

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

Tuesday, November 22, 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
Julie K. Bower, City Clerk
Jamsheed Mehta, Acting Assistant City Manager

Councilmember Turner attended the meeting telephonically.

PRAYER/INVOCATION

The invocation was offered by Reverend David Tomb, Bellevue Heights Church.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE NOVEMBER 8, 2022 VOTING MEETING

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Joyce Clark to approve the minutes of the November 8, 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

CONSENT AGENDA

2. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000010-L09, AJ'S LIQUOR, 5802 W CAMELBACK RD
3. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000038-L10, NORTHERN MARKET AND SPIRITS, 5110 W NORTHERN AVE
4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000018-L06, BETMGM SPORTSBOOK, 9591 W SPORTSMAN'S PARK N
5. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000059-L12, SUSHI PLUS, 5830 W THUNDERBIRD RD STE B1
6. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000060-L12, CHICKEN N PICKLE, 9330 W HANNA DR
7. AUTHORIZATION TO ENTER INTO A NEW LAW ENFORCEMENT AGREEMENT WITH LEXISNEXIS COPLOGIC SOLUTIONS INC. FOR THE CONTINUED USE OF THE DESK OFFICER ONLINE REPORTING SYSTEM AND ECOMMERCE SERVICES
8. APPROVAL OF FP21-25 ZANJERO PASS PHASE 3 FINAL PLAT
9. APPROVAL OF DISTRICT AT WESTGATE FINAL PLAT - FP22-18
10. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH MIDSTATE MECHANICAL LLC., FOR HVAC AND PLUMBING SERVICES
11. AUTHORIZATION TO ENTER INTO AN AMENDMENT NO. 1 TO THE LINKING AGREEMENT WITH C & S SWEEPING SERVICES, INC., TO PROVIDE STREET SWEEPING SERVICES
12. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE SERVICE AGREEMENT WITH CLIMATEC, LLC, FOR MAINTENANCE OF FIRE EQUIPMENT AND COMMUNICATION SYSTEMS
13. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GAVIN & BARKER, INC. FOR THE STUDY AND DESIGN SERVICES RELATED TO THE GLENN DRIVE DRAINAGE IMPROVEMENTS PROJECT
14. AUTHORIZATION TO ENTER INTO A CONSTRUCTION MANAGER AT RISK AGREEMENT WITH RUMMEL CONSTRUCTION, INC. FOR THE DEVELOPMENT OF THE NORTH CELL PHASE II AT THE GLENDALE MUNICIPAL LANDFILL
15. RATIFICATION OF EXPENDITURE OF FUNDS TO CAMELBAK PRODUCTS LLC

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve Consent Agenda items 2 through 15.

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. Bower read the Consent Resolutions by title.

16. RESOLUTION NO. R22-116

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A SPORTS FIELD DONATION WITH AN APPROXIMATE VALUE OF \$175,000 FROM FIESTA EVENTS, INC., A FOUNDATION OF THE FIESTA BOWL ORGANIZATION, AS PART OF THE FIESTA BOWL CHARITIES PROGRAM.

17. RESOLUTION NO. R22-117

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING ACCEPTANCE AND EXPENDITURE OF THE VISIT ARIZONA INITIATIVE (VAI) MARKETING GRANT PROGRAM AWARD FROM THE ARIZONA OFFICE OF TOURISM, IN THE APPROXIMATE AMOUNT OF \$249,270 FOR THE VISIT GLENDALE PROJECT ON BEHALF OF THE GLENDALE CONVENTION AND VISITORS BUREAU.

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Ian Hugh to adopt the Consent Resolutions items 16 and 17.

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

Ms Bower read the Bids and Contracts items by title.

18. RATIFICATION OF AN AGREEMENT WITH COOL ZONE AIR CONDITIONING AND HEATING LLC FOR ROOFTOP HEAT PUMP REPLACEMENT

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve item 18.

Councilmember Clark said, as was her habit and practice, she would be voting no on all Bids and Contracts items.

The vote on the motion was:

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

19. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH TRANE TECHNOLOGIES COMPANIES, LLC FOR HVAC MAINTENANCE AND INSTALL SERVICES

A motion was made by Vice Mayor Jamie Aldama, seconded by Councilmember Ian Hugh to approve item 19.

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

LAND DEVELOPMENT ACTIONS

20. ~~ORDINANCE NO. O22-82~~

~~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 NORTHWEST AND NORTHEAST CORNERS OF SARIVAL AVENUE AND OLIVE AVENUE IN THE CITY OF GLENDALE CONSISTING OF APPROXIMATELY 276 ACRES TO BE KNOWN AS ANNEXATION AREA NO. 243; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE~~

~~ORDINANCE IS RECORDED.~~

Presented by: Tabitha Perry, Planning Manager

The item was removed from the agenda.

21. ORDINANCE NO. O22-83

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 NORTHEAST CORNER OF 173RD AVENUE AND OLIVE AVENUE INTO THE CITY OF GLENDALE CONSISTING OF APPROXIMATELY 64 ACRES TO BE KNOWN AS ANNEXATION AREA NO. 240: AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE IS RECORDED.

Presented by: Tabitha Perry, Planning Manager

Ms. Bower read the ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said the subject property was a 64.09-acre parcel located at the northeast corner of 173rd Avenue and Olive Ave. The current County zoning was RU-43 (Rural) for single-family residential. The companion minor General Plan Amendment (GPA) and zoning application for the property were next on the agenda, item 22, to allow for an industrial development.

Ms. Perry said most of the opposition of nearby residents was to the proposed zoning, not the annexation.

The following people spoke in opposition to item 21 and/or item 22:

Donnie Henson, Waddell resident (item 21 and 22)
Kristy Woeste, Waddell resident (item 21 and 22)
Timothy LaSota, Phoenix resident (item 21 and 22)
Kori Burt, Waddell resident (item 22)
Tisha Romero, Waddell resident (item 22)
Jack Loss, Waddell resident (item 22)
Roxanne Dent, Waddell resident (item 22)
Lacey James, Waddell resident (item 22)
Emerson Hobson, Wittmann resident (item 22)
Mary Smith, Waddell resident (item 22)
Teri Weaver, Waddell resident (item 22)
David Grenda, Waddell resident (item 22)

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Ray Malnar to adopt Ordinance No. O22-83.

Councilmember Tolmachoff asked why the property was being annexed with an A-1 (Agricultural) zoning. She asked if there was a more compatible zoning to its current County zoning of RU-43.

Ms. Perry said there were two compatible zonings, A-1 and RU-44 (Rural). The staff comparison found that the A-1 zoning was more appropriate and allowed for a single-family residential development.

Councilmember Clark asked if the City had ever failed to comply with Arizona statutes regarding annexation of property.

Ms. Perry said absolutely not. There was a plan in place for infrastructure and street improvements that satisfied the statutory requirements.

Councilmember Turner asked if the annexation was contingent upon approval of the minor GPA and zoning application.

Ms. Perry said Council could approve the annexation and reject the minor GPA and zoning application.

Councilmember Clark said it was Council's policy to seek job-creating development in the western area of Glendale.

Ms. Perry said that was correct.

Councilmember Malnar was very sympathetic towards the community in Waddell and understood that it would prefer that it be zoned residential. By annexing the property, the City had a lot more tools than the County to try to mitigate some of the issues raised by the residents such as additional landscaping buffers. He believed the annexation was the best thing for the property.

Councilmember Tolmachoff said the subject property was acquired in 1999 by the current property owner. The assumption that the County would approve the project was a stretch. If the City would not approve the project in a Glendale neighborhood, it should not approve it in a County neighborhood. She had been told the property owner was not interested in annexation unless the GPA and zoning were approved.

Ms. Perry said the GPA and zoning were in tandem with the annexation.

Councilmember Tolmachoff said the subject property was acquired, along with the Fertizona property, in 1999. Fertizona was there in 1999 and that was an important point.

Vice Mayor Aldama had firsthand experience of what the Waddell residents were going through. He grew up in the oldest neighborhoods in Glendale, and it was beautiful. Today, there were warehouses, a pallet yard and just nine homes remained. His family moved out because the infringement was so significant that they could not live there anymore. The proposed project would infringe significantly on the residents.

Councilmember Clark said the property was purchased as an investment and industrial development provided a better return on the investment. She had worked with the developer to provide as much mitigation as possible.

Councilmember Turner said it was difficult to separate the annexation from the GPA and zoning. He believed the County had the ability to add stipulations and increase standards. The decision should be made by elected officials who could be held accountable by the residents in the area. It was best not to annex.

The vote on the motion was:

AYE: Mayor Jerry Weiers

Councilmember Joyce Clark

Councilmember Ian Hugh

Councilmember Ray Malnar

NAY: Vice Mayor Jamie Aldama

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

Passed

22. RESOLUTION NO. R22-118

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 GPA22-03 FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF 173RD AVENUE AND OLIVE AVENUE.

ORDINANCE NO. O22-84

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 64.09 ACRES LOCATED AT THE NORTHEAST CORNER OF 173RD AVENUE AND OLIVE AVENUE FROM RU-43 (RURAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "COTTON 303 INDUSTRIAL"; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE IS RECORDED.

(PUBLIC HEARING)

Presented by: Tabitha Perry, Planning Manager

Ms. Bower read the resolution and ordinance by title.

Mayor Weiers opened the public hearing.

Ms. Perry said the request was for a minor General Plan Amendment (GPA) from LDR-2.5 (Low Density Residential) to RMU (Regional Mixed Use) and to rezone the property from A-1 (Agricultural) to PAD (Planned Area Development) to allow for 1.1 million square feet of light industrial uses.

Ms. Perry said the applicant proposed to amend some of the development standards such as increasing the building height from 30 feet to 65 feet and changing the parking requirement from 1 space/250 square feet to 1 space/500 square feet.

Ms. Perry said the applicant proposed the following increased building setbacks:

North – 320 feet
West – 155 feet
South – 200 feet

Ms. Perry said the applicant proposed two access points off of 173rd Avenue and two access points off of Olive Avenue. An access off of Cotton Lane was not feasible due to a rail line and spur.

Ms. Perry said the applicant also agreed to a 50-foot landscaping buffer, which included two rows of trees, along the north, west and south property lines.

Ms. Perry said staff found the proposal was in keeping with the City's development policy for the area. The applicant made reasonable accommodations to mitigate residents' concerns.

Ms. Perry said the application was heard by the Planning Commission on November 10th. The Planning Commission recommended denial of both applications. There were 11 stipulations.

Councilmember Tolmachoff asked if both buildings would be 65 feet in height.

Ms. Perry said it was a maximum building height of 65 feet.

Councilmember Tolmachoff said planting trees and putting up an 8-foot fence did very little to screen a 65-foot warehouse. The nature of the building made it impossible to blend in with the existing neighborhood.

Councilmember Clark asked about the access on to 173rd Avenue and the lighting standards for the parking lot.

Ms. Perry said the access points were "left out only" and no right turns would be permitted. The site pole and wall lighting heights would be limited to a maximum of 15 feet at the western portion of the site along the area of the buildings facing 173rd Avenue.

Councilmember Malnar asked how parking in the neighborhoods would be eliminated.

Ms. Perry said staff could work with the County to install signage prohibiting truck parking.

Councilmember Malnar asked if the applicant was willing to reduce the building height.

Ms. Perry said the applicant was willing to reduce the maximum height to 55 feet.

Mayor Weiers closed the public hearing.

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Ray Malnar to adopt Resolution No. R22-118 subject to the 11 stipulations and an additional stipulation of a maximum building height of 55 feet.

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

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

Passed

A motion was made by Councilmember Joyce Clark, seconded by Councilmember Ian Hugh to adopt Ordinance No. O22-84 subject to the 11 stipulations and an additional stipulation of a maximum building height of 55 feet.

AYE: Mayor Jerry Weiers

Councilmember Joyce Clark

Councilmember Ian Hugh

Councilmember Ray Malnar

NAY: Vice Mayor Jamie Aldama

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

Passed

COUNCIL COMMENTS AND SUGGESTIONS

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 Malnar attended the opening of two giving machines in Murphy Park. The machines allowed people to push a button and donate to charities. It was an awesome opportunity to help those in need during the holiday season.

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.

Councilmember Tolmachoff said a shred and drug take back event would be held on December 3rd, 8:00 a.m. to 11:00 a.m. at the Glendale Adult Center.

Councilmember Turner wished everyone a Happy Thanksgiving.

Vice Mayor Aldama said the City and Ocotillo District now had two state-of-the-art playgrounds and a sports complex to enjoy and promote play. Over 100 volunteers came together to build the playgrounds and multi-courts from the ground up over a 3-day span. The restrooms at O'Neil Park had been upgraded, and the community center was being renovated.

Mayor Weiers wished everyone a wonderful holiday season.

CITIZEN COMMENTS

Gunther Herrmann, Barrell District resident, commented on a Police Department complaint.

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

James Deibler, Phoenix resident, commented on performances at the Gila River Arena.

Dawn Considine, Sahuaro District resident, commented on code enforcement and the Police Department.

Joyce Capson, Sahuaro District resident, commented on code enforcement and the Police Department.

Warren Wilfong, Ocotillo District resident, commented on driveway parking calculations.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 7:22 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 22nd 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