

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
February 7, 2017

A **Study Session Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:00 p.m.

Members Present: Mayor Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Julie Arendall, Deputy City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Burg, City Attorney; Rhonda Geriminsky, City Clerk; Andy Granger, Development and Engineering Director; Katie Gregory, Management and Budget Director; Chris Jacques, Planning and Community Development Director; Stuart Kent, Public Works/Utilities Director; Jennifer Stein, Office of Communications Director; and Linda Blas, Deputy City Clerk.

Audience: Approximately five members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. **Update on International Property Maintenance Code (IPMC)**

Carl Swenson, City Manager, provided background on the Study Session item regarding the International Property Maintenance Code.

Susan Daluddung, Deputy City Manager, introduced the Study Session item and the IPMC team. Ms. Daluddung outlined the process used to review the IPMC.

Jay Davies, Management Services Deputy Director for the Police Department, presented regarding:

- City Council Goals associated with the IPMC
- Project team
- City Code provisions
- Property identification
- Enforcement process allowing for due process for the owners of the homes
- Enforcement process results
- Pictures of properties found suitable for enforcement and the outcomes
- Program results, cost savings and benefits
- Commercial opportunities
- Next steps

Discussion ensued regarding:

- Future commercial opportunities
- Budget availability
- Costs to demolish property

2. **Transportation Update**

Carl Swenson, City Manager, introduced the Study Session item to improve transportation in the City.

Jeff Tyne, Deputy City Manager, presented regarding:

- The City's goal to provide transportation services to Peoria residents
- Unique geographic challenges in the City of Peoria

Stuart Kent, Public Works-Utilities Director, presented regarding:

- City's current services
- Dial-a-Ride
- Fixed Route Bus Service
- Regional Paratransit Service
- Planned Improvements
 - Construction of a Park-and-Ride Lot
 - 83rd Avenue bus route extension
 - Shade enhancements

Discussion ensued regarding:

- New and improved shade structures
- Proposed design for shade improvements
- Bench setup for shade structures
- Circulator route improvements
- Accelerating the schedule
- Potential revenues
- Development in the Mesquite District
- Circulator routes every half hour
- Start date for 83rd Avenue route
- Shade structure start date

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:55 p.m.

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:01 p.m.

Following a moment of silent reflection, Councilmember Binsbacher led the Pledge of Allegiance.

Members Present: Mayor Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Sam Owen.

Members Absent: Council Youth Liaison Kaitlyn Edwards.

Other Municipal Officials Present: Carl Swenson, City Manager; Julie Arendall, Deputy City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Burg, City Attorney; Rhonda Geriminsky, City Clerk; Gary Bernard, Deputy Fire Chief; Katie Gregory, Management and Budget Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Stuart Kent, Public Works/Utilities Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Jennifer Stein, Office of Communications Director; Dawn Prince, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 50 members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

Presentation:

3. Proclamation Recognizing the Centennial High School Volleyball Team Championship

Mayor Carlat read aloud a Proclamation declaring February 7, 2017 as "Peoria Centennial Coyotes Volleyball State Champion Day" in recognition of the team's District, Regional and State Volleyball Championship.

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Carlat announced that the Consent Agenda included a Public Hearing on a liquor license application for Osaka Teppanyaki Sushi and Bar located at 16049 North Arrowhead Fountain Drive, Suite B. There were no requests from those present to address this agenda item.

Mayor Carlat asked if any Councilmember wished to have an item removed from the Consent Agenda.

Vice Mayor Edwards requested that Agenda Item 18C be removed for separate discussion.

Motion was made by Councilmember Finn, seconded by Councilmember Hunt, to approve the Consent Agenda with the exception of Agenda Item 18C. Upon vote, the motion carried unanimously 7 to 0.

4C. **Disposition of Absence**

Approved the absence of Council Youth Liaison Kaitlyn Edwards from the Regular City Council Meeting held on January 10, 2017.

5C. **Minutes**

Approved the following minutes:

- December 6, 2016 City Council Meeting minutes
- January 10, 2017 City Council Meeting minutes

6C. **Board and Commission Appointment**

Approved the recommendation from the Council Boards and Commissions Subcommittee and adopted **RES. 2017-24** appointing Marin Clark as an alternate member to the Youth Advisory Board for a partial term to expire in June 2018.

7C. **Right-of-Way License, Sonoran Mountain Ranch Road Radar Feedback Signs**

Adopted **RES. 2017-06** authorizing the City Manager to execute a Right-of-Way License to allow the placement of two radar feedback signs within the right-of-way of Sonoran Mountain Ranch Road.

8C. **Expenditure and Budget Adjustments, Construction of Northeast Peoria (Pyramid Peak) Communications Site**

- (a) Approved expenditures in the amount of \$1,216,577 for the construction of a new Northeast Peoria (Pyramid Peak) Communications Site; and
- (b) Approved a budget adjustment in the amount of \$1,216,577 from various accounts to the Improvements Other than Land and Buildings Northeast Peoria (Pyramid Peak) Communications Site account and the Radio System Operations Improvements Other than Land and Buildings Northeast Peoria (Pyramid Peak) Radio Communications Site account.

9C. **Maintenance Improvement District No. 1200, Vistancia Village D Parcel D3B, Lone Mountain Parkway and El Mirage Road**

Approved the Petition for Formation and adopted **RES. 2017-20** intention and ordering the formation of proposed Maintenance Improvement District No. 1200, Vistancia Village D Parcel D3B, Lone Mountain Parkway and El Mirage Road; and adopted **RES. 2017-21** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

10C. **Maintenance Improvement District No. 1202, Vistancia Village D Parcel D2, Lone Mountain Parkway and El Mirage Road**

Approved the Petition for Formation and adopted **RES. 2017-16** intention and ordering the formation of proposed Maintenance Improvement District No. 1202, Vistancia Village D Parcel D2, Lone Mountain Parkway and El Mirage Road; and adopted **RES. 2017-17** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

11C. **Maintenance Improvement District No. 1203, Vistancia Village D Parcel D1, Lone Mountain Parkway and El Mirage Road**

Approved the Petition for Formation and adopted **RES. 2017-12** intention and ordering the formation of proposed Maintenance Improvement District No. 1203, Vistancia Village D Parcel D1, Lone Mountain Parkway and El Mirage Road; and adopted **RES. 2017-13** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

12C. **Street Light Improvement District No. 1118, Vistancia Village D Parcel D3B, Lone Mountain Parkway and El Mirage Road**

Approved the Petition for Formation and adopted **RES. 2017-22** intention and ordering the formation of proposed Street Light Improvement District No. 1118, Vistancia Village D Parcel D3B, Lone Mountain Parkway and El Mirage Road; and adopted **RES. 2017-23** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

13C. **Street Light Improvement District No. 1120, Vistancia Village D Parcel D2, Lone Mountain Parkway and El Mirage Road**

Approved the Petition for Formation and adopted **RES. 2017-18** intention and ordering the formation of proposed Street Light Improvement District No. 1120, Vistancia Village D Parcel D2, Lone Mountain Parkway and El Mirage Road; and adopted **RES. 2017-19** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

14C. **Street Light Improvement District No. 1121, Vistancia Village D Parcel D1, Lone Mountain Parkway and El Mirage Road**

Approved the Petition for Formation and adopted **RES. 2017-14** intention and ordering the formation of proposed Street Light Improvement District No. 1121, Vistancia Village D Parcel D1, Lone Mountain Parkway and El Mirage Road; and adopted **RES. 2017-15** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

15C. **Easements, Arizona Public Service, Pinnacle Peak Public Safety Facility Campus**

Adopted **RES. 2017-25** authorizing the City Manager to execute the two Utility Easements for the installation and maintenance of electrical facilities associated with the construction of the new Patrol Services Building at the Pinnacle Peak Public Safety Facility campus located south of the southwest corner of Pinnacle Peak Road and Lake Pleasant Parkway.

16C. **Final Plat, 88th Avenue & Thunderbird Commercial, Thunderbird Road and 88th Avenue**

Approved the Final Plat of 88th Avenue and Thunderbird Commercial, located at Thunderbird Road and 88th Avenue, subject to stipulations.

17C. **Final Plat, Happy Valley 40, Happy Valley Road and 87th Avenue**

Approved the Final Plat of Happy Valley 40, located at Happy Valley Road and 87th Avenue, subject to stipulations.

18C. **Final Plat, The Meadows Parcels 1 & 3 – Phase 1, 91st Avenue and Pinnacle Peak Road**

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Vice Mayor Edwards, Agenda Item 18C was pulled from the Consent Agenda for separate discussion.

Chris Jacques, Planning and Community Development Director, provided a brief overview of the request to approve the Final Plat of the Meadows Parcels 1 and 3 – Phase 1, to create 176 new lots for residential use within the community.

Mr. Jacques explained that one of the home designs Maracay Homes is proposing will include a detached garage for recreational vehicles with loft space above the garage for storage.

Mr. Jacques reported on concerns expressed by a constituent regarding the windows in the loft area and visibility to homes located on 91st Avenue and his understanding of the governing Covenants, Conditions and Restrictions (CC&Rs) for the development regarding one-story versus two-story homes.

Mr. Jacques thanked Vice Mayor Edwards for facilitating a meeting with the constituent and Maracay Homes to address the issue. As a result, Maracay Homes will modify the design so that the windows in the loft area facing 91st Avenue will be glazed to increase privacy. Mr. Jacques extended his appreciation to Maracay Homes for their collaboration.

Motion was made by Vice Mayor Edwards, seconded by Councilmember Finn, to approve the Final Plat of The Meadows Parcels 1 and 3 – Phase 1, located at 91st Avenue and Pinnacle Peak Road, subject to stipulations.

Upon vote, the motion carried unanimously 7 to 0.

19C. **Replat, Lot 42 Altaloma, 89th Avenue and Monroe Street**

Approved the Replat of Lot 42 Altaloma, located at 89th Avenue and Monroe Street, subject to stipulations.

20C. **PUBLIC HEARING - Liquor License, Osaka Teppanyaki Sushi and Bar, 16049 North Arrowhead Fountain Drive Suite B**

Recommended approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Osaka Teppanyaki Sushi and Bar, located at 16049 North Arrowhead Fountain Drive Suite B, Hyon M. Pak, Applicant, LL#20017079.

Regular Agenda

New Business:

21R. **PUBLIC HEARING - Conditional Use Permit Appeal, PHO Shangri-La Wireless Communication Facility, 79th Avenue and Cholla Street**

Staff Report:

Steve Burg, City Attorney, explained the Council's role in the appeal process concerning Conditional Use Permits. Mr. Burg further explained in accordance with Federal law, local governments are prohibited from considering health effects from radio frequency emissions in zoning decisions.

Chris Jacques, Planning and Community Development Director, presented regarding an appeal of the Planning and Zoning Commission's approval of a Conditional Use Permit to allow a 65-foot wireless communication facility disguised as a pine tree on the existing Peoria Elementary School site.

Information included:

- Project overview
- City of Peoria zoning regulations regarding wireless facilities
- Public outreach process
- Neighborhood concerns
 - Impact on health and safety of students and nearby residents
 - Visibility from residential homes
 - Noise from ground equipment
- Appeal Process
- Conditional Use Permit decision criteria
- Findings and recommendations

Mr. Jacques provided photo simulations of existing and proposed views of the site from nearby locations.

Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed Conditional Use Permit.

Ernest deCiutiis addressed the Council in opposition of the proposed monopine citing health concerns related to radio frequency emissions. Mr. deCiutiis demonstrated how radio frequency emissions can light a fluorescent light bulb.

In response to a question from the Council, Mr. Burg clarified that findings issued by the Planning and Zoning Commission are consistent with Federal law.

Having no additional requests from those present to address this item, Mayor Carlat declared the Public Hearing closed.

Council Action:

Motion was made by Councilmember Hunt, seconded by Councilmember Patena, to affirm the Planning and Zoning Commission's December 15, 2016 decision approving a Conditional Use Permit to allow a 65-foot wireless communication facility, disguised as a pine tree, on the existing Peoria Elementary School site. (CU 16-0022)

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

James Deibler, an Arizona State University student, addressed the Council to express his opinion on the defeat of Peoria Proposition 400 and the Peoria Unified School District bond proposal.

Reports from City Manager:

22. Council Calendar

23. Reports

A. The Bridge Forum

Roy Minter, Police Chief, reported on The Bridge Forum held in Scottsdale, Arizona on January 23, 2017. Police Chiefs from the metropolitan Phoenix area led interactive sessions attended by law enforcement professionals, government leaders and community-based organizations to seek solutions and best practices in community engagement.

B. Discovery Agents Mobile Game App

Lisa Estrada, Economic Efficiency and Sustainability Manager, gave an overview of the Discovery Agents Kick-Off event held at Rio Vista Community Park on January 28, 2017. The mobile game application encourages environmental stewardship among youth through the use of technology.

C. Escape the Library

John Sefton, Community Services Director, introduced Nathaniel Washburn, Library Manager. Mr. Washburn provided information on the first Teen Escape Room held at the Main Library on January 24, 2017.

D. Upcoming City Events Video

A video presentation showcasing upcoming City events was displayed.

Reports from City Council:

Councilmember Binsbacher congratulated the Community Services Department for the successful programs offered at the library. Councilmember Binsbacher reported on a field trip that she chaperoned to the Challenger Space Center. Councilmember Binsbacher reported on a community meeting she attended hosted by the Trilogy STEM (Science, Technology, Engineering and Mathematics) Club. Councilmember Binsbacher thanked the Public Works Department for their presentation on water and the service the City provides to its residents.

Vice Mayor Edwards reported on his attendance at a community meeting held at the Paradise RV Resort. Vice Mayor Edwards recognized Chief Minter and Police Department staff for the useful information they provided to the attendees. Vice Mayor Edwards reported on his attendance at an event honoring Natalie Reilly, a former Arizona State University administrator, for her "Nothing But Love" project. Ms. Reilly

delivers handwritten anonymous letters to members of the military, veterans, firefighters and police officers thanking them for their service.

Council Youth Liaison Owen extended his congratulations to the Centennial High School volleyball team. Mr. Owen announced that Ironwood High School in Glendale will be hosting its Annual Senior Citizen Prom on Saturday, February 18, 2017.

Reports from the Mayor:

Mayor Carlat encouraged residents to attend the upcoming Morning with the Mayor event to be held on February 18, 2017 at Christ's Church of the Valley located on Happy Valley Road beginning at 8:30 a.m.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:58 p.m.

Cathy Carlat, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 21st day of February, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of March, 2017.

(Seal)

Rhonda Geriminsky, City Clerk