

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
September 19, 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.

**Council Youth Liaisons Present:** Maylee Acosta

**Members Absent:** None.

**Other Municipal Officials Present:** Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Steve Burg, City Attorney; Linda Blas, Deputy City Clerk; and Roy Minter, Police Chief.

**Audience:** No 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.

## **CONSENT AGENDA**

**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.

### **1 C. Authorization to Hold an Executive Session**

Motion was made by Councilmember Finn, seconded by Councilmember Hunt, 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) Labor negotiations with the Peoria Police Officers Association (PPOA) and American Federation of State, County, and Municipal Employees (AFSCME) Local 3282 regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of employees of the public body pursuant to ARS 38-431.03.A.5.

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 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) Labor negotiations with the Peoria Police Officers Association (PPOA) and American Federation of State, County, and Municipal Employees (AFSCME) Local 3282 regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of employees of the public body pursuant to ARS 38-431.03.A.5.

**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 **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 6:02 p.m.

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

**Council Youth Liaisons:** Maylee Acosta and Cassidy Gatrost.

**Members Absent:** None.

**Other Municipal Officials Present:** Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Steve Burg, City Attorney; Linda Blas, Acting City Clerk; Sonia Andrews, Acting Finance Director; Chris Jacques, Planning and Community Development Director; Laura Ingegneri, Human Resources Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Dawn Prince, Assistant to the City Manager; and Marcella Carrillo, City Clerk Specialist.

**Audience:** Approximately 5 members of the public were present.

## **STUDY SESSION AGENDA**

### **Subject(s) for Discussion Only**

#### **3. Sign Code Update, Zoning Ordinance Text Amendment**

Chris Jacques, Planning and Community Development Director and Melissa Sigmund, Principal Planner, provided an update of the sign code modernization project.

Information included:

- Project overview, goals, and background
- Approach to modernize the sign code
- Public outreach
- New code facts
- Highlights of final draft sign code
  - o Temporary signs
    - Political signs
    - Resident right of way signs
    - Yard signs
    - Undeveloped property signs
    - A-frame signs
    - Stationary vehicle signs
  - o Permanent signs
    - Building signs
    - Projecting signs
    - Free-standing monument signs
    - Freeway signs
- Public meeting schedule

Jay Davies, Management Services Deputy Director for the Police Department, provided a brief overview of the code enforcement process, the impact of the Reed v. Town of Gilbert U.S. Supreme Court decision, and bandit signs.

Discussion ensued regarding:

- Temporary sign parameters
- Stakeholder meetings
- Special promotion sign allowances
- Code enforcement action on yard sale and bandit signs
- Clarity of signs for undeveloped property
- Home Owner Association regulations

Discussion ensued regarding how the proposed regulation of the resident right-of-way signs may be harmful to small businesses.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 6:45 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:** Maylee Acosta and Cassidy Gatrost.

**Members Absent:** None.

**Other Municipal Officials Present:** Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Steve Burg, City Attorney; Linda Blas, Acting City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Sonia Andrews, Acting Finance Director; Katie Gregory, Management and Budget Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Stuart Kent, Public Works/Utilities Director; Laura Ingegneri, Human Resources Director; Adina Lund, Development and Engineering Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jennifer Stein, Office of Communications Director; Scott Whyte, Economic Development Services Director; Dawn Prince, Assistant to the City Manager; and Marcella Carrillo City Clerk Specialist.

**Audience:** Approximately 40 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.

**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 Pho for Days located at 15703 North 83<sup>rd</sup> Avenue, Suite #100. 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. Having no requests from Council, motion was made by Councilmember Hunt, seconded by Councilmember Binsbacher, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

4C. **Disposition of Absence**

Approved the absence of Councilmember Binsbacher from the Regular City Council Meeting held on September 5, 2017.

5C. **Minutes**

Approved the September 5, 2017 City Council Meeting minutes.

6C. **Benevilla Grant Application, Gila River Indian Community, State Shared Revenue Grant Program**

Adopted **RES. 2017-97** in support of Benevilla's grant proposal and awarded funds from the Gila River Indian Community State Shared Revenue Grant Program.

7C. **Intergovernmental Agreement, Arizona Water Bank Authority, Purchase Long-Term Storage Credits**

- (a) Approved an Intergovernmental Agreement with the Arizona Water Banking Authority; and
- (b) Approved an appropriation adjustment not to exceed \$820,083.

8C. **Resolutions Ordering the Sale of City of Peoria Pledged Transportation Tax Revenue Refunding Obligations and City of Peoria Pledged Excise Tax/State Shared Revenue Refunding Obligations**

- (a) Adopted **RES. 2017-101** approving the sale and execution and delivery of pledged Excise Tax/State Shared Revenue refunding obligations, evidencing all the interests of the owner thereof in a purchase agreement, to prepay a city lease agreement, which financed a portion of the costs of the community theater; approving the form and authorizing the execution and delivery of necessary documents; delegating authority to the City Manager and Chief Financial Officer or Deputy Finance Director to determine certain matters and terms with respect to the foregoing; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution and declaring an emergency; and

- (b) Adopted **RES. 2017-102** approving the sale and execution and delivery of pledged Transportation Tax revenue refunding obligations, evidencing all the interests of the owner thereof in a purchase agreement, to prepay a prior purchase agreement, which financed certain street and roadway improvements; approving the form and authorizing the execution and delivery of such necessary documents; delegating authority to the City Manager and Chief Financial Officer or Deputy Finance Director to determine certain matters and terms with respect to the foregoing; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution and declaring an emergency.

9C. **Life in Christ Lutheran Church Annexation, Northwest Corner 75th Avenue and Banff Lane**

Adopted **ORD. 2017-41** approving the annexation of approximately 95,334 square feet (2.18 acres), located at the northwest corner of 75th Avenue and Banff Lane.

10C. **Land Acquisition, 99th Avenue and Northern Avenue**

- (a) Approved the Real Estate Purchase Agreement authorizing the acquisition of the vacant land north of the northwest corner of 99th and Northern Avenues; and
- (b) Approved a budget transfer in the amount of \$80,000 from the UT00326 - Water Meter Replacement Program account to the UT00329-Reclaimed Water Booster Land Purchase at IPS account.

11C. **Abandonment of City Interest, Sewer Line Easement, Arrowhead Entertainment Center Tract M-1**

Adopted **RES. 2017-98** abandoning the City's interest in a portion of a Sewer Line Easement per the Replat of Lot 10 and Tract M of Arrowhead Entertainment Center as recorded in Maricopa County Recorder Book 583 Page 39.

12C. **Abandonment of City Interest, Federal Patent Easement, 9413 West El Cortez**

Adopted **RES. 2017-99** declaring an emergency to abandon City interest in a portion of a Federal Patent Easement as recorded in Maricopa County Recorder Docket Number 3424 Page 11.

13C. **Dedication of Public Roadway, Northern Avenue west of 85th Avenue**

Adopted **RES. 2017-100** authorizing the City Manager to execute the Dedication of Public Roadway.

**14C. Replat, Fourth Amended Plat of a Condominium Final Plat of CV Condominiums Phase One, Lake Pleasant Parkway and Cibola Vista Drive**

Approved the Replat, Fourth Amended Plat of a Condominium Final Plat of CV Condominiums Phase One, located at Lake Pleasant Parkway and Cibola Vista Drive, subject to stipulations.

**15C. Replat of Building 6 - Units 69-72, Olive Business Park, Olive Avenue and Loop 101**

Approved the Replat of Building 6 - Units 69-72, Olive Business Park, located at Olive Avenue and Loop 101, subject to stipulations.

**16C. Replat, Parcel 6 of Cibola Vista, Lake Pleasant Parkway and Cibola Vista Drive**

Approved the Replat, Parcel 6 of Cibola Vista, located at Lake Pleasant Parkway and Cibola Vista Drive, subject to stipulations.

**17C. PUBLIC HEARING - Liquor License, Pho for Days, 15703 North 83rd Avenue, Suite #100**

Recommended approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Pho for Days, located at 15703 North 83rd Avenue Suite #100, Peter H. Schelstraete, Applicant, LL#20018541.

## **REGULAR AGENDA**

### **New Business:**

**18R. PUBLIC HEARING - Cross of Glory Church Annexation, 101st Lane and Jomax Road**

### **Staff Report:**

Chris Jacques, Planning and Community Development Director, provided an overview of the proposed annexation of approximately 7.52 acres of privately owned property located south of the intersection of 101st Lane and Jomax Road.

Mr. Jacques outlined the annexation process.

### **Public Hearing:**

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

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

**Council Action** : No Council action required.

19R. **PUBLIC HEARING - Rezoning, Hidden Paradise Estates, Planned Area Development, 79th Avenue and Williams Road**

**Staff Report:**

Chris Jacques, Planning and Community Development Director, provided an overview of the proposed rezone of approximately 77.68 acres of property, generally located at the northeast corner of 79th Avenue and Williams Road from Single Family (R1-35) to the Hidden Paradise Estates Planned Area Development (PAD) District (case Z13-0008) filed by Coe & Van Loo Consultants, Inc. on behalf of the property owner.

Information included:

- Site and area context
- Property constraints
- Area zoning site
- Surrounding zoning districts
- Conceptual development plan
- Development standards
- General plan conformance analysis
- Public outreach
  - o Notice of application and notice of hearing
  - o Opposition and support letters
  - o Neighborhood meetings
- Responses to concerns
- Conceptual development plan iterations
- Planning and Zoning Commission public hearing
- Key findings

**Public Hearing:**

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

Discussion ensued regarding:

- Walkway lighting
- Off-road vehicle access to the riverbed



- Number of access points into the community Consideration of the City's purchase of property to allow for an additional access point
- Vehicle speeds due to the lack of curvature of the road

Doug Chubin, Coe & Van Loo Consultants, addressed the Council on behalf of the property owner, regarding access points into the community.

Adina Lund, Development and Engineering Director, addressed Council regarding the traffic study that was conducted of the area.

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

### **Council Action:**

Motion was made by Vice Mayor Edwards, seconded by Councilmember Hunt, to concur with the Planning and Zoning Commission's unanimous recommendation and adopted **ORD. 2017-42** approving the rezoning of approximately 77.68 acres of property, generally located at the northeast corner of 79th Avenue and Williams Road from Single Family (R1-35) to the Hidden Paradise Estates Planned Area Development (PAD) District with stipulations requiring the city and the developer to work together to provide a secondary access point to the north and explore curvature of the streets prior to the development of the property.

Upon vote, the motion carried unanimously 7 to 0.

**7:35 p.m. Councilmember Finn left the meeting.**

Call To The Public (Non-Agenda Items)

Liz Recchia, Government Affairs Director for West Maricopa Association of REALTORS® (WEMAR), addressed the Council to express her concerns with the proposed changes to the Sign Code.

Susan Nicolson, Planning Director for the West Valley Women's Council of REALTORS®, addressed the Council to express her concerns with the proposed changes to the Sign Code.

### **Reports from City Manager:**

20. **Council Calendar**

21. **Reports**

- A. **Drowning Prevention Coalition of Arizona Corporate Award for Drowning Prevention**

John Sefton, Community Services Director, provided a brief overview of the 2017 Drowning Prevention Coalition of Arizona's awards banquet. The City of Peoria was nominated and selected as the 2017 Corporate Award winner for drowning prevention efforts.

Jeff Tyne, City Manager, announced the return of Fire-Medical Department personnel who were assisting in the Hurricane Harvey relief efforts. Mr. Tyne recognized the recent passing of Brent Mattingly, Finance Director and provided a brief overview of Mr. Mattingly's service to the City of Peoria.

### **Reports from City Council:**

Council Youth Liaison Acosta offered her condolences to the family of Brent Mattingly. Council Youth Liaison Acosta congratulated the Community Services Department on their award at the 2017 Drowning Prevention Coalition of Arizona's awards banquet. Council Youth Liaison Acosta reported on a potential fundraiser by the Youth Advisory Board to help hurricane victims.

Councilmember Patena reported on the Green family being reunited with Police and Fire-Medical Departments who helped save their toddler's life during a choking accident. Councilmember Patena noted Brent Mattingly's influence on the City and offered his condolences to Mr. Mattingly's family. Councilmember Patena also congratulated the Community Services Department on their award at the 2017 Drowning Prevention Coalition of Arizona's awards banquet.

Councilmember Binsbacher expressed gratitude to the Police and Fire-Medical Department on their work and their opportunity to be reunited with the Green family. Councilmember Binsbacher congratulated the Community Services Department on their award at the 2017 Drowning Prevention Coalition of Arizona's awards banquet. Councilmember Binsbacher offered her condolences to Brent Mattingly's family, Peoria employees, the Leadership Team, and the Finance Department.

Vice Mayor Edwards reported on the Seniors and Law Enforcement Together (S.A.L.T.) event held on September 19, 2017 and offered his gratitude to Police Chief Minter and members of the Police Department for their efforts. Vice Mayor Edwards also noted Brent Mattingly's legacy and offered his condolences to Brent Mattingly's family and his colleagues.

Councilmember Hunt noted Brent Mattingly's legacy with the City of Peoria.

Councilmember Leone reported on the various City of Peoria events he attended. Councilmember Leone announced an upcoming Shred-a-Thon event scheduled for October 14, 2017 at Sun Valley School located at 8361 North 95th Avenue.

Council Youth Liaison Gatrost reported on the Teen Focus Group event held on September 10, 2017 and the ParkFest! event held on September 16, 2017. Council Youth Liaison Gatrost also offered her condolences to Brent Mattingly's family. Council Youth Liaison Gatrost also congratulated the Community Services Department on their award at the 2017 Drowning Prevention Coalition of Arizona's awards banquet. Council Youth Liaison Gatrost reported on the remodel of the main library and encouraged all to visit the library.

**Reports from the Mayor:**

Mayor Carlat also offered her condolences to Brent Mattingly's family and acknowledged his accomplishments with the City of Peoria.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 8:01 p.m.

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Cathy Carlat, Mayor

ATTEST:

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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 19<sup>th</sup> day of September, 2017. further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3<sup>rd</sup> day of October, 2017.

(Seal)

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Rhonda Geriminsky, City Clerk