilmember Joyce Clark

Councilmember Ian Hugh
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner

Passed

BIDS AND CONTRACTS

- 14.** AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 WITH SYSTEM INNOVATORS, A DIVISION OF N. HARRIS COMPUTER CORPORATION
Presented by: Levi D. Gibson, Interim Director, Budget and Finance

Ms. Rabin read the item by title.

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

A motion was made by Councilmember Bart Turner, seconded by Vice Mayor Jamie Aldama to approve item 14.

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

ORDINANCES

- 15.** ORDINANCE NO. O22-79

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ENTERING INTO OF AN AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY BETWEEN THE CITY OF GLENDALE AND FOX FOUR, LLC FOR PROPERTY LOCATED ON 79TH AVENUE AT THE LAMAR ROAD ALIGNMENT AND DIRECTING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS FOR THE SALE AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

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

Ms. Rabin read the ordinance by title.

Ms. Chapin said the proposed ordinance would authorize the City Manager to enter into an agreement for purchase and sale of real property to sell a 2,500 square foot parcel of unused City-owned property on 79th Avenue, at the Lamar Road alignment, to the surrounding property owner, Fox Four, LLC. The City would receive \$1,471 to cover the cost of the

transfer.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O22-79.

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

16. ORDINANCE NO. O22-80

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE DEVELOPMENT IMPACT FEES IDENTIFIED IN THE INFRASTRUCTURE IMPROVEMENT PLAN AND DEVELOPMENT FEE REPORT DATED APRIL 26, 2022.

Presented by: Don Bessler, Engineering Director
John Murphey, Engineering Administrator

Ms. Rabin read the ordinance by title.

Mr. Bessler said the item had been before Council several times over the last nine months. If adopted, it would be the final act to update the transportation development impact fees (DIF). The updated fees would be published on the City's website.

A motion was made by Vice Mayor Jamie Aldama, seconded by Councilmember Ian Hugh to adopt Ordinance No. O22-80.

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

17. ORDINANCE NO. O22-81

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 25 (NUISANCES), SECTION 25-65 (EXEMPTIONS FROM NOISE LEVEL REGULATIONS) AND SETTING FORTH AN EFFECTIVE DATE.

Presented by: Rick St. John, Deputy City Manager

Ms. Rabin read the ordinance by title.

Mr. St. John said the proposed ordinance pertained to permissible fireworks. In December 2020, Council adopted an ordinance amending Chapter 25 (Nuisances) Sec. 25-65 (Exemptions From Noise Level Regulations) adding a provision making the use of permissible fireworks illegal between the hours of 12:30 a.m. and 7:00 a.m. In March 2022, the State Legislature made it illegal to use permissible fireworks between the hours of 11:00 p.m. and 8:00 a.m. except on January 1st and July 5th of each year on which days permissible fireworks could be used until 1:00 a.m. The City could still restrict the hours of permissible fireworks between 12:30 a.m. and 7:00 a.m. except for January 1st and July 5th where the Code was in conflict with state law.

Councilmember Malnar said paragraph (13) of Section 25.65 was not very clear.

Mr. St. John said paragraph (13) stated, "Noises from permissible fireworks and their use as defined in Sec. 26-70.3 except between the hours of 12:30am to 7:00am or the hours of 1:00am to 7:00am only on January 1st and July 5th of each year." The section referenced provided the dates permissible fireworks were allowed. The constituent would have to cross-reference both sections through the hyperlink provided in the Code.

Mayor Weiers requested the ordinance make it specific on the dates that were the exception.

Mr. St. John said paragraph (13) could be amended as followed, "Noises from permissible fireworks and their use as defined in Sec. 26-70.3 except between the hours of 12:30 a.m. to 7:00 a.m. On January 1st and July 5th of each year, permissible fireworks may be used except between the hours of 1:00 a.m. to 7:00 a.m."

A motion was made by Councilmember Ray Malnar, seconded by Vice Mayor Jamie Aldama to adopt Ordinance No. O22-81 with the amendment to paragraph (13) as provided by Mr. St. John.

Councilmember Turner said it was the minimum change that could be made to expand the hours and still comport with state law.

The vote on the motion was:

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

Passed

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark said the funeral mass for former Councilmember Norma Alvarez was Wednesday, November 9th at 10:00 a.m. at Our Lady of Perpetual Help Church in Glendale.

Councilmember Clark said the next Yucca District meeting would be held on Thursday, December 1st at 6:00 p.m. at the Desert Diamond Arena outside on the second level Dos Equis Patio.

Councilmember Hugh thanked City staff for its help with his recent Cactus District meeting.

Councilmember Tolmachoff thanked Water Services staff for the presentation it provided at the Cholla/Sahuaro water resources update meeting.

Councilmember Tolmachoff said the Cholla District Holiday Mixer would be held on December 8th at 5:30 p.m. at the Foothills Recreation and Aquatics Center.

Mayor Weiers said the 9th Annual Hometown Christmas Parade would be held on Saturday, December 10th at 11:00 a.m. on Glendale Avenue, 51st Avenue to 59th Avenue. Food donations would be accepted for the Hope for Hunger Food Bank.

CITIZEN COMMENTS

James Baird, Ocotillo District resident, commented on the duty of the magistrate.

James Deibler, Phoenix resident, commented on drug and crime issues at bus stops.

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 8th day of November, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ___ day of ___, 2022.

Julie K. Bower, MMC, City Clerk