

City Council Regular Meeting

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



Monday, June 26, 2023

Meeting Minutes

Immediately following the Joint Community Facilities District

Minutes Amended July 31, 2023 -

Update vote on Item #18

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 5:04 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 COUNCILMEMBER HAMPTON

COMMUNICATIONS

1. **POLICE CHIEF SANTIAGO RODRIGUEZ WILL PRESENT A TOKEN OF GRATITUDE TO SERGEANT SEAN CLARKE FOR HIS 29 YEARS OF SERVICE TO THE CITY OF GOODYEAR**

Chief Santiago Rodriguez presented a plaque to Sgt. Sean Clarke and reviewed his service with Goodyear and in law enforcement. Council thanked Sgt. Clarke for his service to the community.

APPOINTMENTS

2. **APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

RECOMMENDATION

Approve the appointments and re-appointments to the Boards, Commissions and Committees. (Darcie McCracken, City Clerk)

City Clerk Darcie McCracken called up the members of the Youth Commission and swore them in. She explained to the audience the process the commissioners went through to be appointed.

MOTION BY Councilmember Wally Campbell, SECONDED BY Vice Mayor Laura Kaino to APPROVE the recommended appointments and re-appointments to the Boards, Commissions and Committees. 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

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Jennifer Barber, a Goodyear resident, spoke about the process to select members to the Planning and Zoning Commission. She asked that the process move to a merit system and remove names and addresses from the applications.

CONSENT

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Sheri Lauritano to APPROVE Consent Agenda items 3 through 14. 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

3. APPROVAL OF MINUTES

Approve the draft minutes from Special Meetings held June 9, 2023 and June 12, 2023 (2) and the Regular Meeting held June 12, 2023. (Darcie McCracken, City Clerk)

4. APPROVAL OF NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR ROCK N ROLL SUSHI

RECOMMENDATION

Recommend approval to the Arizona Department of Liquor Licenses and Control (DLLC) of Application No. 245845, a request by Andrea Dahlman Lewkowitz, agent for Rock N Roll Sushi for a new series 12 liquor license. Rock N Roll Sushi is located at 15611 W McDowell Rd., Ste 110, Goodyear, AZ 85395. (Darcie McCracken, City Clerk)

5. FY2023-2024 COMMUNITY FUNDING RECOMMENDATIONS

RECOMMENDATION

Approve the recommended allocations for FY2023-2024 Community Funding. (Christina Panaitescu, Grants & Neighborhood Services Supervisor)

6. **SET THE PRIMARY AND SECONDARY PROPERTY TAX LEVIES FOR FY2024**

RECOMMENDATION

ADOPT ORDINANCE NO. 2023-1573 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 REDEMPTIONS, FOR THE PURPOSE OF PAYING PRINCIPAL AND INTEREST UPON BONDED INDEBTEDNESS; ALL FOR FISCAL YEAR ENDING THE 30TH DAY OF JUNE 2024 AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE. (Ryan Bittle, Finance Manager - Budget)

7. **LIBRARY ASSISTANCE PROGRAM IGA WITH MARICOPA COUNTY LIBRARY**

RECOMMENDATION

Approve an Intergovernmental Agreement with the Maricopa County Library District for acceptance of Library Assistance Program funds for the Georgia T. Lord Library. The IGA will cover the period of July 1, 2023, through June 30, 2028. (Guylene Ozlanski, Arts & Culture Administrator)

8. **AUTHORIZATION OF EXPENDITURE OF CONSTRUCTION FUNDS FOR APPROVED CAPITAL IMPROVEMENT (CIP) PROJECT #42023 - BULLARD AVENUE WIDENING**

RECOMMENDATION

Authorize the expenditure of funds for the Bullard Avenue Widening project in an amount not to exceed \$1,333,837.50. (Allan Smolko, Senior Project Manager)

9. **DECLARATION OF RIGHT-OF-WAY WITHIN A SECTION OF SOUTH 173RD AVENUE**

RECOMMENDATION

ADOPT RESOLUTION NO. 2023-2325 DECLARING AS PUBLIC RIGHT-OF-WAY CITY-OWNED PROPERTY LOCATED WITHIN A SECTION OF THE SOUTH 173rd AVENUE ALIGNMENT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE . (Kevin Spicer, Real Estate Services Specialist)

10. **APPROVE BUDGET AMENDMENTS & RELATED EXPENDITURE AUTHORITY**

RECOMMENDATION

Approve budget amendments & related expenditure authority. (Ryan Bittle, Finance Manager)

11. **APPROVE EXPENDITURE UP TO \$1,177,500 FOR CLEVELAND GUARDIANS COMPLEX IMPROVEMENTS**

RECOMMENDATION

Approve expenditure of \$1,177,500 for Cleveland Guardians Complex improvements. (Bruce Kessman, Deputy Director Ballpark)

12. **GRANT OF AN ACCESS EASEMENT OVER CITY PROPERTY AT THE INTERSECTION OF W. KENDALL STREET AND SOUTH 173RD AVENUE**

RECOMMENDATION

Approve the Artesian Casitas Access Easement between 29SC Cotton Property owner, LLC and the City of Goodyear granting an Easement over a portion of city owned property at the intersection of W. Kendall Street and South 173rd Avenue. (Kevin Spicer, RWA-GN, Real Estate Specialist)

13. **RE-PLAT OF ARTESIAN CASITAS AT WEST GOODYEAR**

RECOMMENDATION

Approve the Re-Plat of Artesian Casitas at West Goodyear subdividing approximately 39 acres at the southeast corner of Lower Buckeye Road and 173rd Avenue (the "Property") into two (2) and dedicating public streets and easements, subject to stipulations. (Marty Crossland, Deputy Director of Engineering Development)

14. **FOURTH AMENDMENT TO THE INFRASTRUCTURE DEVELOPMENT AGREEMENT FOR PROJECT 10-11**

RECOMMENDATION

ADOPT RESOLUTION NO. 2023-2323 APPROVING THE FOURTH AMENDMENT TO THE INFRASTRUCTURE DEVELOPMENT AGREEMENT FOR PROJECT 10-11; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE FOURTH AMENDMENT; PROVIDING AUTHORIZATION FOR FUTURE ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (Sarah Chilton, Deputy City Attorney and Andy Granger, Deputy City Manager)

PUBLIC HEARINGS

15. **USE PERMIT FOR A CONVENIENCE USE (QUICKTRIP AT YUMA AND 173RD)**

Mayor Pizzillo opened the public hearing at 5:30 p.m.

Mayor Pizzillo continued the public hearing to the July 10, 2023 Council Meeting.

16. **USE PERMIT FOR A SELF STORAGE FACILITY AT WILLIS AND RAINBOW VALLEY ROAD**

Mayor Pizzillo opened the public hearing at 5:30 p.m.

Mayor Pizzillo continued the hearing to the July 10, 2023 Council meeting.

17. **DEVELOPMENT IMPACT FEE AUDIT**

Mayor Pizzillo opened the public hearing at 5:30 p.m.

Deputy Finance Director Jared Askelson spoke about the biennial certified audit of the city's land use assumptions, infrastructure improvements plan, and development fees for the period July 1, 2020 through June 30, 2022. He added that the process includes reviewing the progress of the improvements plan, the collection and expenditure of development impact fees for each project in the plan, evaluating any inequities in implementing the plan or imposing the development impact, confirming that the one percent excess construction sales tax collected was applied to the appropriate impact fee funds and that the annual report met all statutory requirements. He added that this was considered a clean audit and did not require any modifications.

As there were no speakers, the public hearing was closed at 5:32 p.m.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Bill Stipp to ACCEPT the Development Impact Fee Audit. 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

18. **USE PERMIT FOR A CONVENIENCE USE AT THE SOUTHEAST CORNER OF SARIVAL AND YUMA, WITHIN PUEBLO VERDE COMMERCIAL**

Mayor Pizzillo opened the public hearing at 5:33 p.m.

Principal Planner Christian Williams introduced the request for a convenience use for a drive-through McDonald's restaurant and provided a summary of the site for the Pueblo Verde Development. He also provided the Council with the steps taken for community outreach, support, and opposition received and the subsequent stipulations included with the request.

Applicant representative Paul Gilbert presented the actions taken in good faith to address the neighborhood concerns and requested the Council approve the proposed convenience use.

Mayor Pizzillo recognized community members who wished to speak.

Ashley Leavell, a Goodyear resident, asked the Council to vote against convenience use due to traffic concerns.

Ray and Kori Cowan, a Goodyear resident, noted their appreciation for the applicants' willingness to work with homeowners. They asked the Council to vote against the convenience use due to safety, traffic, noise, the proximity of the drive-through and their backyard, and property values.

Alan Stark, a Goodyear resident, asked the Council to vote against the convenience use, citing traffic and traffic flow, noise, and pollution concerns. He also asked the Council to compare the current convenience use proposal and the previous carwash convenience use proposal the Council denied.

Mayor Pizzillo closed the public hearing at 6:02 p.m.

Council inquired about the proximity of the residential home to the drive-through, what the alternatives to the McDonald's with drive-through could be, and recognized the community's concerns. They confirmed the ingress and egress design was approved before the current proposed use application was submitted and the location of barriers and berms being implemented to mitigate the community concerns. How vehicles would queue when using the drive-through was also clarified.

The Council continued noting the increased development in recent months, reminded the community the only item under review was the drive-through portion of the restaurant, and thanked the applicants for agreeing to adhere to the stipulations to address the concerns.

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Wally Campbell to APPROVE the Use Permit for a convenience use for a drive-through restaurant on an approximately 1.28-acre portion legally described in that certain document titled Site Plan for McDonald's (the "Property") of a larger 3.16-acre property zoned Planned Area Development (PAD) with an underlying zoning of C-1 (Neighborhood Commercial) located at the southeast corner of Sarival Avenue and Yuma Road, within the Pueblo Verde PAD, subject to stipulations. The motion carried as follows:

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

NAY: Councilmember Bill Stipp, Councilmember Vicki Gillis

Passed

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

Mayor Pizzillo reported that the applicant had pulled their application so this item would no longer be heard.

BUSINESS

20. ADOPTION OF RESOLUTION AND BY-LAWS FOR ESTABLISHMENT OF CITIZEN WATER ADVISORY COMMITTEE

Water Services Director Barbara Chappell reviewed the request to establish the Citizen Water Advisory Committee and spoke about half the initial appointees will have a 3-year term to allow for staggered terms moving forward. Ms. Chappell reviewed the timeline with recruitment and selection occurring July through September, selection in October with the first meeting taking place in November.

MOTION BY Councilmember Vicki Gillis, SECONDED BY Councilmember Bill Stipp to ADOPT RESOLUTION NO. 2023-2312 ESTABLISHING A CITIZEN WATER ADVISORY COMMITTEE; ADOPTING BY-LAWS FOR THE CITIZEN WATER ADVISORY COMMITTEE; AUTHORIZING STAFF TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND BY-LAWS; AND ESTABLISHING AN EFFECTIVE DATE. 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

City Manager Wynette Reed reported that approximately 3,500 people attended the Farmers Market held on Sunday, June 25, with about \$87,000 being generated by the vendors. The next Farmers Market will be held on Sunday, July 30.

Ms. Reed added that city offices would be closed on July 4, but the ballpark will host the Star Spangled Fourth at Goodyear Ballpark. The event is free, and gates open at 6 p.m. with live music, bounce houses, food trucks, and a 20-minute firework show. Overflow for the event will be at the Goodyear Recreation Campus, with more food trucks and a direct view of the fireworks.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

July 10, 2023

Council Meeting

5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 6:57 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 June 26, 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