

City Council Regular Meeting

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



Monday, October 30, 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 Present: City Manager Wynette Reed; Deputy City Attorney Sarah Chilton; City Clerk Darcie McCracken

[Vice Mayor Kaino participated via a TEAMS call.]

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER STIPP

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Bryan McCarty, a Goodyear resident, spoke regarding the Phoenix-Goodyear Airport stating that he did not feel the neighborhood concerns with noise and low-flying aircraft were addressed and is not satisfied with the procedures written for Goodyear Airport. He asked that the city continue efforts to work through these issues.

Dave Vaca, a Goodyear resident, opposed the Transportation Bond Issue, adding growth should pay for growth within the City.

James Gordon, a Goodyear resident, commented about the increasing noise created by the Goodyear Airport. He asked that Council continue to engage in the conversation.

CONSENT

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Vicki Gillis to APPROVE Consent Agenda Items 1 through 7. 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

1. **APPROVAL OF MINUTES**

Approve the draft minutes from the October 16, 2023 Regular Meeting. (Darcie McCracken, City Clerk)

2. **AMENDMENT TO THE EFFLUENT DISCHARGE AGREEMENT BETWEEN CITY OF GOODYEAR AND BUCKEYE WATER CONSERVATION AND DRAINAGE DISTRICT**

RECOMMENDATION

Authorize the City Manager to execute the amendment to the existing Effluent Discharge Agreement with the Buckeye Water Conservation and Drainage District. (Barbara Chappell, Water Services Director)

3. **CAPITAL IMPROVEMENT PLAN (CIP) PROJECT 61014 GOODYEAR WATER RECLAMATION FACILITY 9.5 MGD EXPANSION AND AUTHORIZE RELATED BUDGET AMENDMENTS**

RECOMMENDATION

Approve Capital Improvement Plan (CIP) project 61014 Goodyear Water Reclamation Facility 9.5 mgd (ADD) Expansion and related budget amendment for design and pre-construction services of \$7,000,000. (Barbara Chappell, Water Services Director)

4. **APPROVE ACCEPTANCE OF THE ARIZONA DEPARTMENT OF ADMINISTRATION ("ADOA") GRANT AWARD FOR A FIRE INCIDENT MANAGEMENT SYSTEM FOR THE GOODYEAR FIRE DEPARTMENT**

RECOMMENDATION

ADOPT RESOLUTION NO. 2023-2361 AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE ARIZONA DEPARTMENT OF ADMINISTRATION ("ADOA") FOR \$344,080 FOR THE GOODYEAR FIRE DEPARTMENT FOR A FIRE INCIDENT MANAGEMENT SYSTEM, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATING TO THE GRANT AWARD AND AUTHORIZING A BUDGET TRANSFER TO ALLOW FOR THE EXPENDITURE OF THE GRANT. (Tim Wayne, Deputy Fire Chief)

5. **AMEND CHAPTER 11 SECTION 11-1-8 (NOISE) OF GOODYEAR CITY CODE**

RECOMMENDATION

ADOPT ORDINANCE NO. 2023-1596 AMENDING CHAPTER 11, ARTICLE 11-1 (OFFENSES) OF GOODYEAR CITY CODE; PROVIDING FOR CORRECTIONS, SEVERABILITY, PENALTIES, AND AN EFFECTIVE DATE. (Anthony A. Polse, Assistant City Attorney)

6. **FINAL PLAT OF AVION AT BALLPARK VILLAGE PHASE 2**

RECOMMENDATION

Approve the Final Plat of Avion at Ballpark Village Phase 2, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

7. **AUTHORIZE THE EXECUTION OF A FIBER OPTIC EASEMENT AGREEMENT ACROSS CITY RIGHT-OF-WAY**

RECOMMENDATION

Approve the execution of a new Fiber Optic Easement Agreement between City of Goodyear and SDC PHX I, LLC (Stream Data Centers) granting an easement under two sections of South 141st Avenue. (Kevin Spicer, Real Estate Services Specialist)

PUBLIC HEARINGS

8. **REZONE NORTH AND EAST OF THE NORTHEAST CORNER OF CITRUS ROAD AND INDIAN SCHOOL ROAD TO I-1 (LIGHT INDUSTRIAL)**

Mayor Pizzillo opened the Public Hearing at 5:14 p.m.

Planning Manager Steve Careccia introduced a public hearing application for the rezoning of approximately 32 acres from C-2 to I-1 light industrial near Citrus Road and Indian School Road. He provided a brief history of the location and the developer's conceptual site plan for a commercial center and business park. He reviewed the ingress and egress, buffering, Council-preferred and required aesthetic designs and features, and proposed stipulations.

Mr. Careccia confirmed the public participation process and that all public hearing requirements were met, and the Planning and Zoning Commission recommended approval, subject to the stipulations of the rezoning at the October 18th meeting.

The applicant representative, Ed Bull, with Burch & Cracchiolo, P.A., was present, representing Southwest Next, stating the applicant accepts the proposed stipulations, which ensure compatibility with the neighboring communities and planned communities. He reviewed the additional outreach made by the applicant to provide answers to the neighbors who had concerns with the project.

Goodyear residents Randy Higgs, Ken Hubbell, Maureen Killian, Melinda Grizzell, Gabriel Candelaria, Michael Urbanski, Linda Perone, Kaylee Crehan, and Fleur Hart spoke in opposition to the rezoning application, noting concerns with isolation, noise, air pollution, property value concerns, and quality of life for the residents in the area.

Charles Summer, a Goodyear resident, spoke in support of the rezoning application, stating it was suitable for the location and the upgrades would be appreciated.

Five additional comment cards were submitted in opposition to the rezoning application.

There being no additional comments, Mayor Pizzillo closed the Public Hearing at 6:05 p.m.

Council thanked the residents for their engagement and asked for clarification on the concerns discussed by the residents.

Staff provided details regarding the distance from the proposed development and existing homes, updates on the completion of Indian School Road upgrades, which are scheduled for March 2024, Citrus Avenue streetlight installation, and the additional barriers in the proposal to mitigate noise.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Vicki Gillis to ADOPT RESOLUTION NO. 2023-2340 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1588 REZONING APPROXIMATELY 32.43 ACRES OF LAND LOCATED NORTH OF THE NORTHEAST CORNER OF CITRUS ROAD AND INDIAN SCHOOL ROAD FROM C-2 (GENERAL COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL). 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 Councilmember Wally Campbell, SECONDED BY Councilmember Sheri Lauritano to 2. ADOPT ORDINANCE NO. 2023-1588 CONDITIONALLY REZONING APPROXIMATELY 32.43 ACRES OF LAND LOCATED NORTH AND EAST OF THE NORTHEAST CORNER OF CITRUS ROAD AND INDIAN SCHOOL ROAD FROM C-2 (GENERAL COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL); 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. 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

Mayor Pizzillo recessed the Regular Meeting at 6:48 p.m.

Mayor Pizzillo reconvened the Regular Meeting at 7:02 p.m.

9. SPECIAL USE PERMIT FOR A PRIVATE CLUB LOCATED AT 1572 S. COTTON LANE

Mayor Pizzillo opened the public hearing at 6:58 p.m.

Contract Planner David Williams introduced the public hearing application for a special use permit for a private club located at 1572 South Cotton Lane, subject to stipulations. Mr. Williams provided a summary of the location, development, and a request from the applicant to place two cargo containers during construction and an extended approval period of five years instead of the standard two-year approval.

Mr. Williams confirmed the public participation process and that all public hearing

requirements were met, and the Planning and Zoning Commission recommended approval, subject to the stipulations of the rezoning at the October 18th meeting.

There being no speakers, Mayor Pizzillo closed the public hearing at 7:10 p.m.

Council thanked the applicant for the proposed plan and asked for clarification regarding hours of activity outside the building and the height of the building.

Mr. Williams clarified the hours of operation as stipulated by item nine, with no activity after 10:00 p.m. with the parapet height being 32 feet.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Sheri Lauritano to APPROVE a Special Use Permit for a private club on an approximately 3-acre parcel, zoned C-1 (Neighborhood Commercial) located at 1572 South Cotton Lane (the "Property") subject to stipulations. 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

10. **SPECIAL USE PERMIT FOR THE EXTENSION OF A LAND RECLAMATION PROJECT LOCATED AT THE SOUTHWEST CORNER OF WEST ROOSEVELT STREET AND NORTH 158TH AVENUE**

Mayor Pizzillo opened the Public Hearing at 7:18 p.m.

Senior Planner Ann Dolmage introduced a public hearing application for a special use permit extension for the Fusaro Land Reclamation Project located at West Roosevelt Street and North 158th Avenue. Ms. Dolmage provided a history of the property and zoning changes that allow for the permitted use of the property with a special use permit.

Ms. Dolmage confirmed the public participation process and that all public hearing requirements were met, and the Planning and Zoning Commission recommended approval, subject to stipulations, at the October 18th meeting.

There being no speakers, Mayor Pizzillo closed the Public Hearing at 7:21 p.m.

Council thanked the applicant for the project, which benefits the use of the land in the future, and confirmed the community retains access to the road regardless of the ongoing project.

MOTION BY Councilmember Bill Stipp, SECONDED BY Councilmember Brannon Hampton to APPROVE a Special Use Permit to continue the existing Fusaro Land Reclamation Project on an approximately 29.4-acre parcel, generally located at the southwest corner of West Roosevelt Street and North 158th Avenue, within the Agricultural (AG) and Canyon Trails Phase I Planned Area Development (PAD) Districts subject to compliance with stipulations. 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

11. **GOODYEAR MUNICIPAL COMPLEX REZONE**

Mayor Pizzillo opened the Public Hearing at 7:24 p.m.

Senior Planner Ann Dolmage introduced a public hearing application for the rezoning of the Goodyear Municipal Complex from I-1 Light Industrial to Planned Area Development (PAD) with underlying Public Facilities District (PFD) with a PAD Overlay and provided details regarding the approved uses within the facility that do not meet current zoning.

Ms. Dolmage confirmed the alternative citizen review process was utilized since there are no residences within the usual notification area and that all public hearing requirements were met, and the Planning and Zoning Commission recommended approval, subject to stipulations, at the October 18th meeting.

There being no speakers, Mayor Pizzillo closed the public hearing at 7:28 p.m.

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Sheri Lauritano to ADOPT RESOLUTION NO. 2023-2353 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1594 REZONING APPROXIMATELY 17.6 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF 145TH AVENUE AND VAN BUREN STREET FROM I-1 (LIGHT INDUSTRIAL PARK) TO PAD (PLANNED AREA DEVELOPMENT) WITH UNDERLYING PFD (PUBLIC FACILITIES DISTRICT) ZONING AND A PAD (PLANNED AREA DEVELOPMENT) OVERLAY.

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 Councilmember Sheri Lauritano, SECONDED BY Councilmember Wally Campbell to ADOPT ORDINANCE NO. 2023-1594 CONDITIONALLY REZONING APPROXIMATELY 17.6 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF VAN BUREN STREET AND 145TH AVENUE FROM I-1 (LIGHT INDUSTRIAL PARK) TO THE PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT WITH AN UNDERLYING ZONING OF PFD (PUBLIC FACILITIES DISTRICT) WITH A PAD (PLANNED AREA DEVELOPMENT) OVERLAY; 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.

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

12. **REZONE 37.45 ACRES LOCATED NORTHEAST AND SOUTHEAST OF ESTRELLA PARKWAY AND SAN MIGUEL DRIVE, KNOWN AS ESTRELLA PARCELS 12.25, 12.36 & 80 NOTCH, FROM PLANNED AREA DEVELOPMENT (PAD) TO R1-6 WITH PAD OVERLAY**

Mayor Pizzillo opened the Public Hearing at 7:29 p.m.

Principal Planner Christian Williams introduced a public hearing application for a rezoning of 37.45 acres located northeast and southeast of Estrella Parkway and San Miguel Drive from Planned Area Development (PAD) to R1-6 with PAD overlay. He provided a history of the zoning at the location and the proposed residential development of the property.

Mr. Williams confirmed the public participation process and all public hearing requirements were met, and the Planning and Zoning Commission recommended approval, subject to the stipulations, at the October 18th meeting.

There being no speakers, Mayor Pizzillo closed the public hearing at 7:34 p.m.

Council thanked the applicant for the project and confirmed the previously planned junior high school projected for that location was not being pursued, and verified the maximum size of a home on the proposed lots. Mr. Williams stated that the school district verified another K-8 school was slated for a mile away and the homes could be approximately 2700 square feet.

MOTION BY Councilmember Brannon Hampton, SECONDED BY Councilmember Wally Campbell to ADOPT RESOLUTION NO. 2023-2344, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS REFERRED TO AND INCORPORATED BY REFERENCE IN ORDINANCE NO. 2023-1591 FILED WITH THE CITY CLERK RELATED TO THE REZONING CASE FOR – ESTRELLA PARCELS 12.25, 12.36 & 80 NOTCH. 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 Councilmember Brannon Hampton, SECONDED BY Councilmember Sheri Lauritano to ADOPT ORDINANCE NO. 2023-1591, CONDITIONALLY REZONING APPROXIMATELY 37.45 ACRES OF PROPERTY LOCATED AT THE NORTHEAST AND SOUTHEAST CORNERS OF ESTRELLA PARKWAY AND SAN MIGUEL DRIVE TO BE KNOWN AS 'ESTRELLA PARCELS 12.25, 12.36 & 80 NOTCH', FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; 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. 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

BUSINESS

13. **COMMERCIAL TOURISM RESORT AND HOTEL SIGN FREE ZONE**

Principal Planner Christian Williams provided the history of changes to state law regarding municipal enforcement of municipal sign codes regarding political signs within municipal rights-of-way and the request to establish criteria for sign-free zones within Civic Square and entertainment districts and the Ballpark Village area.

Council stated there was a need for an established plan for all stakeholders, including ADOT. Council also asked why campaign signs would be limited, and feels the resolution is narrow enough to avoid an overuse and hindrance of free speech.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Vicki Gillis to ADOPT RESOLUTION NO. 2023-2336, AUTHORIZING ESTABLISHING CRITERIA FOR COMMERCIAL TOURISM RESORT AND HOTEL SIGN FREE ZONES PURSUANT TO A.R.S. § 16-1019(F) WITHIN THE CITY LIMITS OF THE CITY OF GOODYEAR AND PROVIDING EFFECTIVE DATE. The motion carried as follows:

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

NAY: Councilmember Bill Stipp, Councilmember Brannon Hampton

Passed

INFORMATION ITEMS

Council asked about a smell along the Loop 303 around Indian School. City Manager Wynette Reed responded she would look into it.

Council asked for information about Sports/Tourism and expanding the BMX park. Ms. Reed said it would be discussed as part of the Strategic Plan in the future, and the BMX park was part of the Parks Master Plan.

Council asked for the opportunity to outline the Council's priorities for the upcoming legislative session.

Council asked for increased enforcement on Bullard south of Indian School.

Ms. Reed reported that the Diamondbacks lost the game, the World Series Watch Party held at the Ballpark had 125 attendees, and Make-A-Difference Day had over 200 participants donate 800 hours at a savings of \$26,000 to the city. Ms. Reed added that there were over 9,000 in attendance at the Fall Festival at the Ballpark on Saturday.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

November 13, 2023

Council Meeting

5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 8:02 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 October 30, 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