

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
February 21, 2017

A **Special 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; and Scott Whyte, Economic Development Services Director.

Audience: There were no members of the public present.

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

CONSENT AGENDA

1 C. Authorization to Hold an Executive Session

Motion was made by Councilmember Hunt, seconded by Councilmember Finn, to authorize the holding of an Executive Session for the purpose of discussions or consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:

- (a) Legal issues and negotiations pertaining to a transition agreement with BioAccel, pursuant to A.R.S. § 38-431.03.A.4
- (b) Negotiations for the purchase, sale or lease of real property located in the vicinity of Happy Valley Parkway and 91st Avenue pursuant to A.R.S. § 38- 431.03.A.7
- (c) Legal issues and negotiations pertaining to administrative Board of Building Code appeal No. POS16-00123, located at 26320 North Lake Pleasant Parkway, and conducted pursuant to A.R.S. § 38-431.03.A.4.

Upon vote, the motion carried unanimously 7 to 0.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:01 p.m.

EXECUTIVE SESSION AGENDA

2. An Executive Session was convened immediately following the 5:00 p.m. Special Meeting for the purpose of discussions and consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:
 - (a) Legal issues and negotiations pertaining to a transition agreement with BioAccel, pursuant to A.R.S. § 38-431.03.A.4
 - (b) Negotiations for the purchase, sale or lease of real property located in the vicinity of Happy Valley Parkway and 91st Avenue pursuant to A.R.S. § 38- 431.03.A.7
 - (c) Legal issues and negotiations pertaining to administrative Board of Building Code appeal No. POS16-00123, located at 26320 North Lake Pleasant Parkway, and conducted pursuant to A.R.S. § 38-431.03.A.4.

Clerk's Note: In accordance with A.R.S. § 38-431.03(B), minutes of executive sessions must be kept confidential except as outlined in statute.

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, Vice Mayor Edwards 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 Liaison: Kaitlyn Edwards.

Members Absent: Council Youth Liaison Sam Owen.

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; Thomas Adkins, Intergovernmental Affairs Director; Sonia Andrews, Finance Manager; Gary Bernard, Deputy Fire Chief; Andy Granger, Development and Engineering Director; Chris Jacques, Planning and Community Development Director; Stuart Kent, Public

Works/Utilities Director; Laura Krause, Human Resources Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Tim Smothers, Information Technology Applications and Geospatial Systems Manager; 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. Certificate of Appointment to Marin Clark who was appointed by Resolution to the Youth Advisory Board at the February 7, 2017 City Council Meeting.

Clerk's Note: Marin Clark was not present to receive her certificate.

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 asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Councilmember Binsbacher, seconded by Vice Mayor Edwards, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

Consent

4C. **Disposition of Absence**

Approved the absence of Council Youth Liaison Kaitlyn Edwards from the Regular City Council Meeting held on February 7, 2017.

5C. **Minutes**

Approved the following minutes:

January 24, 2017 City Council Meeting minutes
January 28, 2017 City Council Workshop minutes

6C. **Code Amendment, Chapter 1, General Provisions**

Adopted **ORD. 2017-03** amending Chapter 1 of the Peoria City Code (1992 Edition) pertaining to general provisions.

7C. Code Amendment, Renumber Chapter 4 to Chapter 16, Animals

Adopted **ORD. 2017-04** amending Chapter 4 of the Peoria City Code (1992 Edition) pertaining to animals by renumbering it as Chapter 16 and amending various sections.

8C. Code Amendment, Chapter 9, Fire Prevention and Protection

Adopted **ORD. 2017-05** amending Chapter 9 of the Peoria City Code (1992 Edition) pertaining to Fire Prevention and Protection.

9C. Intergovernmental Agreement, Maricopa County, Happy Valley Parkway from Lake Pleasant Parkway to Loop 303

- (a) Adopted **RES. 2017-28** approving an Intergovernmental Agreement with Maricopa County to improve and annex Happy Valley Parkway from Lake Pleasant Parkway to Loop 303;
- (b) Approved a budget amendment in the amount of \$263,000 from the General Fund Contingency Account to the Happy Valley Parkway Widening Project, Outside Sources Fund, Street System Account;
- (c) Approved Contract Amendment No. 1 in the amount of \$238,902 with T.Y. Lin International for the segment of Happy Valley Parkway from the Agua Fria River to Loop 303; and
- (d) Authorized the Development and Engineering Director to approve additional design contract amendments up to \$150,000.

10C. Budget Transfer, Butler Water Reclamation Facility Repair Work, Capital Improvement Project - UT00313

Approved a budget transfer in the amount of \$102,632 from the Butler Reclaimed System Expansion Project, Wastewater System Account to the Butler WRF Equipment Upgrade and Replacement project, Wastewater System Account for chemical feed repair work on the Butler Water Reclamation Facility.

11 C. Amend Council Policy 1-2: City Council Meeting Procedures

Adopted the amended Council Policy 1-2, City Council Meeting Procedures.

12C. Amend Council Policy 2-1: Travel Expenditures – Council

Adopted the amended Council Policy 2-1, Travel Expenditures – Council.

13C. Amend Council Policy 2-2: City Council District Funds

Adopted the amended Council Policy 2-2, City Council District Funds.

14C. **Amend Council Policy 2-3: Procurement Card Program**

Adopted the amended Council Policy 2-3, Procurement Card Program.

15C. **Investment Report, Quarter Ending December 31, 2016**

Reviewed and accepted the Investment Report as presented.

16C. **Deeds and Easements, Various Locations**

Adopted **RES. 2017-27** accepting Deeds and Easements for various Real Property interests acquired by the City.

17C. **Final Plat, Discount Tire 91st, 91st Avenue and Northern Avenue**

Approved the Final Plat of Discount Tire 91st, located at 91st Avenue and Northern Avenue, subject to stipulations.

18C. **Final Plat, Ironwood Estates, Pinnacle Peak Road and 104th Avenue**

Approved the Final Plat of Ironwood Estates, located at Pinnacle Peak Road and 104th Avenue, subject to stipulations.

REGULAR AGENDA

New Business:

Clerk's Note: Agenda Items 19R and 20R were presented together.

19R. **PUBLIC HEARING - Minor General Plan Amendment, Assured Self Storage, 85th Avenue and Northern Avenue**

Staff Report:

Chris Jacques, Planning and Community Development Director, presented on a request for a minor amendment to the General Plan Land Use Map and a rezoning request for a site located northwest of the northwest corner of 85th Avenue and Northern Avenue.

Information included:

- Site and area context
- Conceptual development plan
- Proposed land use
- General Plan land use and zoning maps
- Public outreach
- Key findings

Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed minor General Plan amendment.

Having no 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 Finn, to concur with the Planning and Zoning Commission's unanimous recommendation and adopt **RES. 2017-26** approving an amendment to the General Plan Land Use Map by re-designating approximately 7.5 acres located northwest of the northwest corner of 85th Avenue and Northern Avenue from Low Density Residential (2-5 du/ac, target of 3 du/ac) to Neighborhood Commercial.

Upon vote, the motion carried unanimously 7 to 0.

20R. **PUBLIC HEARING - Rezoning, Assured Self Storage, 85th Avenue and Northern Avenue**

Public Hearing:

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

Having no 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 Finn, to concur with the Planning and Zoning Commission's unanimous recommendation and adopt **ORD. 2017-02** approving the rezoning of approximately 12.2 acres of property, generally located northwest of the northwest corner of 85th Avenue and Northern Avenue from Convenience Commercial (C-1) and General Agricultural (AG) to the 8600 West Northern Planned Area Development (PAD).

Upon vote, the motion carried unanimously 7 to 0.

Clerk's Note: Agenda Items 21C and 22C were voted on separately by the Vistancia West Community Facilities District Board. The legal actions for these items will be reflected separately in the February 21, 2017 Vistancia West Community Facilities District Board minutes.

Call To The Public (Non-Agenda Items)

James Deibler, an Arizona State University student, voiced his opinion on Peoria's economy and the need to merge Peoria and Glendale Dial-a-Ride with Northwest Valley Dial-a-Ride to increase service for citizens with disabilities. Mr. Deibler addressed the Council utilizing text-to-speech technology on his cellular phone in order to demonstrate the assistive technology available to individuals with disabilities.

Erik McMorrow, Vice President of the American Federation of State, County and Municipal Employees (AFSCME), thanked the Council, City management and staff for working with the labor organization to create a cooperative and respectful working environment.

Cassidy Gatrost, a Youth Advisory Board member, thanked Councilmember Leone and Council Assistant Karen Halstead for attending a recent Youth Advisory Board meeting. Ms. Gatrost expressed her gratitude to the keynote speakers for their presentations at the meeting. Ms. Gatrost also thanked Councilmember Hunt for offering the Youth Advisory Board members an opportunity to volunteer at the Domestic Violence Summit held on January 21, 2017.

Reports from City Manager:

23. Council Calendar

24. Reports

A. General Plan Update

Chris Jacques, Planning and Community Development Director, presented regarding the upcoming major update to the General Plan.

Information included:

- What is a General Plan
- Proposed project schedule
- Public outreach and participation
- Next steps

Clerk's Note: Councilmember Hunt left the meeting at 7:31 p.m.

B. Homeless Outreach

Benny Pina, Deputy Police Chief, presented regarding the Peoria Homeless Outreach and Education Program.

Information included:

- Program background
- Implementation
- Outreach efforts
- Community partnerships developed
- Cleanup of common areas

C. 2017 Spring Training Video

A video presentation highlighting the upcoming Spring Training season at the Peoria Sports Complex was displayed.

Reports from City Council:

Council Youth Liaison Edwards reported on her attendance at the opening of the Cove play area at the Peoria Sports Complex. Ms. Edwards expressed her enthusiasm for the upcoming Spring Training season. Ms. Edwards thanked Cassidy Gatrost for her commitment to the Youth Advisory Board.

Councilmember Patena reported on the various City of Peoria activities he attended. Councilmember Patena thanked the Planning and Community Development Department staff for offering him an opportunity to participate in the process for updating the General Plan.

Councilmember Binsbacher expressed her appreciation to the Planning and Community Development Department for including the Council in the process for updating the General Plan. Councilmember Binsbacher expressed her gratitude to Cassidy Gatrost for representing the youth in Peoria and speaking to the Council. Councilmember Binsbacher encouraged citizens to participate in the redistricting process.

Vice Mayor Edwards reported on his attendance at the dedication of Peoria's ambulance service held at Fire Station 191 on February 16, 2017. Vice Mayor Edwards commended the Planning and Community Development Department for engaging the youth and including them in the process for updating the General Plan. Vice Mayor Edwards encouraged everyone to attend Spring Training games at the Sports Complex.

Councilmember Finn recognized Cassidy Gatrost for her eloquent speech to the Council. Councilmember Finn reminded citizens to participate in the redistricting process. Councilmember Finn thanked the Planning and Community Development Department for involving the Council in the process for updating the General Plan. Councilmember Finn extended his gratitude to the Peoria Police Department and the Peoria Unified School District for working together to resolve issues arising at the schools in Peoria and protecting the youth in the community.

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone congratulated the Peoria recruits who were sworn in as the newest members of the Peoria Fire-Medical Department on February 18, 2017.

Reports from the Mayor:

Mayor Carlat announced that Spring Training begins on Saturday, February 25, 2017.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:00 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