

City Council Regular Meeting

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



Monday, April 24, 2023

5:00 p.m.

Meeting Minutes

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 5:00 p.m.

ROLL CALL

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

Staff City Manager Wynette Reed; City Attorney Roric Massey; City Clerk Darcie

Present: McCracken

PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR KAINO

COMMUNICATIONS

1. 2023 SPRING TRAINING WRAP UP

Bruce Kessman, Deputy Director Ballpark, updated Council on the 2023 Spring Training Season at Goodyear Ballpark. This was the first complete season since 2019, hosting 30 games in 30 days, 128,962 fans, and a 20% increase in social media following via Instagram.

Economic Director Wendy Bridges provided additional details on how the Economic Development Department highlighted the vision of the Goodyear Strategic Plan, using the spring training season at the Ballpark as the location of special events tailored toward existing Goodyear businesses, business prospects, and small businesses. The outcome of the events was several opportunities for the expansion of existing and implementation of new businesses.

Mr. Kessman closed his presentation with a list of scheduled events at the Ballpark during the spring training off-season.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Community Member Benita Beckles presented to Council a booklet titled *An Archeological Investigation of the Historic Black Settlement in Mobile*, completed in 1992.

CONSENT

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Wally Campbell to APPROVE consent agenda items 2 through 4. The motion carried as follows:

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

Passed - Unanimously

2. APPROVAL OF MINUTES

Approve the draft minutes from a Regular Meeting held on April 10, 2023. (Darcie McCracken, City Clerk)

3. APPROVAL OF NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR TACOS BARBON

RECOMMENDATION

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 236460, a request by Andrea Dahlman Lewkowitz, agent for Tacos Barbon for a new series 12 liquor license. Tacos Barbon is located at 1188 N. Dystart Rd., Goodyear, AZ 85395 (generally located N of McDowell Rd. and E of Dysart Rd.) (Darcie McCracken, City Clerk)

4. EXPENDITURE APPROVAL FOR JAIL SERVICES FOR THE POLICE DEPARTMENT AND RELATED BUDGET TRANSFER

RECOMMENDATION

Approve the expenditure of an additional \$285,000 for jail services for a total of \$720,000 in expenditures for FY2023, and approve the transfer of \$180,200 from contingencies to pay for jail services through the end of the fiscal year. (Santiago Rodriguez, Chief of Police)

PUBLIC HEARINGS

5. USE PERMIT FOR A CONVENIENCE USE (CIRCLE K CONVENIENCE STORE WITH A GAS STATION)

Mayor Pizzillo opened the public hearing at 5:17 p.m.

Mayor Pizzillo stated the applicant requested the matter be continued to the May 22, 2023 Regular Meeting. Two speakers from the community agreed to return and speak at that time.

6. SPECIAL USE PERMIT FOR AN AIRPORT (BISHOP AIR TRAINING FIELD)

Mayor Pizzillo opened the public hearing at 5:18 p.m.

Planner Guadalupe Ortiz Cortez presented a request to amend a Special Use Permit for Bishop Air Training Field to allow free-fall parachute training in addition to operating the Property as an air training facility, subject to stipulations, and provided a brief history of the uses at the airfield since its annexation in 2008.

She stated the request is for a special use permit amendment to allow the continued use of Complete Parachute Solutions as a free-fall parachute training facility. The use is currently outside the scope of use, and approval will bring the facility into compliance with City regulations.

Ms. Ortiz Cortez provided Council with the evaluation criteria and the public participation process and stated no opposition had been received. Staff recommends Council approval of the Special Use Permit Amendment.

Mayor Pizzillo closed the public hearing at 5:22 p.m.

Council stated the use is an excellent use for the location and questioned the accessibility to the site for emergency response teams, should there be an accident, the comparison to previous flights in the area, and conflicts with other flight locations.

John Rogers, Vice President of Complete Parachute Solutions, stated the fire department has all codes for access, and the company has emergency medical staff on-site during every training; the facility significantly decreased the number of flights at the location and has met with the FAA to confirm no issues with other airports or flight patterns.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to APPROVE a request to amend the Special Use Permit granted in 2008, to allow, as a permitted operation within the property annexed by Ordinance 2008-1138 and rezoned by Ordinance 2008-1139 (the "Property"), free-fall parachute training in addition to operating the Property as an air training facility subject to stipulations. The motion carried as follows:

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

Passed - Unanimously

7. REZONE 284.5 ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE, KNOWN AS BALLPARK VILLAGE AND BALLPARK VILLAGE - SOUTH, FROM PLANNED AREA DEVELOPMENT (PAD) TO 3RD AMENDED PAD

Mayor Pizzillo opened the public hearing at 5:27 p.m.

Principal Planner Christian M. Williams presented a Rezone request from Brennan Ray for the greater Ballpark Village area. The general location was identified as lot 33, a 5-acre lot near Estrella Parkway and Bullard Avenue. The rezone request amends the Land Use Designation/Category and Uses for Lot 33, removing drive-throughs as a permitted use within the portions of the Property designated as MXD (mixed) and conditionally permitting a single drive-through in the parts of the Property designated as RES/MXD (residential/mixed) with zoning stipulations.

He continued with a brief history of the zoning history for the entire 285 acres of Ballpark Village and the current proposal, which will also include multimodal options similar to other developments.

Mr. Williams ended his presentation by informing the Council of the Planning and Zoning Commission and staff recommendation for approval of the Rezone with stipulations as presented.

Mayor Pizzillo closed the public hearing at 5:34 p.m.

Council thanked staff for their diligence and coordination in working with the developer to include trails and other benefits to the community and questioned how the Economic Use Study of the area complements this development. Mr. Williams confirmed the proposed development was taken into consideration during the study and that the development addresses the housing deficit in the area.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2023-2280, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1563 RELATED TO THE REZONING OF BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH”. The motion carried as follows:

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

Passed - Unanimously

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Bill Stipp to ADOPT ORDINANCE NO. 2023-1559, CONDITIONALLY REZONING APPROXIMATELY 284.5 GROSS ACRES LOCATED NORTHEAST OF ESTRELLA PARKWAY AND BULLARD AVENUE TO 3RD RESTATED & AMENDED FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE BALLPARK VILLAGE & BALLPARK VILLAGE – SOUTH; TO REZONE APPROXIMATELY 5 ACRES TO THE EXISTING PAD UNDERLYING RES/MXD ZONING DESIGNATION; MODIFYING ALLOWANCES FOR A DRIVE-THROUGH FACILITY ON LOTS 28-30 AND ALLOWING A CONDITIONALLY PERMITTED USE ON LOT 33, AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES, AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. The motion carried as follows:

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

Passed - Unanimously

8. GOODYEAR CELEBRATION PLAZA REZONE

Mayor Pizzillo opened the public hearing at 5:41 p.m.

Deputy Director of Planning Katie Wilken presented a rezoning request of approximately 67 acres of land near the southwest corner of Litchfield Road and I-10, known as the Goodyear Celebration Plaza Planned Area Development (PAD) adjacent to the City of Hope facility. The proposed rezone allows for a mixed-use development under the MF-12 (Multifamily), MF-24 (Multifamily), C-O (Commercial Office), and C-2 (General Commercial) zoning districts, as modified in the Goodyear Celebration Plaza Planned Area Development (PAD) by Ordinance 2023-1562.

She continued with an update regarding the hybrid 10-acre parcel Council reviewed during a public hearing in January, where concerns with the number of multifamily homes, the hybrid term, and the potential effect on the City of Hope led the Council to table the item for further revisions from the developer. In response, the developer submitted modifications addressing each concern and a letter of support from City of Hope.

Ms. Wilken ended her presentation by informing the Council of the Planning and Zoning Commission and staff recommendation for approval of the Rezone with stipulations as presented.

Applicant representatives Jeff Blilie, Beus Gilbert McGroder PLLC, and Mark Reddie, RVI Planning, provided additional information regarding the modified designs being presented and what the addition of the proposed uses will bring to the area of Goodyear.

Mayor Pizzillo closed the public hearing at 6:05 p.m.

Council discussed at length the 18 month and 24 month timeframe and the concept of the hybrid section of the property.

Council thanked the staff and applicants for the additional information, provided appreciation and support for the product and development, office space, and residential density, and provided reasons for concern with the proposed hybrid zoning parcel.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Brannon Hampton to ADOPT RESOLUTION NO. 2023-2279 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1562 RELATED TO THE REZONING OF THE GOODYEAR CELEBRATION PLAZA PLANNED AREA DEVELOPMENT. The motion carried as follows:

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

Passed - Unanimously

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Brannon Hampton to ADOPT ORDINANCE NO. 2023-1562 CONDITIONALLY REZONING APPROXIMATELY 66.6 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LITCHFIELD ROAD AND I-10 FROM PRELIMINARY PLANNED AREA DEVELOPMENT AND PLANNED AREA DEVELOPMENT (PAD) TO FINAL PLANNED AREA DEVELOPMENT (PAD) FOR THE GOODYEAR CELEBRATION PLAZA PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF

GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

[The motion to amend and vote took place prior to the vote on the Ordinance.]

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Wally Campbell to AMEND the main motion to make the hybrid parcel stay as a commercial parcel. The motion failed as follows:

AYE: Councilmember Wally Campbell, Councilmember Brannon Hampton

NAY: Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Bill Stipp, Councilmember Vicki Gillis

Failed

ADOPT ORDINANCE NO. 2023-1562. The motion carried as follows:

AYE: Mayor Joe Pizzillo, Vice Mayor Laura Kaino, Councilmember Sheri Lauritano, Councilmember Bill Stipp, Councilmember Brannon Hampton, Councilmember Vicki Gillis

NAY: Councilmember Wally Campbell

Passed

BUSINESS

9. CITRUS ROAD VAN BUREN STREET TO HARRISON STREET ANNEXATION

Principal Planner Christian M. Williams presented the request from Michael Gleason for authorization to initiate the annexation process of 3.3 acres of property along the Citrus Road alignment between Van Buren and Harrison Street.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to AUTHORIZE staff to initiate the annexation of approximately 3.268 acres of property along the east half of the Citrus Road alignment between Van Buren Street and Harrison Street. The motion carried as follows:

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

Passed - Unanimously

INFORMATION ITEMS

Mayor, Council, and the City Manager had nothing to report.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

May 8, 2023

Council Meeting

5:00 p.m.

EXECUTIVE SESSION

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

10. Pursuant to A.R.S. 38-431.03(A)(3) & (4) Consultation with the City's Attorney for legal advice and in order to consider its position and instruct its attorneys regarding the public body's position regarding pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation related to potential or pending transaction privilege tax matters.
11. Pursuant to A.R.S. § 38-430.03(A)(1) & (A)(3) for legal advice and for discussion or consideration of employment, assignment, and appointment, of the position of Presiding Judge.

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

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

Passed - Unanimously

Council entered executive session at 6:53 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 7:57 p.m.

RECONVENING OF REGULAR MEETING

Mayor Pizzillo reconvened the Regular Meeting at 7:57 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 7:57 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 April 24, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2023.

SEAL:

Darcie McCracken, City Clerk