

City Council Regular Meeting

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



Monday, June 21, 2021

6:00 p.m.

Meeting Minutes

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR LORD

ROLL CALL

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

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

COMMUNICATIONS

1. **RECOGNIZE THE WINNERS OF THE 2021 GOODYEAR TEACHERS ROCK - KIDS' CHOICE AWARD**

Digital Communications Director Tammy Vo discussed the selection of the 2021 Goodyear Teachers Rock - Kids' Choice Award and provided a video presentation of each of the winners. The winners were: Mrs. Chandra Armstrong, Palm Valley Elementary School, Mr. Ramon Carranza, St. John Vianney Catholic School, Mr. David Matsuura, Copper Trails Elementary School, and Ms. Rebekah Shoup, BASIS Goodyear.

Mayor Lord congratulated the winning teachers for their dedication to students and presented each one with a plaque.

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

CONSENT

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Joe Pizzillo to APPROVE Consent Agenda Items 2 through 6. The motion carried by the following vote:

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

Passed - Unanimously

2. APPROVAL OF MINUTES

Recommendation

Approve draft minutes from the Regular and Special Meetings held on June 7, 2021.
(Darcie McCracken, City Clerk)

3. RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR CRACKER BARREL #277

Recommendation

Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 148460 a request by Andrea Dahlman Lewkowitz, agent/applicant for Cracker Barrel Old Country Store, Inc., for a new Series 12 liquor license for Cracker Barrel #277, located at 1209 N Litchfield Rd., Goodyear, Arizona 85395 (Generally located on the east side of Litchfield Rd., approximately one-fifth of a mile south of McDowell Rd).
(Darcie McCracken, City Clerk)

4. CITY COUNCIL SUBCOMMITTEE APPOINTMENTS

Recommendation

Recognize the City Council subcommittee appointments for FY2022. (Rosalva Zimmerman, Assistant to the Mayor)

5. ACCEPTANCE OF EASEMENTS FOR THE LAKIN PARK DEVELOPMENT

Recommendation

Accept a Wastewater Line, Water Line and Access Facilities Easement and a Wastewater Line and Access Facilities Easement from W/C Lakin 1B VIII, LLC, a Delaware limited liability company; and a Wastewater Line and Access Facilities Easement from W/C Lakin Owner VIII, L.L.C., a Delaware limited liability company. (Linda Beals, Real Estate Coordinator)

6. PRELIMINARY PLAT FOR AIRPARK LOGISTICS CENTER

Recommendation

Approve the Preliminary Plat for Airpark Logistics Center, subdividing approximately 170.25 acres on the east side of Bullard Avenue and the Bullard Wash, extending from Yuma Road on the north to south of Lower Buckeye Parkway on the south (the "Property"), subject to stipulations. (Katie Wilken, Planning Manager)

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

7. **VIEW 10 BUSINESS CENTER REZONING AND PAD OVERLAY**

The Public Hearing was opened on May 24, 2021.

Principal Planner Karen Craver presented the View 10 Business Center Rezoning and Planned Area Development (PAD) Overlay. Ms. Craver stated the property was located on the southeast corner of McDowell Road and Sarival Avenue. The property consisted of 48 acres within the Palm Valley Phase VIII. She noted that the property was currently zoned as PAD/ Mixed Use Commercial which translated into the City's C-2 General Commercial Zoning District.

Ms. Craver discussed View 10 Business Center's proposal for the property noting that 30 acres would consist of C-2 General Commercial and 18 acres would consist of Multifamily 24 (MF-24). She added that the PAD Overlay in the C-2 Parcel allowed for retail/warehouse use. The PAD Overlay within the MF-24 parcel allowed for 4-story buildings beyond 200 feet of the north property line.

Ms. Craver briefly reviewed the architectural character images for the property. She added that staff and the Planning and Zoning Commission recommended approval of the proposal.

Applicant Jeff Blilie with Beus, Gilbert, McGroder PLLC, added that they conducted a couple of neighborhood outreaches to make sure there were no concerns. He stated that he only received one phone call in support of the project.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:20 p.m.

Council asked if the retail/warehouse was combined or separate. Mr. Blilie explained that the use they were looking for was that of Living Spaces, furniture store/warehouse.

Council thanked Mr. Blilie for not placing the apartments adjacent to the freeway and added that the architecture was very attractive.

Council inquired about the operating hours of 7:00 a.m. – 7:00 p.m. for the retail adding that 7:00 p.m. was too early to close. Mr. Blilie agreed and stated they were open to modifying the stipulation.

City Attorney Roric Massey reviewed Exhibit E of the ordinance, which contained the restriction on warehouse hours, and suggested adding to the stipulation "customer pickup shall be allowed until 9:00 p.m."

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to ADOPT RESOLUTION NO. 2021-2153 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 22-05A"; "VIEW 10 LEGAL DESCRIPTION"; "C-2 PARCEL LEGAL DESCRIPTION"; "MF-24 PARCEL LEGAL DESCRIPTION"; "VIEW 10 BUSINESS CENTER REZONING AND PAD OVERLAY DATED MAY, 2021"; AND "ARCHITECTURAL CHARACTER IMAGES". The motion carried by the following vote:

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

Passed - Unanimously

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to ADOPT ORDINANCE NO. 2021-1503 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 48.12 GROSS ACRES LOCATED AT THE SOUTHEAST CORNER OF SARIVAL AVENUE AND MCDOWELL ROAD FROM PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL TO C-2 GENERAL COMMERCIAL (30.51 ACRES) AND MF-24 MULTI-FAMILY RESIDENTIAL (17.61 ACRES) WITH A PLANNED AREA DEVELOPMENT OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES AND AMENDING EXHIBIT E, SUBSECTION 2, SUBSECTION F, THE WAREHOUSE HOURS OF OPERATION ARE LIMITED TO TIMES BETWEEN 7:00 AM. – 7:00 P.M., CUSTOMER PICK-UP SHALL BE ALLOWED IN THE WAREHOUSE UNTIL 9:00 P.M. The motion carried by the following vote:

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

Passed - Unanimously

8. WILHELM AUTOMOTIVE WIRELESS COMMUNICATION FACILITY (WCF) ON PROPERTY ZONED PAD (PLANNED AREA DEVELOPMENT)

Mayor Lord opened the Public Hearing at 6:36 p.m.

Planner Christian Williams presented a special use permit request on approximately 1.5 acres located west of the southwest corner of Old Litchfield Road and Indian School Road. He noted that the property was currently zoned Planned Area Development (PAD) under Palm Valley PAD with a zoning of mixed-use commercial (C-2 General Commercial Zoning).

Mr. Williams provided the details of the surrounding neighborhoods and properties near the subject property. He stated that the applicant proposed to develop an underutilized portion of the rear yard of the Wilhelm Automotive into a wireless communication facility.

Declan Murphy with Towercom T-Mobile thanked Mr. Williams for his time and effort and

was available for questions.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:40 p.m.

Council inquired about who would be building the tower. Mr. Murphy replied that Towercom would build and design the site so that it could accommodate up to three wireless carriers.

MOTION BY Councilmember Joe Pizzillo, SECONDED BY Vice Mayor Brannon Hampton to APPROVE the request for a Special Use Permit for a Wireless Communication Facility (WCF) on an approximately 1.5-acre property zoned Planned Area Development (PAD) located west of the southwest corner of Old Litchfield and Indian School Roads, subject to stipulations. The motion carried by the following vote:

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

Passed - Unanimously

9. PUBLIC HEARING ON NON-UTILITY USER FEES

Mayor Lord opened the Public Hearing at 6:44 p.m.

Finance Director Doug Sandstrom briefly reviewed the proposed user fees. Mr. Sandstrom reminded the Council that the last full external cost of service study was conducted in 2009. He reviewed the primary goals of the study and the overview of fees by department.

Mr. Sandstrom spoke about the various project examples along with a cost comparison to other valley cities. He discussed the implementation steps following the public hearing noting that the fees would be brought back for council consideration on July 12, 2021.

There being no other speakers, Mayor Lord closed the Public Hearing at 6:51 p.m.

BUSINESS

10. SET THE PRIMARY AND SECONDARY PROPERTY TAX LEVIES FOR FY2022

Finance Director Doug Sandstrom presented the final step of the Fiscal Year (FY) 2022 budget process which was the adoption of property tax levies.

Mr. Sandstrom relayed that the property tax levy being proposed was \$11,706,200 for the primary property tax and \$8,604,300 for the secondary property tax. He stated that the combined estimated property tax rate would be \$1.735 per \$100 of assessed valuation.

MOTION BY Councilmember Joe Pizzillo, SECONDED BY Vice Mayor Brannon Hampton to ADOPT ORDINANCE NO. 2021-1506 LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF GOODYEAR, SUBJECT TO PRIMARY AND SECONDARY TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNTS ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET FOR THE PURPOSE OF PAYING FOR VARIOUS EXPENSES; TO RAISE THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUES; PROVIDING FUNDS FOR VARIOUS BOND PREEMPTIONS, FOR THE PURPOSE OF PAYING PRINCIPAL AND INTEREST UPON BONDED INDEBTEDNESS; ALL FOR FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2022. The motion carried by the following vote:

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

NAY: Councilmember Bill Stipp

Passed

11. APPROVE THE EXPENDITURE UP TO \$1,300,000 FOR LEASE OF THE SITE 21 REVERSE OSMOSIS TREATMENT UNITS AND RELATED BUDGET TRANSFER

Deputy Public Works Director Barbara Chappell presented information about Site 21 Water Production Facility located on the west side of Sarival Avenue just south of Interstate 10 (I-10).

Ms. Chappell discussed the water treatment that was conducted at the site and stated that the City noticed a spike in nitrate in the groundwater. She added that research was being conducted to determine the sudden spike. In the meantime, in order to treat the water wells, staff selected Suez WTS Services USA, Inc. to provide mobile reverse osmosis systems as a temporary solution until a permanent solution could be found.

Council inquired about the purchase cost of each unit. Ms. Chappell replied that they did not look at purchasing a unit as the units were not available for sale, since they were mobile units. If the City wanted to install permanent reverse osmosis units at the facility, the cost would be about \$5-\$6 million.

Council asked if there was a spike in nitrate in other water wells. Ms. Chappell responded that in the west valley there were other wells that had been experiencing increased levels of nitrate. She added that the City's Site 18 was having additional treatment measures installed that was not previously needed.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to APPROVE the expenditure of FY2022 funds in the amount of \$1,300,000 to lease and provide operational support of two (2) reverse osmosis mobile trailers at the Site 21 facility and related budget transfer. The motion carried by the following vote:

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

Passed - Unanimously

12. **EXPENDITURE APPROVAL FOR SRP WATER WHEELING FEES FOR CAP DELIVERIES**

Water Resources & Sustainability Manager Gretchin Erwin presented a request to approve an expenditure in excess of \$500,000 for both Fiscal Year (FY) 2021-2022 to pay for the wheeling or transportation costs in the Salt River Project (SRP) Canals for the delivery of the Central Arizona Project (CAP) water.

Ms. Erwin provided a brief history of the City's agreement with SRP to transport the City's CAP water. She stated that the agreements directly put to use the CAP water, added resilience to the City's water system and lessened the reliance on groundwater.

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Wally Campbell to APPROVE the expenditure of \$556,000 for FY2021 and \$700,000 for FY2022 to pay wheeling fees to Salt River Valley Water Users' Association and the Salt River Project (SRP) Agricultural Improvement and Power District for the delivery of CAP water. The motion carried by the following vote:

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

Passed - Unanimously

13. **BULLARD WASH IRRIGATION TAILWATER STUDY PROFESSIONAL SERVICES CONTRACT**

Utilities Engineer Chris Hamilton presented information on the Bullard Wash Tailwater and Drainage Study. Mr. Hamilton discussed the background of the Bullard Wash stating that the wash had historically provided conveyance of storm water and agricultural tail water in the region.

Mr. Hamilton relayed that over the last several months tailwater flows had been unusually high and had overwhelmed the capacity of the 24-inch pipe causing surface flows into the wash. He added that the City and Pebblecreek Homeowners Association (HOA) met to develop a holistic solution that would improve surface flows along the wash when the pipes were overwhelmed.

Mr. Hamilton reviewed the scope of the project and stated that the coordination between the City and the Pebblecreek HOA was essential since surface flow improvements upstream of Pebblecreek would impact the privately-owned sections of the Bullard Wash. He stated the City was expecting to implement a solution over the next 12 months.

Council asked for an explanation of the cost for the study and how it was split. Mr. Hamilton replied that the cost of the study would be \$76,630 and the cost split would be 72.5 percent for the City and 27.5 percent for the HOA.

Council expressed that they were anxious to find a resolution to this issue.

Council inquired if anyone was working on trying to have the farmers recapture their excess water. Ms. Chappell replied that they met with the Arizona Department of Water Resources to discuss and address the issues the City was facing and hoped some

conservation measures would be adopted.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Sheri Lauritano to APPROVE an agreement with the PebbleCreek Golf Resort Homeowners Association No. 1, Inc. (HOA) to enter into a professional services contract with JE Fuller for completion of a study for improvements to the Bullard Wash from Camelback Road to I-10. The motion carried by the following vote:

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

Passed - Unanimously

INFORMATION ITEMS

Councilmember Stipp stated that he was nominated and appointed as the Treasurer of the Valley Metro Board of Directors and also was serving on the Audit and Finance Subcommittee as Chair.

Councilmember Pizzillo requested a presentation, after the Council break, on how the new fire stations were working within the community and impacting service levels.

Council asked for a discussion about the special use permitting, the need for a PAD and straight zoning and where the City stood with zoning requirements.

Council requested information about an intersection study for southbound Bullard Avenue and Van Buren Street.

City Manager Julie Karins relayed that the Goodyear Recreation Campus public grand opening would be held on Saturday, July 3, with several activities for the community. Ms. Karins also noted that the Goodyear Ballpark would be hosting the City's signature Star Spangled 4th Event on July 4, with live entertainment, food and beverages, giveaways and activities for kids.

FUTURE MEETINGS

July 1, 2021	Special Meeting	5:00 p.m.
July 12, 2021	Regular Meeting	6:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:28 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 June 21, 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