

DRAFT

City of Glendale

*5850 West Glendale Avenue
Glendale, AZ 85301*



Meeting Minutes

**Tuesday, February 28, 2023
5:30 P.M.
Voting Meeting
Council Chambers**

City Council

*Mayor Jerry Weiers
Vice Mayor Joyce Clark
Councilmember Jamie Aldama
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 Joyce Clark
Councilmember Jamie Aldama
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
Vicki Rios, Assistant City Manager
Jamsheed Mehta, Assistant City Manager

PRAYER/INVOCATION

The invocation was offered by Pastor Allen Bartimioli, Faith Bible Church.

POSTING OF COLORS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES

1. APPROVAL OF THE MINUTES OF THE FEBRUARY 14, 2023 VOTING MEETING
Presented by: Julie K. Bower, City Clerk

A motion was made by Councilmember Ian Hugh, seconded by Vice Mayor Joyce Clark to approve the minutes of the February 14, 2023 voting meeting.

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

Passed

PROCLAMATIONS AND AWARDS

2. PROCLAIM FEBRUARY 28, 2023 AS ONE COMMUNITY, ONE PLEDGE DAY
Presented by: Mayor Jerry Weiers

Mayor Weiers proclaimed February 28th as One Community, One Pledge Day in the City of Glendale.

BOARDS, COMMISSIONS AND OTHER BODIES

3. APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS & OTHER BODIES
Presented by: Councilmember Bart Turner

A motion was made by Councilmember Bart Turner, seconded by Councilmember Jamie Aldama to make the following appointments:

Victoria Okula to the Board of Adjustment for a term ending 1/31/25
Carlos Vargas to the Community Development Advisory Committee for a term ending 6/30/23
Brandon Hiller to the Community Development Advisory Committee for a term ending 6/30/23
Timothy Quinn to a term as Chair of the Historic Preservation Commission ending 1/31/24
Theodora Hackenberg to a term as Vice Chair of the Historic Preservation Commission ending 1/31/24

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

Passed

CONSENT AGENDA

4. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000023-L06, RIC'S ON 95TH SPORTS GRILL, 5134 N 95TH AVE
5. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000067-L12, SUGAR FACTORY GLENDALE, 9375 W ENTERTAINMENT BLVD
6. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000066-L12, LUNA PIZZA, 7800 N 55TH AVE STE 108
7. RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 600000042-L10, QUIKTRIP #1444, 6987 N 83RD AVE

8. AUTHORIZATION TO EXECUTE AN AGREEMENT TO ENTER INTO A HOUSING ASSISTANCE PAYMENTS CONTRACT FOR PROJECT BASED VOUCHERS WITH CENTERLINE ON GLENDALE, LLC
9. AUTHORIZATION TO EXECUTE AN AGREEMENT TO ENTER INTO A HOUSING ASSISTANCE PAYMENTS CONTRACT FOR PROJECT BASED VOUCHERS WITH CENTERLINE ON GLENDALE TWO, LLC
10. AUTHORIZATION TO AMEND AN EXISTING LINKING AGREEMENT WITH BWC ENTERPRISES, INC., DBA WOODRUFF CONSTRUCTION FOR GENERAL CITYWIDE CONSTRUCTION
11. AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH AIR COMM CORPORATION FOR THE PURCHASE OF SURVEILLANCE TRAILER WITH INTERFACE CAPABILITIES FOR THE POLICE DEPARTMENT
12. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WILSON ENGINEERS, LLC FOR THUNDERBIRD RESERVOIR UPGRADES
13. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE LINKING AGREEMENT WITH CINTAS CORPORATION NO. 2 FOR UNIFORMS AND LINEN RENTAL SERVICES
14. AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CLEAR CREEK ASSOCIATES. LLC FOR LITIGATION SERVICES AND THE RATIFICATION OF EXPENSES

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve Consent Agenda items 4 through 14.

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

Passed

CONSENT RESOLUTIONS

Ms. Bower read the Consent Resolutions by title.

15. RESOLUTION NO. R23-09

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO COMMUNITY DEVELOPMENT BLOCK GRANT LOAN DOCUMENTS ASSOCIATED WITH THE CENTERLINE ON GLENDALE MULTI-FAMILY CONSTRUCTION PROJECT. (CONTINUED FROM FEBRUARY 14, 2023)

16. RESOLUTION NO. R23-14

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 CITY OF SURPRISE FOR THE USE OF THE TAX APPLICATION FOR ACCESS AND THE ABILITY TO INTERACT WITH STATEWIDE TAX DATA PROVIDED BY THE DEPARTMENT OF REVENUE.

17. RESOLUTION NO. R23-15

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A CONTRACT AMENDMENT NO. 2 TO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX (FAIN NO. AZ-2019-038, AZ-2020-008, AND AZ-2020-009) FOR ACCEPTANCE AND EXPENDITURE OF FEDERAL TRANSIT ADMINISTRATION GRANT FUNDING FOR TRANSIT SERVICES.

18. RESOLUTION NO. R23-16

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT FOR M&I FIRING BETWEEN THE ARIZONA WATER BANKING AUTHORITY, AN AGENCY OF THE STATE OF ARIZONA ("AWBA"), AND THE CITY OF GLENDALE, A MUNICIPAL AND INDUSTRIAL ("M&I") SUBCONTRACTOR OF THE CENTRAL ARIZONA WATER CONSERVATION DISTRICT ("CAWCD").

A motion was made by Councilmember Bart Turner, seconded by Councilmember Lauren Tolmachoff to adopt Consent Resolutions items 15 through 18.

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

19. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH KOWALSKI CONSTRUCTION INC. FOR GENERAL AND EMERGENCY CONSTRUCTION SERVICES

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to approve item 19.

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

The vote on the motion was:

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

20. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH VECTOR SOLUTIONS AZ INC. AND EXPENDITURE AUTHORIZATION FOR THE PURCHASE OF UNMANNED AIRCRAFT VEHICLES/SYSTEMS AND ACCESSORIES FOR THE GLENDALE POLICE DEPARTMENT

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to approve item 20.

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

21. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CEM-TEC CORPORATION, FOR PROCUREMENT OF STREETLIGHT POLE, ARMS AND ACCESSORIES

A motion was made by Councilmember Ian Hugh, seconded by Councilmember Lauren Tolmachoff to approve item 21.

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

NAY: Vice Mayor Joyce Clark

Passed

22. AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH GRUBER TECHNICAL, INC.DBA GRUBER POWER SERVICES FOR MAINTENANCE, REPAIR, AND INSPECTION OF UNINTERRUPTIBLE POWER SUPPLY SYSTEMS

A motion was made by Councilmember Ray Malnar, seconded by Councilmember Lauren Tolmachoff to approve item 22.

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

NAY: Vice Mayor Joyce Clark

Passed

LAND DEVELOPMENT ACTIONS

23. ORDINANCE NO. O23-02

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 1.05 ACRES LOCATED AT 4850 W. GLENDALE AVENUE FROM GCO (GLENDALE CENTERLINE OVERLAY) TO C-3 (HEAVY COMMERCIAL); AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE IS RECORDED.

(PUBLIC HEARING - CONTINUED FROM JANUARY 24, 2023 AND FEBRUARY 14, 2023)

Presented by: Tabitha Perry, Planning Manager

Ms. Bower read the ordinance by title.

Ms. Perry said the subject property was located at 4850 West Glendale Avenue. The site was surrounded by commercial uses. It was a developed site that had previously been used for car sales. The Planning Commission had forwarded a recommendation for approval with two stipulations.

Councilmember Tolmachoff asked if the property was inside the boundaries of the Entertainment District.

Ms. Perry said it was within the Entertainment District as it related to the liquor license deviation.

Councilmember Tolmachoff asked if the property was developed as a venue where liquor was served, there would be no distance requirement from a church or school.

Ms. Perry said that was correct.

James Deibler, Phoenix resident, spoke in support of the item.

A motion was made by Councilmember Lauren Tolmachoff, seconded by Councilmember Ian Hugh to adopt Ordinance No. O23-02.

Councilmember Tolmachoff said the request was opposed to the goal for the overlay and the redevelopment of downtown. The proposal contained no upgrades to the site. There was no reason for Council to move forward. It did not meet the criteria and the direction the City was moving and where it wanted to take the downtown.

Councilmember Turner concurred with Councilmember Tolmachoff. Council was being asked to do the due diligence for the applicant. It was not properly zoned for the applicant's intended use, and it was not Council's job to change the zoning to match the intended use.

Vice Mayor Clark agreed with Councilmembers Tolmachoff and Turner. The City was investing over \$80 million in the redevelopment of its downtown campus with the goal of encouraging new attractive investment to the downtown. Granting the rezoning set precedent and allowed a use that did not contribute to the image that was trying to be created for downtown Glendale.

The vote on the motion was:

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

Passed

- 24.** LA POUR, AN-245 ANNEXATION LOCATED NORTH OF THE NORTHWEST CORNER OF BETHANY HOME ROAD AND LOOP 303
(PUBLIC HEARING)
Presented By: Tabitha Perry, Planning Manager

Ms. Bower read the item by title.

Mayor Weiers opened the public hearing.

There was no presentation.

No one wished to speak.

Mayor Weiers closed the public hearing.

ORDINANCES

25. ORDINANCE NO. O23-05

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF EASEMENTS 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 the proposed ordinance would accept two waterline easements in support of private development. In addition, the Maricopa County Flood Control District was granting the City a public utility easement in support of a lift station. Staff recommended acceptance of the easements.

A motion was made by Councilmember Bart Turner, seconded by Vice Mayor Joyce Clark to adopt Ordinance No. O23-05.

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

Passed

26. ORDINANCE NO. O23-06

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 21.5 (SHOPPING CARTS) 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 require new retail establishments in newly constructed facilities to equip all shopping carts with a restrictive device that prevented removal from the premises. The ordinance would also require existing retail establishments and new retail establishments doing business in an existing facility to either equip shopping carts with the device that prevented removal or enter into a contract with a shopping cart retrieval service.

Councilmember Aldama was pleased with the proposed ordinance. Council had received an email from a resident of a nearby City. She was concerned that without a shopping cart, she would not be able to get her groceries from the store to her home. He sympathized with her concerns, but it was important to keep the carts out of the public rights-of-way.

Councilmember Tolmachoff said the concern expressed in the email was getting the groceries from the store to her car if she was not able to remove the cart from the store. Councilmember Tolmachoff asked if shoppers would be allowed to take the carts to their cars to unload purchases.

Mr. St. John said that was correct.

A motion was made by Councilmember Jamie Aldama, seconded by Councilmember Lauren Tolmachoff to adopt Ordinance No. O23-06.

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

Passed

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Aldama recognized the Glendale Chamber of Commerce for its work in moving the One Community One Pledge issue along. In the last 10 years, the country, the state and Glendale had become more inclusive.

Councilmember Malnar reported on a recent inquiry regarding 35 code enforcement complaints filed in the Granada Estates. If someone made more than 5 complaints in a week, the additional complaints would be put on hold and would be processed after the initial 5 complaints. He commended the work of the code enforcement officers. It could take up to a year to close a case. Code enforcement was committed to viewing every residence in the City over the next 18 months.

Councilmember Tolmachoff asked everyone to save the date of April 27th for the Cholla District's Spring Barbeque at the Foothills Recreation and Aquatics Center.

Councilmember Turner reminded residents the Folk and Heritage Festival would be held on March 4th and 5th at Sahuaro Ranch Park.

Vice Mayor Clark commended Councilmember Malnar for the time and effort he had devoted to addressing the issues at Granada Estates. She said it was disrespectful for a Granada Estates resident to request a meeting with Councilmember Malnar and then not have the courtesy to attend the meeting. He was the best advocate for getting the neighborhood cleaned up.

Vice Mayor Clark said on March 11th, from 8:00 a.m. to 12:00 p.m., the Police Department would be hosting a shred event in the Yucca District. The event would be held at the Black Lot at State Farm Stadium.

CITIZEN COMMENTS

Warren Wilfong, Ocotillo District resident, commented on parking regulations.

Andrew Marwick, Phoenix resident, commented on the Coyotes' hockey team.

Robert Height, Glendale Chamber of Commerce CEO, commented on the One Community proclamation, the City's nondiscrimination ordinance and inclusiveness in the City.

Darcy Marwick, Phoenix resident, commented on the Coyotes' hockey team.

James Deibler, Phoenix resident, commented on bus service and library hours.

Lynda Vescio, Cholla District resident, commented on the One Community Unity Pledge.

ADJOURNMENT

Mayor Weiers adjourned the meeting at 6:32 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 28th day of February, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ___ day of ___, 2023.

Julie K. Bower, MMC, City Clerk