

City Council Regular Meeting

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



Monday, November 27, 2023

Meeting Minutes

Immediately following the Special Meeting that began at 5:00 p.m.

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 5:05 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; City Attorney Roric Massey; City Clerk Darcie McCracken

[Councilmember Campbell participated by telephone.]

PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR PIZZILLO

COMMUNICATIONS

1. Mayor Pizzillo will make a presentation to the Phoenix Children's Hospital to support the Animal Assisted Therapy Program.

Mayor Pizzillo spoke about the fund-raising efforts by employees and presented a check to Phoenix Children's Hospital in the amount of \$2,370.

CITIZEN COMMENTS/APPEARANCES FROM THE FLOOR

Goodyear resident Paul Wegeman spoke about the noise and number of aircraft coming from the Phoenix-Goodyear Airport and over his house.

CONSENT

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Vicki Gillis to APPROVE Consent Agenda Items 2 through 6. 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 the November 13, 2023 Regular Meeting. (Darcie McCracken, City Clerk)

3. AUTHORIZE THE DEDICATION OF A UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE (APS) FOR FIRE STATION 188

RECOMMENDATION

Approve and authorize the City Manager to execute the City of Goodyear/APS Utility Easement dedicating to Arizona Public Service a Utility Easement within the City's 8.62-acre parcel located at the northeast corner of Citrus Road and Harrison Street needed to provide electrical service to Fire Station 188. (Kimberly Romero, Real Estate Coordinator)

4. AUTHORIZATION OF EXPENDITURE OF DESIGN FUNDS FOR APPROVED CIP PROJECT #42052 – BULLARD AVENUE IMPROVEMENTS - CELEBRATE LIFE WAY TO ROOSEVELT STREET

RECOMMENDATION

Authorize the expenditure of design funds up to \$662,100 for Capital Improvement Program (CIP) Project #42052 - Bullard Avenue Improvements - Celebrate Life Way to Roosevelt Street. (Allan Smolko, Senior Project Manager)

5. FINAL PLAT OF LOTS 2 AND 3 COMPASS DATACENTERS-PHX I

RECOMMENDATION

Approve the Final Plat of Lots 2 and 3 Compass Datacenters – PHX I (the "Final Plat"), subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

6. FINAL PLAT OF GOODYEAR FIRE STATION 188

RECOMMENDATION

Approve the Final Plat of Goodyear Fire Station 188, subject to stipulations. (Marty Crossland, Deputy Director of Development Engineering)

7. AMEND THE CITY OF GOODYEAR MUNICIPAL USER FEE SCHEDULE

RECOMMENDATION

ADOPT RESOLUTION NO. 2023-2368 APPROVING THE AMENDMENT TO THE CITY OF GOODYEAR MUNICIPAL USER FEE SCHEDULE DATED JULY 1, 2023, AND PROVIDING AND EFFECTIVE DATE. (Anthony A. Polse, Assistant City Attorney)

Council asked that this item be pulled from the Consent Agenda and be heard separately.

Assistant City Attorney Anthony Polse explained the update to the fee schedule for body camera video recordings. He spoke about the number of hours expended by staff and the software needed to redact both video and audio and that time is multiplied for each video for each incident.

Goodyear resident Jen Barber asked questions about the update and spoke about the unfairness for the first requester to pay full price and subsequent requests to pay a lower fee.

Council asked additional questions about the timing for this update. Mr. Polse responded that statutes had recently been updated by the legislature to allow the additional fees and that most other agencies had discussed moving towards the new fee.

Chief Rodriguez added that the law went into effect several years ago, but it was for Arizona Department of Public Safety only. He added that the law was updated so local police agencies could start recovering the funds needed to complete the required redactions.

MOTION BY Councilmember Vicki Gillis, SECONDED BY Councilmember Bill Stipp to ADOPT RESOLUTION NO. 2023-2368 APPROVING THE AMENDMENT TO THE CITY OF GOODYEAR MUNICIPAL USER FEE SCHEDULE DATED JULY 1, 2023, AND PROVIDING AND 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

8. POLICE DEPARTMENT MID-YEAR BUDGET REQUEST

RECOMMENDATION

Approve expenditure of funds up to \$3,312,400 for the addition of 14 new mid-year positions in the Police Department. (Santiago Rodriguez, Chief of Police)

Council asked that this item be removed from the Consent Agenda and be heard separately.

Council asked why the Commander position was being requested since the study presented earlier did not list the position as a needed position. Chief of Police Santiago Rodriguez responded that the span of control should be 6; however, the current Deputy Police Chief in charge of patrol has 10 direct reports and is on call 24/7 as there is no one else to provide that level of command for these functions. The commander function would take over the day-to-day operations and allow the Deputy Chief to do more strategic planning and other deputy chief functions.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to APPROVE expenditure of funds up to \$3,312,400 for the addition of 14 new mid-year positions in the Police Department. 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

PUBLIC HEARINGS

9. PROPOSED DEVELOPMENT IMPACT FEES

Mayor Pizzillo opened the public hearing at 5:45 p.m.

Deputy Finance Director Jared Askelson provided a brief summary of the item and reviewed the changes when compared to the 2018 update.

There being no public speakers, Mayor Pizzillo closed the public hearing at 5:48 p.m.

Council asked about the offset of the fees for streets and confirmed that incoming developers are paying for the development of the streets. Mr. Askelson confirmed that was the case.

10. REZONE APPROXIMATELY 24.753 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO C-2 and R1-A WITH THE LAS BRISAS CORNER DEVELOPMENT REGULATIONS C-2 and R1-A WITH PAD OVERLAY

Mayor Pizzillo opened the public hearing at 5:55 p.m.

Principal Planner Christian Williams gave an overview of the item, highlighting the zoning surrounding the property, the lot sizes, amenities, connectivity, streetscapes and parking. He also reviewed the Commercial PAD overlay stipulations.

Goodyear resident Brian Seeman spoke in opposition to the project with traffic, crime and the product not being right for the neighborhood. He added that there was a bad odor in the area and it was some distance away from anything.

One additional speaker card was submitted in opposition; however, the submitter did not wish to speak.

Jeff Blilie, applicant representative, added that the property was gated and it was a "for-sale" product. He added that any traffic for the property comes in from Perryville.

There being no additional speakers, Mayor Pizzillo closed the public hearing at 6:08 p.m.

Council inquired as to the timing. Mr. Blilie advised they were ready to go forward.

Council asked if the orientation was stipulated and if there were stipulations to prohibit rentals. Mr. Williams said that the city could not regulate the rentals, and that planners would review the orientation of the townhouses to not have townhomes looking directly into the neighboring homes with at least a 30-foot setback.

Council asked if new homes were required to acknowledge if there were issues such as odor in the area. Mr. Williams said there was a waiver that would be required for noise,

odor and other known challenges.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Sheri Lauritano to ADOPT RESOLUTION NO. 2023-2326, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS INCORPORATED BY REFERENCE IN ORDINANCE 2023-1576 RELATED TO THE REZONING CASE FOR – LAS BRISAS CORNER. 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 Councilmember Bill Stipp, SECONDED BY Councilmember Vicki Gillis to ADOPT ORDINANCE NO. 2023-1576, CONDITIONALLY REZONING APPROXIMATELY 24.753 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF PERRYVILLE ROAD AND BROADWAY ROAD TO BE KNOWN AS LAS BRISAS CORNER, FROM PLANNED AREA DEVELOPMENT (PAD) TO THE PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT WITH AN UNDERLYING ZONING DISTRICT OF C-2 (GENERAL COMMERCIAL) ON THE SOUTHERN 5.512 ACRES AND AN UNDERLYING ZONING DISTRICT OF R1-A (SINGLE FAMILY ATTACHED) ON THE NORTHERN 19.241 ACRES WITH A PAD (PLANNED AREA DEVELOPMENT) OVERLAY OVER THE ENTIRE PROPERTY; 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. 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

BUSINESS

11. COMPENSATION FOR THE MAYOR, VICE MAYOR AND COUNCILMEMBERS

Human Resources Director Lyman Locket introduced members of the Council Compensation Committee. Susan Schmelzer, Chairman, reviewed the process and items considered by the Committee as they determined the recommendations for compensation for Mayor, Vice-Mayor and City Council.

Council thanked the Committee and asked for the chart with benchmark city data to be displayed. Council asked if any of the 11 benchmark cities how many were in the Elected Officials Retirement Plan. Mr. Locket responded that Goodyear was one of two cities that did not contribute to the electeds' retirement.

Ms. Schmelzer commented that the Committee reviewed the time spent by the Council, the benefits available and weighed that with being sensitive to the timing of taking anything to the voters. She added that the Charter does require compensation to be reviewed every two years.

MOTION BY Councilmember Sheri Lauritano, SECONDED BY Councilmember Vicki Gillis to ADOPT RESOLUTION NO. 2023-2372 ACCEPTING THE COUNCIL COMPENSATION COMMITTEE'S RECOMMENDATION AND APPROVE AN ANNUAL COMPENSATION INCREASE OF 5.0% FOR THE MAYOR, VICE MAYOR AND EACH OF THE COUNCILMEMBERS AND PROVIDE FOR 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

There were no information items.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

December 11, 2023

Council Meeting

5:00 p.m.

EXECUTIVE SESSION

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

12. Pursuant to A.R.S. §38-431.03(A) (3) & (4): Discussion and consultation with the City Attorney for legal advice to consider its position and instruct its attorneys regarding the City's position regarding contracts that are the subject of negotiations related to development agreements for the expansion of the Rainbow Valley Water Reclamation Facility.
13. Pursuant to A.R.S. §38-431.03(A) (3) & (4): Discussion and consultation with the City Attorney for legal advice to consider its position and instruct its attorneys regarding the City's position regarding contracts that are the subject of negotiations related to an Intergovernmental Agreement with Maricopa County for the allocation of ARPA funds for the development of affordable housing.

MOTION BY Vice Mayor Laura Kaino, SECONDED BY Councilmember Bill Stipp 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 moved into Executive Session at 6:52 p.m.

ADJOURNMENT OF EXECUTIVE SESSION

Mayor Pizzillo adjourned the Executive Session at 7:17 p.m.

RECONVENE REGULAR MEETING

Mayor Pizzillo reconvened the Regular Meeting at 7:17 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 7:17 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 November 27, 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