

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



Monday, July 18, 2022

6:00 p.m.

Meeting Minutes

CALL TO ORDER

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

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER BRAY

COMMUNICATIONS

1. GOODYEAR RECREATION CENTER YEAR ONE

Recreation Superintendent Michael Beadle provided an overview of the first year of operations for the Goodyear Recreation Center (GRC). Mr. Beadle provided a usage analysis, pass holder demographics, discussed the new and expanded programs and showed a video depicting the activities at the GRC. Mr. Beadle also recognized the operations team who helped make the first year at the GRC successful.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

There were no comments.

CONSENT

MOTION BY Councilmember Patrick Bray, SECONDED BY Vice Mayor Brannon Hampton to APPROVE Consent Agenda Items 2 through 13. The motion carried by the following vote:

AYE: **Mayor Joe Pizzillo, Vice Mayor Brannon Hampton, Councilmember Sheri Lauritano, Councilmember Wally Campbell, Councilmember Bill Stipp, Councilmember Laura Kaino, Councilmember Patrick Bray**

Passed - Unanimously

2. **APPROVAL OF MINUTES**

Recommendation

Approve the draft minutes from the Regular Meeting held on July 11, 2022. (Darcie McCracken, City Clerk)

3. **2023 TOUR DE CURE ARIZONA:56**

Recommendation

Approve support of the American Diabetes Association's Tour de Cure Arizona: 56 through the provision of public safety in-kind services. (Nathan Torres, Director of Parks and Recreation)

4. **COVID-19 LEAVE FOR COVID POSITIVE CASES (EXTENSION)**

Recommendation

Approve 6-month extension for paid leave for employees testing positive for COVID-19 or for employees experiencing symptoms from receiving a COVID vaccination/booster. (Lyman Locket, Human Resources Director)

5. **FINAL PLAT FOR CHEDDAR'S SCRATCH KITCHEN**

Recommendation

Approve the Final Plat for Cheddar's Scratch Kitchen. (Stephen Scinto, Deputy Director of Development Engineering)

6. **FINAL PLAT OF SILVA TRAILS AT WEST GOODYEAR PHASE 1**

Recommendation

Approve the Final Plat of Silva Trails at West Goodyear Phase 1, subject to stipulations. (Stephen Scinto, Deputy Director of Development Engineering)

7. **APPROVE EXPENDITURE UP TO \$529,400 FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT ODOR CONTROL SYSTEM AT THE LAS BRISAS LIFT STATION**

Recommendation

Approve expenditure of funds up to \$529,400 for the purchase and installation of a replacement odor control system at the Las Brisas Lift Station. (Barbara Chappell, Deputy Public Works Director)

8. **TERMINATION AND RELEASE OF EASEMENT RELATED TO THE CONSTRUCTION OF THE POTATO BARN FACILITY**

Recommendation

Approve the termination of an Exclusive Sewer Easement granted pursuant to that certain document recorded in the official records of the Maricopa County Recorder as Document No. 2019-0935302 on November 20, 2019 and authorize the City Manager to execute a Termination and Release of Easement in the form approved by the City Attorney terminating such Exclusive Sewer Easement following the satisfaction of the stipulations. (Linda Beals, Real Estate Coordinator)

9. **DECLARATION OF RIGHT-OF-WAY FOR SECTION OF HARRISON STREET**

Recommendation

ADOPT RESOLUTION NO. 2022-2258 DECLARING AS PUBLIC RIGHT-OF-WAY CITY-OWNED PROPERTY LOCATED WITHIN A SECTION OF THE HARRISON STREET ALIGNMENT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE. (Linda Beals, Real Estate Coordinator)

10. **AMEND AND REPLACE GOODYEAR CITY CODE CHAPTER 11, SECTION 11-1-28, TO ESTABLISH EXPANDED "UNRULY GATHERING" REGULATIONS**

Recommendation

ADOPT RESOLUTION NO. 2022-2261 DECLARING A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED "AMENDMENT TO GOODYEAR CITY CODE OF ORDINANCES CHAPTER 11-OFFENSES, SECTION 11-1-28, TO ESTABLISH NEW UNRULY GATHERING REGULATIONS."

ADOPT ORDINANCE NO. 2022-1550 ENACTING AN AMENDMENT TO CHAPTER 11 OF THE CITY OF GOODYEAR CODE OF ORDINANCES, TO AMEND AND REPLACE, SECTION 11-1-28, TO ESTABLISH NEW AND EXPANDED UNRULY GATHERING REGULATIONS; PROVIDING FOR CORRECTIONS; SEVERABILITY; AND AN EFFECTIVE DATE. (Jay Karlovich, Assistant City Attorney)

11. **AMENDMENT NUMBER ONE TO THE INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR THE INSTALLATION OF INTELLIGENT TRANSPORTATION SYSTEM EQUIPMENT AT THE TRAFFIC MANAGEMENT CENTER AND ESTRELLA/PEBBLECREEK PARKWAY FROM MC 85 TO INDIAN SCHOOL ROAD (PROJECT #42031)**

Recommendation

Approve Amendment One to the Intergovernmental Agreement, IGA 20-0007784-I, A.G. Contract No. P0012020001510 with the Arizona Department of Transportation Project Location/Name: Estrella/Pebble Creek Pkwy. (Hugh Bigalk, P.E., City Traffic Engineer)

12. **AMENDMENT NUMBER ONE TO THE INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR THE INSTALLATION OF INTELLIGENT TRANSPORTATION SYSTEM EQUIPMENT ALONG MCDOWELL ROAD FROM SR 303 TO 1/4 MILE WEST OF DYSART ROAD (PROJECT #42033)**

Recommendation

Approve Amendment One to the Intergovernmental Agreement, IGA 20-0007781-I, A.G.

Contract No. P0012020001486 with the Arizona Department of Transportation
Project/Location Name: McDowell Rd – SR 303 to Dysart Rd. (Hugh Bigalk, P.E., City
Traffic Engineer)

13. **AMENDMENT NUMBER ONE TO THE INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR THE INSTALLATION OF INTELLIGENT TRANSPORTATION SYSTEM EQUIPMENT ALONG LITCHFIELD ROAD FROM MC 85 TO WIGWAM BOULEVARD (PROJECT #42032)**

Recommendation

Approve Amendment One to the Intergovernmental Agreement, IGA 20-0007782-I, A.G.
Contract No. P0012020001488 with the Arizona Department of Transportation, Project
Location/Name Litchfield Road ITS. (Hugh Bigalk, P.E., City Traffic Engineer)

PUBLIC HEARING

14. **USE PERMIT FOR A CONVENIENCE USE (FREDDY’S FROZEN CUSTARD AND STEAKBURGERS RESTAURANT WITH DRIVE-THRU)**

Mayor Pizzillo opened the Public Hearing at 6:15 p.m.

Assistant Planner Guadalupe Ortiz Cortez presented a use permit for Freddy’s Frozen Custard and Steakburgers drive-through restaurant proposed on a .86-acre parcel located on the northeast corner of Yuma Road and Cotton Lane within the Canyon Trails Towne Center. Ms. Ortiz Cortez reviewed the conceptual site plan and conceptual elevations along with the evaluation criteria. She noted that there was no public opposition during the citizen review and public hearing process.

There being no other speakers present, Mayor Pizzillo closed the Public Hearing at 6:21 p.m.

Council thanked Freddy’s Frozen Custard and Steakburgers for opening a second location in Goodyear.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Patrick Bray to APPROVE the request for a use permit for convenience use (Freddy’s Frozen Custard and Steakburgers drive-through restaurant) on an approximately .86-acre parcel within the Canyon Trails Towne Center zoned PAD/Commercial, subject to stipulations. The motion carried by the following vote:

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

Passed - Unanimously

BUSINESS

15. **SOUTHWEST VALLEY CHAMBER OF COMMERCE**

Economic Development Director Lori Gary presented a request to approve a new contract with the Southwest Valley Chamber of Commerce (Chamber). Ms. Gary spoke about the new CEO, Jeffrey Campos and discussed the transition occurring at the Chamber, the cities it supports and the membership.

Ms. Gary provided an overview of the current contract and discussed the proposed customized platinum membership that included items such as marketing services for businesses, tourism and the Innovation Hub and city sponsorship for Chamber events.

Council thanked the Chamber's new CEO for the proposed programs and everything he is doing for Goodyear and the other member cities.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Laura Kaino to APPROVE a one-year renewal of the membership agreement in the Southwest Valley Chamber of Commerce with an amendment to the scope and a corresponding cost increase. The motion carried by the following vote:

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

Passed - Unanimously

16. **MULTI PARTY AGREEMENT BETWEEN ARIZONA PUBLIC SERVICE COMPANY, GOODYEAR, AND BUCKEYE TO ACCEPT MUNICIPAL BRACKISH WATER (BRINE) INTO PALO VERDE NUCLEAR GENERATING STATIONS ("PVGS") WATER RECLAMATION SUPPLY SYSTEM**

Deputy Public Works Director Barbara Chappell presented a request to approve a multiparty agreement between Arizona Public Service Company (APS), the City of Goodyear and the City of Buckeye, to accept brackish water (brine), a biproduct of the City's groundwater treatment. Ms. Chappell reviewed the current practice that discharges the brine into the sewer system and then is conveyed to the water reclamation facility. She added that the current practice is not sustainable and causes several issues such as not meeting the pretreatment ordinance, taking up capacity that could be used to support growth and passing through the water reclamation facility that may cause issues with compliance on the discharge permits.

Ms. Chappell indicated that a review of options presented by a consultant and collaboration with APS Palo Verde Nuclear Power Plant resulted in the development of a memorandum of understanding for preliminary work to establish the impact of the poor quality of water on their cooling system. Ms. Chappell discussed the key points of the agreement that included the purchase and testing of two different manufactures for the enhanced evaporation units and the advancement of design for improvements on the electrical and piping needed for the full-scale project.

Ms. Chappell added that once the pilot and design are complete, a future agreement is needed. This agreement will establish capital costs moving forward and operating and maintenance costs for the new facilities, which will allow the City to discharge 13.7 million gallons of brine a day that is generated during the peak flow of summer.

Council expressed that this was a great solution and appreciated the collaboration with APS.

MOTION BY Vice Mayor Brannon Hampton, SECONDED BY Councilmember Patrick Bray to APPROVE the Agreement Regarding Collaborative Efforts to Accept Municipal Brackish Water in the Water Reclamation Supply System by and between Arizona Public Service Company, the City of Goodyear and the City of Buckeye and authorize expenditure of funds up to \$1.0 million. The motion carried by the following vote:

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

Passed - Unanimously

17. CITY OF GOODYEAR TRANSPORTATION MASTER PLAN (TMP) UPDATE FY23

Transportation Planning Manager Christopher Bridges presented a request to authorize the expenditure funds up to the budgeted amount of \$530,000 for the Transportation Master Plan (TMP). The TMP is a 20-year future guide for investments in transportation within the City of Goodyear.

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Bill Stipp to AUTHORIZE the expenditure of funds for the Transportation Master Plan in an amount not to exceed \$530,000. The motion carried by the following vote:

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

Passed - Unanimously

18. AMENDMENT TO THE MUNICIPAL USER FEE SCHEDULE

Finance Director Doug Sandstrom presented modifications to the consolidated fee schedule that was adopted in July 2021. Mr. Sandstrom explained that the modifications would make changes to the building safety fees by clarifying the language on how fees are charged, modifying the lowest level of fees for permits, and modifying the other tiers to account for tier 1's \$100 fee. He added that if adopted, the fee schedule will go into effect September 1, 2022.

Council thanked Mr. Sandstrom for streamlining, simplifying and reducing costs.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Patrick Bray to ADOPT RESOLUTION NO. 2022-2260 APPROVING AND ADOPTING A DOCUMENT ENTITLED THE GOODYEAR MUNICIPAL USER FEE SCHEDULE REPLACING AND SUPERSEDING THE MUNICIPAL USER FEE SCHEDULE ADOPTED BY RESOLUTION NO. 2021-2167 AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

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

Passed - Unanimously

19. **APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA ESTABLISHING MAINTENANCE RESPONSIBILITIES FOR LANDSCAPING AND ROADWAYS NEAR INTERSTATE 10 AND STATE ROUTE 303 AND ASSOCIATED BUDGET AMENDMENT.**

City Traffic Engineer Hugh Bigalk presented an intergovernmental agreement (IGA) with the Arizona Department of Transportation (ADOT) for landscape maintenance for roadways near Interstate 10 and the State Route 303. Mr. Bigalk reviewed the IGA process with ADOT that defines who pays for construction and maintenance. He explained that the new IGA will consolidate all prior IGAs into one document.

Mr. Bigalk explained that the reason the city is requesting the IGA is to improve the level of service to keep Goodyear clean and beautiful.

A discussion ensued related to the abatement of graffiti on the overpasses.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Bill Stipp to APPROVE an Intergovernmental Agreement with the State of Arizona establishing maintenance responsibilities for landscaping and roadways near Interstate 10 and State Route 303 and associated Budget Amendments. The motion carried by the following vote:

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

Passed - Unanimously

INFORMATION ITEMS

City Manager Julie Karins announced that city staff is officially moved into the new city hall and that the ribbon cutting event will be held on Monday, August 1.

EXECUTIVE SESSION

A VOTE MAY BE HELD TO CALL AN EXECUTIVE SESSION FOR THE FOLLOWING:

20. Pursuant to A.R.S. 38-431.03(A)(3) Consultation with the City's Attorney for legal advice related to Arizona zoning and land use law.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Patrick Bray to CONVENE an Executive Session. The motion carried by the following vote:

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

Passed - Unanimously

Council entered into Executive Session at 6:54 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 7:38 p.m.

RECONVENING OF REGULAR MEETING

Mayor Pizzillo reconvened the Regular Meeting at 7:39 p.m.

WORK SESSION

THIS ITEM IS FOR DISCUSSION ONLY. NO ACTION CAN NOR WILL BE TAKEN.

21. I-10 CORRIDOR DEVELOPMENT DISCUSSION

Summary

Opportunity for Council to discuss information on industry and market trends as it relates to development potential along the I-10 corridor and possibly provide direction on a Council vision for the area.

Mayor Pizzillo pulled this item from the agenda to be discussed at a future date.

FUTURE MEETINGS

August 15, 2022 Special Meeting 5:00 p.m.

August 29, 2022 Regular Meeting 6:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 7:39 p.m.

Darcie McCracken, City Clerk

Joe Pizzillo, 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 July 18, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2022.

SEAL:

Darcie McCracken, City Clerk