

City Council Regular Meeting
City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395



Monday, December 12, 2022

6:00 p.m.

Meeting Minutes

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 6:37 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 LAURITANO

Mayor Pizzillo observed a moment of silence in memory of former Mayor Georgia Lord who passed away one year ago.

APPOINTMENTS

1. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to APPROVE the recommended appointments to Boards, Commissions and Committees. The motion carried as follows:

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

City Clerk Darcie McCracken administered the loyalty oath to those appointees present.

COMMUNICATIONS

2. RECOGNITION OF SERVICE FOR COUNCILMEMBER PATRICK BRAY

Mayor Pizzillo thanked Councilmember Bray for his over 9 years of service to the City of Goodyear, having served on the Planning Commission and for the last nine months on the City Council. Mayor Pizzillo also presented a plaque to Councilmember Bray.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Nic Silvester, a Goodyear resident, spoke about not feeling heard by City Council when he spoke at a prior meeting about the businesses going in near his home.

CONSENT

MOTION BY Councilmember Laura Kaino, SECONDED BY Councilmember Patrick Bray to APPROVE Consent Agenda Items 3 through 7. The motion carried as follows:

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

3. APPROVAL OF MINUTES

Recommendation

Approve the draft minutes from the December 5, 2022 Regular Meeting. (Darcie McCracken, City Clerk)

4. TERMINATION AND RELEASE OF EASEMENT RELATED TO THE REPLAT OF PALM VALLEY CROSSING

Recommendation

Approve the termination of the access easement dedicated to the City in the Replat of Palm Valley Crossings Lots 8 and 9 and authorize and direct the City Manager or designee to execute the Termination and Release of Easement. (Kimberly Romero, Real Estate Coordinator)

5. APPROVE FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT WITH GLOBE LAND INVESTORS, LLC

Recommendation

Approve and authorize the City Manager to execute the Fourth Amendment to the Development Agreement with Globe Land Investors, LLC. (Roric Massey, City Attorney)

6. APPROVE EXPENDITURE UP TO \$1,909,140 FOR DESIGN SERVICES ON THE BRINE DISPOSAL IMPROVEMENT PROJECT (60034)

Recommendation

Approve expenditure of funds up to \$1,909,140 for the design of the Brine Disposal Improvement Project #60034. (Steve Scinto, Interim Deputy Public Works Director; Jose Murillo, Utilities Engineer)

7. **AUTHORIZATION OF EXPENDITURE OF DESIGN FUNDS FOR APPROVED FY2023 CIP PROJECT #42048- SARIVAL AVENUE (WEST HALF) YUMA ROAD TO ELWOOD STREET**

Recommendation

Authorize the expenditure of funds for the Sarival Avenue project in an amount not to exceed \$2,563,800. (Hugh Bigalk, PE, City Traffic Engineer)

PUBLIC HEARINGS

8. **USE PERMIT FOR A CONVENIENCE USE (ONO HAWAIIAN BBQ RESTAURANT WITH DRIVE-THROUGH)**

Mayor Pizzillo opened the public hearing at 6:56 p.m.

Planning Manager Steve Careccia presented information on the request for a use permit for a convenience use (drive-through) for Ono Hawaiian BBQ restaurant. He outlined the ingress and egress of traffic through the 1-acre parcel within the Canyon Trails Towne Center located on the northeast corner of Yuma Road and Cotton Lane.

Mayor Pizzillo closed the public hearing at 7:00 p.m.

Council inquired on the drive-through and expressed concern that it would not be sufficient to keep cars from blocking or backing up traffic. Mr. Careccia said that the traffic study supported the placement of the drive-through.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to APPROVE the use permit for the Ono Hawaiian BBQ at Canyon Trails Towne Center. The motion carried as follows:

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

9. **ANNEXATION OF LAND WITHIN A PARCEL AT THE SOUTHWEST CORNER OF W. LOWER BUCKEYE ROAD AND CITRUS ROAD**

Mayor Pizzillo opened the public hearing at 7:10 p.m.

Planning Manager Steve Careccia spoke about the annexation process and the parcel of land this covered. Mr. Careccia added that the hearing tonight is a hearing only to get public input and there is no action required by Council.

Mayor Pizzillo closed the public hearing at 7:12 p.m.

10. **ZONING ORDINANCE TEXT AMENDMENT TO AMEND THE CITY'S LANDSCAPE STANDARDS**

Mayor Pizzillo opened the public hearing at 7:13 p.m.

Planning Manager Steve Careccia reviewed the changes in the Landscape standard, including the number of trees required in a specific area and the limits now put on turf.

Mayor Pizzillo closed the public hearing at 7:20 p.m.

Council asked questions about future development for recreation use such as a golf course, or soccer fields. Mr. Careccia responded that uses like that would likely need a Planned Area Development where waivers to standards could be evaluated by staff and sent through the governing bodies.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Bill Stipp to ADOPT RESOLUTION NO. 2022-2281 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED "LANDSCAPE STANDARDS ZONING ORDINANCE TEXT AMENDMENT," AND "APPROVED PLANT MATRIX." The motion carried as follows:

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

11. APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GOODYEAR FIRE DEPARTMENT AND THE CITY OF PHOENIX FIRE DEPARTMENT FOR THE PARTICIPATION IN THE AUTOMATIC AID AGREEMENT

Interim Deputy City Manager Paul Luizzi presented information on the Automatic Aid agreement. He spoke about the agreement beginning in 1976 with Goodyear joining in 1999. He outlined the obligations of the parties listed in the agreement.

Council spoke about the provisions of the automatic aid agreement that said if a party annexes area outside their service area that they will create and distribute a plan to the other parties. Council stated that the city of Glendale has annexed area up to and past the Loop 303 without making any plans to service the area. Council asked that staff approach the Life Safety Council to develop an alternative governance mechanism and not just Fire Chiefs that oversee the agreements. Council also asked that letters be sent to the Council members in the City of Glendale outlining the issues.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Patrick Bray to APPROVE and authorize the City Manager or designee to enter into a new Intergovernmental Agreement ("IGA") between the City of Goodyear and the City of Phoenix to provide and receive automatic assistance for fires and other types of emergency incidents. It was further noted that the approval of the agreement was under protest with the current conditions in place involving the City of Glendale. The motion carried as follows:

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

12. **HOME ARIZONA RESOLUTION**

Development Services Director Christopher Baker spoke about the resolution to support Home Arizona that shows a public commitment to supporting development within the City. He added that other cities have also passed the resolution.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Wally Campbell to ADOPT RESOLUTION NO. 2022-2284 RESOLVING TO ASSIST HOME ARIZONA IN SOLVING THE HOUSING SHORTAGE. The motion carried as follows:

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 spoke about the second week at the Holidays on the Square event and attendance over 3000 guests and 17 entries in the car show.

Future Meetings

These future meetings are tentatively scheduled as follows:

January 3, 2023	Council Induction	5:00 p.m.
January 9, 2023	City Council Meeting	5:00 p.m.

EXECUTIVE SESSION

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

13. Pursuant to A.R.S.§38-431.03(A)(1): Discussion with the Presiding Judge regarding her annual performance evaluation.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Sheri Lauritano to CONVENE an Executive Session. The motion carried as follows:

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 moved into Executive Session at 7:45 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 9:00 p.m.

RECONVENING OF SPECIAL MEETING

Mayor Pizzillo reconvened the Special Meeting at 9:00 p.m.

CONTINUATION OF BUSINESS

14. Council will consider for possible action the renewal of the Presiding Judge's employment agreement.

MOTION BY Councilmember Patrick Bray, SECONDED BY Councilmember Sheri Lauritano to not renew Judge Galindo's contract and direct the City Attorney to work with Judge Galindo to draft a three-month severance package to include sick and vacation time payouts, as directed by her contract, and granting administrative leave for the remainder of her contract. The motion carried as follows:

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

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 9:01 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 December 12, 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