

City Council Regular Meeting
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338



Monday, March 22, 2021	6:00 p.m.	Meeting Minutes
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CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER LAURITANO

ROLL CALL

Present: **Mayor Georgia Lord; Vice Mayor Bill Stipp; Councilmember Joe Pizzillo; Councilmember Sheri Lauritano; Councilmember Wally Campbell; Councilmember Brannon Hampton; Councilmember Laura Kaino**

Staff City Manager Julie Arendall; City Attorney Roric Massey; City Clerk Darcie McCracken
Present:

COMMUNICATIONS

1. 2021 HOP & HOPS "EGG-LUMINATED" DRIVE-THRU EVENT

Festival and Events Coordinator Brenna Hosey presented information on the Hop and Hops Event. Ms. Hosey stated the event would be a four-day nighttime event with imaginative and illuminated displays that participants would be driving through.

Council expressed that the event looked liked fun and thanked staff for their work on putting the event together.

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

CONSENT

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Brannon Hampton to APPROVE Consent Agenda Items 2 through 8. The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Laura Kaino

Passed - Unanimously

2. APPROVAL OF MINUTES

Recommendation:

Approve the draft minutes of the March 1, 2021 City Council Regular Meeting and the March 15, 2021 Special Meeting. (Darcie McCracken, City Clerk)

3. **CANVASS THE MARCH 9, 2021 ELECTION RESULTS**

Recommendation:

ADOPT RESOLUTION NO. 2021-2138 DECLARING AND ADOPTING THE RESULTS OF THE SPECIAL ELECTION HELD ON MARCH 9, 2021; DECLARING RESULTS ON TEN PROPOSITIONS; AND ORDERING THE CITY CLERK TO RECORD THIS RESOLUTION. (Darcie McCracken, City Clerk)

4. **LOCATION TRANSFER FOR SERIES 6 (BAR) LIQUOR LICENSE FOR MACAYO'S**

Recommendation:

Recommend to the Arizona Department of Liquor Licenses and Control (DLLC) approval of Application No. 138155, a request from Navayogasingam Thuraisingam, agent/applicant for Kind Hospitality Inc., for a Location Transfer of a Series 6 (Bar) liquor license. No. 06070119, located at 1474 N Litchfield Road, Goodyear, Arizona 85338 (Generally located west of Litchfield Road and south of McDowell Road). (Darcie McCracken, City Clerk)

5. **PRELIMINARY PLAT FOR AVION AT BALLPARK VILLAGE**

Recommendation:

Approve the preliminary plat for Avion at Ballpark Village attached hereto, subdividing approximately 153.65 acres into 575 lots, 49 tracts and 2 parcels (the "Property"), subject to stipulations. (Christian Williams, Planner)

6. **FINAL PLAT OF REV AT BALLPARK VILLAGE**

Recommendation:

Waive the requirement for a preliminary plat pursuant to A.R.S. 9.463.01(U) and conditionally approve the Replat of REV at Ballpark Village attached hereto, subject to stipulations. (Katie Wilken, Planning Manager)

7. **ACCEPTANCE OF A PUBLIC UTILITY AND SIDEWALK EASEMENT ASSOCIATED WITH THE GOODYEAR PROFESSIONAL PLAZA PROJECT**

Recommendation:

Accept the Public Utility and Sidewalk Easement attached hereto and authorize its execution and recordation with the Maricopa County Recorder. (Linda Beals, Real Estate Coordinator)

8. **APPROVE THE BUDGET TRANSFERS FOR FY2021**

Recommendation:

Approve the FY2021 budget transfers. (Doug Sandstrom, Finance Director)

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

- A. Open the Public Hearing
- B. Staff Presentation
- C. Applicant Presentation (if applicable)

- D. Receive Public Comment
- E. Close the Public Hearing

9. **COBBLESTONE EXPRESS CAR WASH USE PERMIT REQUEST TO ALLOW A CAR WASH USE ON PROPERTY ZONED PLANNED AREA DEVELOPMENT (PAD), GENERAL COMMERCIAL (C-2)**

Mayor Lord opened the Public Hearing at 6:08 p.m.

Planning Manager Katie Wilken presented a use permit request to allow a car wash use on property zoned Planned Area Development (PAD), General Commercial (C-2) in the Canyon Trails Towne Center. She stated the property was located on Yuma Road, east of Cotton Lane on a 1.81-acre undeveloped PAD site.

Ms. Wilken provided the details of the conceptual site, landscape and elevation plans for the car wash. She also discussed the noise study that was conducted due to concerns about the noise generated from the blowers.

Ms. Wilken added that there was no opposition from the public and that the Planning and Zoning Commission was recommending approval.

Jessie Macias with M3 Design thanked staff for their work and was available to answer questions.

Mayor Lord closed the Public Hearing at 6:14 p.m.

Councilmember Kaino expressed her concern with the location near the primary entryway off of Yuma Road and the proximity to the Target shopping center and there being a backup of cars. She expressed that she could not support the car wash in the current placement and would like to see it re-located.

Council and staff discussed the queuing of the proposed car wash and other established car washes along with traffic concerns from the future Loop 303 extension and intersection improvement at Yuma Road.

It was discussed that delivery truck traffic could be encouraged to enter into the site through a secondary entrance to avoid any type of vehicle congestion at the car wash entryway.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Sheri Lauritano to RECOMMEND conditional approval of a request for a Use Permit to allow a car wash (Cobblestone Express) on a 1.81-acre property zoned Planned Area Development (PAD), General Commercial (C-2) located North of W. Yuma Road and East of S. Cotton Lane, subject to stipulations. The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton

NAY: Councilmember Laura Kaino

Passed

10. **APPROVE THE ARIZONA STATE LAND DEPARTMENT REZONE**

Mayor Lord opened the Public Hearing at 6:30 p.m.

Planning Manager Katie Wilken presented an Arizona State Land Department (ASLD) Rezone request. Ms. Wilken noted that there had been considerable public interest in this request and would be addressing some of the resident's concerns in her presentation.

Ms. Wilken stated the site consisted of about 1,100 acres of State Trust Land located north of Interstate 10 (I-10) and west of Loop 303 (the 303). Ms. Wilken explained the meaning of State Trust Land adding that State Trust Land was not public land. The purpose of the land was to generate revenue for beneficiaries such as K-12 public schools.

Ms. Wilken discussed that the General Plan designated the area as Business and Commerce, Industrial and Luke Compatible Land Use Overlay. She added that it was zoned as Agriculture. She also discussed the details of the site conditions.

Ms. Wilken went on to discuss the Planned Area Development (PAD) Zoning Proposal that included three districts. The districts were office zone, light industrial zone, and general industrial zone.

Ms. Wilken explained the modifications to the PAD since it went to the Planning and Zoning Commission. She also explained the infrastructure and services for the area noting that water was being serviced by EPCOR and wastewater was being serviced by the City of Goodyear. The site was also within existing City of Goodyear police and fire service areas.

Ms. Wilken spoke about the Transportation Master Plan stating that Perryville Road was planned to be a minor arterial road instead of parkway as originally planned.

Ms. Wilken added that there were many questions as to what was being built on the site, and she stated that the end user was unknown and that Development Services had not received any site plans.

Ms. Wilken also spoke about the public outreach that was conducted. A neighborhood meeting was held via Zoom that had over 100 logins some of which included staff members. She added that several comments and concerns from the public were also received by email or telephone. Ms. Wilken stated that most of the comments and concerns were related to industrial uses located close to residential neighborhoods along with truck traffic and the loss of farming.

Ms. Wilken stated that the Planning and Zoning Commission forwarded a recommendation of denial for this request.

Carolyn Oberholtzer with Bergin, Frakes, Smalley & Oberholtzer, PLLC, thanked staff and the City for their work on the rezone. Ms. Oberholzer stated that the property was regionally significant and that staff helped facilitate appropriate transitions between the different uses of residential, office and industrial on the property.

Hector Hernandez, Avondale resident and carpenter, spoke in favor of the rezone stating that it was a great project that would create many jobs in the west valley.

Billie Jo White, El Mirage resident and union millwright, also spoke in favor of the rezone stating that the project would boost the economy in the Goodyear area and help the school districts.

Jessica Wade, Litchfield Farms resident, spoke in opposition of the rezone adding that the development would increase traffic, put a strain on water resources, increase pollution and

emit hazardous chemicals into the environment.

Andrew Decker, Sedella resident, also spoke in opposition to the rezone expressing that he did not want the project in the area due to the unknown environmental impacts the industrial site may have on the area, such as groundwater contamination.

Byrne Skaggs submitted a speaker card, not wishing to speak and in opposition of the rezone.

Kenneth Steel, with Pinnacle Prevention, spoke in favor of the rezone stating that he hoped the rezone would preserve a reasonable percentage of the land for ongoing agricultural use for food production.

Michelle Lloyd, Sedella resident, spoke in opposition of the rezone adding that her largest concern was the wastewater runoff from the potential semiconductor manufacturing business that may be built on the site. Mike Lloyd, Sedella resident, did not speak and also opposed the rezone.

Steve Mason, Sedella resident, spoke in opposition of the rezone expressing his concern with building heights, traffic safety, truck noise and the environmental issues previously mentioned.

Leslie LeVan, Litchfield Park resident, also spoke in opposition to the rezone. Ms. LeVan stated that she was concerned with Perryville Road being a wide road and the traffic being so close to homes.

Deniece Platt, Litchfield Heights resident, submitted an email in opposition to the rezone citing concerns with crime, traffic and the taxing of resources.

A letter from the Lancaster Family (Chad, Julia, Cash and Molly), who are Litchfield Farms residents, was submitted in opposition to the rezone stating that the proposed development would negatively affect the environment, their quality of life and property values.

Danielle Guerrero, submitted a comment via email regarding the ASLD Rezone. Ms. Guerrero stated she would respect whatever decision was made and hoped that it was an informed decision.

Becky Carrasco, Sedella resident, also submitted a comment via email regarding the ASLD Rezone. Ms. Carrasco expressed that farming and agriculture needed to stay alive in the west valley and hoped that the farms were not forced out by industrial business.

Shawn Duncan, with Duncan Family Farms, thanked the residents and everyone for their time, thoughts, and consideration. Mr. Duncan stated he could not discuss any details as Duncan Family Farms due to signing a non-disclosure agreement.

Mayor Lord closed the Public Hearing at 7:36 p.m.

Council asked once something was rezoned, what was the role of staff in relation to traffic and meeting the PAD standards and regulations. Ms. Wilken replied that it was staff's role to ensure the site plan or preliminary plat meets the standards and regulations that have been set by the City. For example, when a traffic study is submitted with a site plan, staff would make sure it meets the City's standards.

Council asked if the City had heard from the Litchfield Elementary School District about

Scott L. Libby Elementary School. Ms. Wilken responded that the City had not heard from any of the school districts. She added that mailers were sent to the email addresses that were provided for development proposals to be sent to and that no responses had been received.

Council asked if the process for a site plan submittal could be explained. Ms. Wilken replied that an applicant would submit required documents that included site layout, parking, landscaping, grading, and utility plans. Staff would then review the plans and look for any deficiencies that do not meet City standards. Those comments are returned to the applicant who then has to bring the deficiencies up to City standards. The applicant gets a site plan approval once the deficiencies are corrected and the applicant then moves on to their construction plans.

Council expressed that this was not a new zoning proposal for this land and that this land had been targeted in the General Plan as an industrial area for almost 20 years.

Council asked for an explanation on how the City would handle the possibility of water contamination. Public Works Director Javier Setovich explained that the City was working with the Arizona Department of Environmental Quality on a new program to test wells within 5 miles of a contamination area. He added that the City of Goodyear water wells have not shown any contamination.

Development Services Director Christopher Baker added that whenever a project was proposed anywhere in the City, the plans are reviewed by staff in the Building Safety Department. The industrial pretreatment process was included early on in the application process to ensure the applicant understands what the City's expectations are and what the treatment facility's wastewater limits are and what they can and cannot accept.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Joe Pizzillo to ADOPT RESOLUTION NO. 2021-2140 DECLARING A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 21-01 CITY OF GOODYEAR, AZ – REZONE CASE"; "LEGAL DESCRIPTION – ASLD REZONE"; AND "ARIZONA STATE LAND DEPARTMENT PAD, DATED MARCH 11, 2021". The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Laura Kaino

Passed - Unanimously

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to ADOPT ORDINANCE NO. 2021-1497 CONDITIONALLY REZONING APPROXIMATELY 1,060 ACRES GENERALLY LOCATED EAST OF PERRYVILLE ROAD, SOUTH OF INDIAN SCHOOL ROAD, WEST OF CITRUS ROAD, NORTH OF MCDOWELL ROAD; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Laura Kaino

Passed - Unanimously

11. ESTABLISH CHAPTER 27 IN THE GOODYEAR CITY CODE FOR PARKS & RECREATION AND ADD ARTICLE 27-1 (TREE CARE AND MANAGEMENT)

Parks and Recreation Deputy Director David Seid and Right of Way Superintendent Wayne Smith presented a request to adopt a tree ordinance in the quest for the City of Goodyear to become an official Tree City USA. Mr. Seid introduced Mr. Smith and discussed his background.

Mr. Smith provided the background of the Bike and Pedestrian Path Shade Study Plan and the benefits of becoming a Tree City USA member.

Mr. Smith added that the reason for this designation is that trees are important to the City. Trees provide energy savings, storm water management, erosion control and pavement preservation.

Council asked if a cactus was considered a tree. Mr. Smith replied that the Saguaro Cactus was considered a tree.

Council asked if the Parks and Recreation staff would take into consideration hanging banners throughout the City displaying that the City is a Tree City, once it received the designation. Mr. Seid responded that there was a marketing campaign in mind to share the designation with the community.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2021-2132 DECLARING A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED "ENACTING A NEW CHAPTER OF THE CITY OF GOODYEAR CODE OF ORDINANCES, TO ESTABLISH CHAPTER 27 PARKS AND RECREATION, ARTICLE 27-1 TREE CARE AND MANAGEMENT". The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Laura Kaino

Passed - Unanimously

MOTION BY Vice Mayor Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to ADOPT ORDINANCE NO. 2021-1496 ENACTING A NEW CHAPTER TO THE CITY OF GOODYEAR CODE OF ORDINANCES TO ESTABLISH CHAPTER 27 TITLED, PARKS AND RECREATION, AND ESTABLISHING ARTICLE 27-1 TREE CARE AND MANAGEMENT; PROVIDING FOR CORRECTIONS; SEVERABILITY; PENALTIES AND AN EFFECTIVE DATE. The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Laura Kaino

Passed - Unanimously

12. AUTHORIZING THE ISSUANCE OF TAXABLE ADVANCE REFUNDING OF SERIES 2011A IN THE AMOUNT NOT TO EXCEED \$25,800,000

Finance Deputy Director Jared Askelson presented an excise tax refunding authorization

request. Mr. Askelson discussed the details of bond ratings adding that the City's excise tax obligation ratings were at an AA+ by Standard & Poor's and Aa1 by Moody's.

Mr. Askelson explained what excise tax refunding was and what was impacted due to the refunding.

Council asked if staff had considered purchasing insurance to get the rating to AAA and if there was a savings in doing so. Mr. Askelson responded that with the interest rates being as low as they are, it would not make an appreciable difference.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Vice Mayor Bill Stipp to ADOPT RESOLUTION NO. 2021-2135 AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT, A TRUST AGREEMENT, A DEPOSITORY TRUST AGREEMENT, A CONTINUING DISCLOSURE CERTIFICATE, AN OBLIGATION PURCHASE AGREEMENT AND FORMS OF RELATED OBLIGATION DOCUMENTS; APPROVING A PRELIMINARY OFFICIAL STATEMENT; APPROVING THE SALE, EXECUTION AND DELIVERY OF TAXABLE EXCISE TAX REVENUE REFUNDING OBLIGATIONS, SERIES 2021, EVIDENCING A PROPORTIONATE INTEREST OF THE OWNERS THEREOF IN AN AGREEMENT BETWEEN THE CITY OF GOODYEAR, ARIZONA AND A TRUSTEE; AUTHORIZING AND RATIFYING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THE RESOLUTION. The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Brannon Hampton, Councilmember Laura Kaino

Passed - Unanimously

13. AUTHORIZING THE ISSUANCE OF THE CITY OF GOODYEAR GENERAL OBLIGATION BONDS FOR MUNICIPAL BUILDINGS IN THE AMOUNT NOT TO EXCEED \$45,195,000

Finance Deputy Director Jared Askelson presented a request to authorize the issuance of General Obligation bonds (GO Bonds). Mr. Askelson discussed the details of the projects, planning and payments involved with GO Bonds.

Mr. Askelson also added that the GO Bond rating stood at AA with Standard & Poor's and at Aa1 with Moody's.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Joe Pizzillo to ADOPT RESOLUTION NO. 2021-2134 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF GOODYEAR, ARIZONA, GENERAL OBLIGATION BONDS, SERIES 2021; DELEGATING THE AUTHORITY TO APPROVE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PROVIDING FOR THE ANNUAL LEVY OF A TAX FOR THE PAYMENT OF THE BONDS; APPOINTING A REGISTRAR AND PAYING AGENT FOR THE BONDS; APPROVING THE FORM OF CERTAIN DOCUMENTS AND AUTHORIZING COMPLETION, EXECUTION AND DELIVERY THEREOF; DELEGATING THE AUTHORITY TO APPROVE AND DEEM FINAL A FORM OF OFFICIAL STATEMENT; RATIFYING ALL ACTIONS TAKEN AND TO BE TAKEN WITH RESPECT TO THE BONDS IN FURTHERANCE OF THIS RESOLUTION; AND AUTHORIZING ANY NECESSARY BUDGET TRANSFERS RELATED TO THE BONDS AND THE PROJECTS FINANCED THEREBY. The motion carried by the following vote:

AYE: Mayor Georgia Lord, Vice Mayor Bill Stipp, Councilmember Joe Pizzillo, Councilmember Sheri Lauritano, Councilmember Wally Campbell,

Councilmember Brannon Hampton, Councilmember Laura Kaino
Passed - Unanimously

INFORMATION ITEMS

There were no information items.

FUTURE MEETINGS

April 5, 2021 Work Session 5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 8:41 p.m.

Darcie McCracken, City Clerk

Georgia Lord, Mayor

Date: _____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the city of Goodyear, Arizona, held on March 22, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2021.

SEAL:

Darcie McCracken, City Clerk