



City of Goodyear

Meeting Minutes

City Council Regular Meeting

Mayor Georgia Lord
Vice Mayor Bill Stipp
Councilmember Joe Pizzillo
Councilmember Sheri Lauritano
Councilmember Wally Campbell
Councilmember Brannon Hampton
Councilmember Laura Kaino

Meeting Location:
Goodyear Municipal Court
and Council Chambers
14455 W. Van Buren St.,
Suite B101
Goodyear, AZ 85338

Monday, July 8, 2019

6:00 PM

Goodyear Municipal Court and Council
Chambers

CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER HAMPTON

ROLL CALL

Council Present 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton, and Councilmember Kaino

Staff Present: City Manager Julie Arendall, City Attorney Roric Massey and City Clerk Darcie McCracken

COMMUNICATIONS

None.

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

Bonnie Jansson, Goodyear resident, stated her opposition to the Nike Job Creation Agreement and stated she was disappointed with the city of Goodyear's decision to move forward.

Michele Baxter, Goodyear resident, stated she was very disappointed with the decision to keep Nike in the city and believed there would be other opportunities to bring jobs to the community with other companies.

Robert Baxter, Goodyear resident, spoke in opposition to the Nike Job Creation Agreement and expressed his disappointment.

James Kranich, Goodyear resident, discussed issues he was having with his property management company in the Palm Valley Phase V HOA.

CONSENT

The City Clerk read Consent Agenda items 1 through 13.

MOTION BY Councilmember Kaino, SECONDED BY Councilmember Pizzillo, to APPROVE Consent Agenda items 1 through 13. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

1. [MINUTES
2019-52](#) **APPROVAL OF MINUTES**
PROPOSED ACTION:
Approve draft minutes from a Special Meeting and a Regular Meeting held on June 24, 2019, and a Regular Meeting and a Special Meeting held on July 1, 2019.
2. [2019-6680](#) **APPROVE THE FINAL PLAT FOR COMPASS DATACENTERS**
PROPOSED ACTION:
Approve the final plat for Compass Datacenters subject to stipulations.
3. [2019-6696](#) **RECOMMEND APPROVAL OF A NEW SERIES 10 LIQUOR LICENSE
FOR PIZZA HUT #27007**
PROPOSED ACTION:
Recommend to the Arizona Department of Liquor Licenses and Control (DLLC) approval of Application No. 65710, a request from Theresa June Morse, agent for Hot Pizzas LLC, dba Pizza Hut #27007, for a new Series 10 liquor license located at 15557 W. Roosevelt St., Goodyear, Arizona 85338 (Generally located west of the southwest corner of Estrella Parkway and Roosevelt Street).
4. [2019-6703](#) **APPROVE UPDATES TO CITY CODE PERTAINING TO THE
GOODYEAR YOUTH COMMISSION**
PROPOSED ACTION:
ADOPT ORDINANCE NO. 2019-1441 AMENDING SECTION 3-11-2 (GOODYEAR YOUTH COMMISSION) OF THE CITY CODE AND PROVIDING FOR CORRECTIONS, SEVERABILITY AND AN EFFECTIVE DATE.
5. [2019-6705](#) **APPROVE EXPENDITURE OF BUDGETED FY2020 FUNDS FOR THE
PURCHASE OF TWO FIRE PUMPERS AND THE RELATED BUDGET
TRANSFER**
PROPOSED ACTION:
Approve FY2020 expenditures in the amount of \$764,700 in South Area Development Impact Fees and \$758,600 from the Fleet Asset Management Fund for a total of \$1,523,300 for the purchase of two Pierce fire pumpers as well as the required budget transfer.
6. [2019-6716](#) **APPROVE THE ISSUANCE OF A UTILITY EASEMENT TO ARIZONA
PUBLIC SERVICE COMPANY ASSOCIATED WITH THE BULLARD**

SUBSTATION**PROPOSED ACTION:**

ADOPT RESOLUTION NO. 2019-1983 APPROVING THE ISSUANCE OF A UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY; DIRECTING THE CITY MANAGER TO EXECUTE THE UTILITY EASEMENT AND THE CITY CLERK TO RECORD THE EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

7. [2019-6717](#)**AUTHORIZE ACCEPTANCE OF THE PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT ADJACENT TO BULLARD AVENUE****PROPOSED ACTION:**

Authorize the acceptance of the Public Utility, Sidewalk, and Access Easement attached hereto and direct the City Manager to execute the easement and the City Clerk to record the executed easement upon the determination by the City of Goodyear Real Estate Coordinator that Cardinal Capital Co., an Arizona general partnership has no interest in the easement area.

8. [2019-6718](#)**AUTHORIZE DECLARATION OF A PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT AT THE SITE 12 WATER CAMPUS****PROPOSED ACTION:**

ADOPT RESOLUTION NO. 2019-1980 AUTHORIZING THE ESTABLISHMENT OF A PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENT ADJACENT TO A PORTION OF 173RD AVENUE TO BE ADMINISTERED AND MAINTAINED BY THE CITY; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

9. [2019-6720](#)**APPROVE FY2019 AND FY2020 BUDGET TRANSFERS****PROPOSED ACTION:**

Approve the attached FY2019 and FY2020 budget transfers.

10. [2019-6723](#)**APPROVE AMENDING SECTION 3-1-5 OF GOODYEAR CITY CODE RELATED TO DEPARTMENT NAMES****PROPOSED ACTION:**

ADOPT ORDINANCE NO. 2019-1442 AMENDING CHAPTER 3 OF THE CITY CODE, ARTICLE 3-1, SECTION 3-1-5 TO REVISE THE NAME OF THE COMMUNICATIONS DEPARTMENT TO DIGITAL COMMUNICATIONS AND TO REVISE THE NAME OF INFORMATION AND TECHNOLOGY SERVICES TO INFORMATION TECHNOLOGY; PROVIDING FOR CORRECTIONS, SEVERABILITY AND AN EFFECTIVE DATE.

11. [2019-6724](#)**APPROVE A MINOR LAND DIVISION FOR THE CITY OF GOODYEAR PUBLIC FACILITIES CAMPUS****PROPOSED ACTION:**

ADOPT ORDINANCE NO. 2019-1982 APPROVING A MINOR LAND DIVISION CONSOLIDATING EIGHT CITY-OWNED PARCELS INTO ONE PARCEL FOR THE CITY OF GOODYEAR PUBLIC FACILITIES CAMPUS; DIRECTING THE CITY MANAGER TO EXECUTE THE MINOR LAND DIVISION; AND PROVIDING FOR AN EFFECTIVE DATE.

12. [2019-6729](#)**APPROVE THE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES****PROPOSED ACTION:**

Approve the recommended appointments to the Self-Insured Healthcare Trust Board and the Youth Commission for the terms set forth in the Council Action Report and authorize the City Clerk to administer the Oath of Loyalty to the appointees in attendance.

13. [2019-6730](#) **AUTHORIZE THE ACCEPTANCE OF A SPECIAL WARRANTY DEED FOR COMPASS DATACENTERS TRACT B**
PROPOSED ACTION:
Authorize the Acceptance of a Special Warranty Deed for Compass Datacenters Tract B property.

After the vote on consent, City Clerk Darcie McCracken administered the Oath of Loyalty to the newly appointed Youth Commission and Self-Insured Healthcare Trust Board members and provided a certificate of appointment to the Youth Commissioners. Councilmember Lauritano explained how the Youth Commission performs volunteer work in the city, learns about leadership and helps with other city services and those in need.

BUSINESS

14. [2019-6640](#) **PUBLIC HEARING: REZONING TO PLANNED AREA DEVELOPMENT (PAD) FOR THE GOODYEAR CIVIC SQUARE AT ESTRELLA FALLS**

Mayor Lord opened the Public Hearing at 6:27 p.m.

Planning Manager Katie Wilken presented information on the rezoning for the Planned Area Development (PAD) for the Goodyear Civic Square. Ms. Wilken noted the rezoning would allow for mixed uses and provided the details on the different types of uses within the PAD. Ms. Wilken stated the rezoning was consistent with the General Plan.

Ed Bull, representing Globe Land Partners, stated he agreed with Katie Wilken's presentation and the Planning and Zoning Commission's Hearing.

Susan Hinkle, Goodyear resident, stated she did not agree with the multi-family use for the parcel across from the Rio Paseo neighborhood, where she resides. The reasons for her opposition included diminished value of property, and an increase in crime and traffic.

There being no other speakers present, Mayor Lord closed the public hearing at 6:45 p.m.

Council asked Police Chief Jerry Geier to present information on the crime statistics in the area of the proposed rezone. Police Chief Geier presented statistics over the last year on crime, police calls for service, and traffic. He suggested the area was very safe.

Council commented they did not have the same impression in regards to crime, traffic and other issues and were under the impression that multi-family homes were always planned for the parcel in question.

Council also expressed their concern with a 60-foot elevation being very high. Ms. Wilken explained the proposal was not for a 60-foot high building and the current zoning would permit a 60-foot elevation. Mr. Bull stated the proposal is a 3-story building, and the height of 60-feet was a suggestion to provided development standards guidance.

Council asked how many acres would be used in Parcel C and what it would be used for. Ms. Wilken stated it was 17 acres, and 9 acres would be a mixed use. Council asked if Encanto Boulevard would be widened to add more lanes. Engineering Director Rebecca Zook stated Encanto Boulevard would be widened and any portion that fronts the new development would be required to be developed by the developer. Council asked if parking would be available for those wishing to use the nearby park. Ms. Zook stated she could not answer if parking would be available, but did state parking would not be allowed on the main road since bike lanes and medians would be added. Development Services Director Christopher Baker added the roadway infrastructure was built to the maximum extent. Ms. Zook stated she would provide a comprehensive response to Council at a later date.

Council asked if the 60-foot height would be the tallest apartment complex in Goodyear. Ms. Wilken stated it would be the tallest.

Council asked for clarification on whether it was 60-feet or 40-feet for apartment buildings. Mr. Bull stated Parcel C was being zoned from regional mall to uses that can include commercial or multi-family or a combination of both. He stated 60-feet was identified as an appropriate height to add for flexibility for commercial or multi-family buildings.

Council asked about the list of prohibited items in the core area around the Civic Square and asked if it extended to the other parcels. Ms. Wilken stated yes, but with some exceptions.

Council asked about the facade of the buildings and how they would prefer a mix of colors. Ms. Wilken stated it was allowed, but they would need to meet the city's design guidelines. Council asked if there were certain height restrictions associated with apartments only. Ms. Wilken stated as it was currently written, any building was allowed to be 60-feet with any uses.

Mayor Lord stated she understood the concern for the height, but felt the completion of the entire project would blend well with the surrounding community.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Lauritano, to ADOPT RESOLUTION NO. 2019-1798 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 19-04A CITY OF GOODYEAR, AZ - REZONE CASE”, “GOODYEAR CIVIC SQUARE - LEGAL DESCRIPTION” AND “GOODYEAR CIVIC SQUARE AT ESTRELLA FALLS FINAL PLANNED AREA DEVELOPMENT DATED JUNE 27, 2019”. The motion carried by the following vote:

Council 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano,
Present Councilmember Campbell, Councilmember Hampton, and Councilmember Kaino

MOTION BY Councilmember Lauritano, SECONDED BY Councilmember Kaino, to ADOPT ORDINANCE NO. 2019-1440 CONDITIONALLY REZONING APPROXIMATELY 104 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT (PAD) FOR A DEVELOPMENT TO BE KNOWN AS THE GOODYEAR CIVIC SQUARE AT ESTRELLA FALLS PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

15. [2019-6713](#) **ZAYO LICENSE AGREEMENT**

Real Estate Coordinator Linda Beals presented the five-year fiber optic installation agreement with Zayo Group, LLC and provided details on existing agreements the city has with other fiber optics groups. Ms. Beals noted how other departments were excited about what this agreement would bring to the city of Goodyear. Ms. Beals stated Zayo Group wanted to be present in Goodyear due to all of the new development. Ms. Beals wanted to make sure Assistant City Attorney Lisa Maxie-Mullins and the Information Technology Department were recognized for their assistance in putting this agreement together.

Mayor Lord thanked Ms. Beals for her presentation and for crediting others who also worked on the agreement.

Council stated if Goodyear wanted to be a smart city it was very important to have fiber optic and high speed internet. Council also stated they would like fiber optics to run on Estrella Parkway and welcomed Zayo to the city of Goodyear.

Council asked about future activities that included dropping in a dry pipe for the future in an open trench; moving fiber from Bullard Avenue west to 150th Avenue to get to the civic center and if these projects were eligible for Maricopa Association of Government (MAG) monies since it would be a regional benefit.

MOTION BY Councilmember Hampton, SECONDED BY Vice Mayor Stipp, to ADOPT RESOLUTION NO. 2019-1986 AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE LICENSE AGREEMENT BETWEEN THE CITY OF GOODYEAR AND ZAYO GROUP, LLC AND THE EXECUTION OF AMENDMENTS TO THE LICENSE AGREEMENT. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

16. [2019-6722](#) **DEVELOPMENT AGREEMENT FOR COMPASS DATA CENTERS**

City Attorney Roric Massey presented the details of the development agreement for the Compass Data Centers. He discussed the main details of the agreement that included usage of the site, landscaping and road improvements.

Court Rich, with the Rose Law Group, thanked staff and stated city staff was great to work with.

MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Hampton, to ADOPT RESOLUTION NO. 2019-1981 APPROVING THE DEVELOPMENT AGREEMENT FOR COMPASS DATA CENTERS; DIRECTING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT; AUTHORIZING AND DIRECTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

17. [2019-6727](#) **RESTATEMENT AND SECOND AMENDMENT OF INTERGOVERNMENTAL AGREEMENT WITH THE AVONDALE ELEMENTARY SCHOOL DISTRICT NO. 44 FOR JOINT USE OF SCHOOL AND PARK FACILITIES**

Parks and Recreation Director Nathan Torres presented details on a new neighborhood park within the Canyon Trails Development located at 174th Avenue and Harrison Street. Mr. Torres stated per the development agreement the Avondale Elementary School District would acquire the 15-acre site for the development of a five-acre neighborhood park and a 10-acre future school. Mr. Torres recognized the staff of the Avondale Elementary School District.

Nancy Hampton, resident of Goodyear, recently moved into the Canyon Trails Development and asked to move up the timeline due to the overgrown weeds in the lot.

Council thanked everyone for the cooperation on the agreement and were looking forward to the park being built.

Council asked city staff to follow-up with the school district or land owners on the overgrown weed issue.

MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Kaino, to APPROVE the Restatement and Second Amendment of Intergovernmental Agreement between the City of Goodyear and Avondale Elementary School District No. 44 for Joint Use of School and Park Facilities and associated deeds AND Authorize and direct the City Manager or her designee to take any and all actions to execute all documents necessary to carry out the intent of the agreement. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

INFORMATION ITEMS

Council thanked Parks and Recreation for the 4th of July event and commended them on a job well done.

City Manager Julie Arendall wanted Council to be aware that, in regards to Item #17, the school district did not become owner of the property until the agreement was signed. Ms. Arendall reported back on the Star Spangled 4th Event and stated 9,500 spectators passed through the ballpark gates and 5,000 onlookers surrounded the ballpark to watch the fireworks. Ms. Arendall noted an in park attendance increase of 7%. Ms. Arendall provided the details and sponsors of the event. Ms. Arendall also wished the Mayor and Councilmembers a nice summer break.

Mayor Lord thanked the Council for their cooperation and participation in events and issues. Mayor Lord also thanked city staff on their efficiency and capabilities to attract new business.

FUTURE MEETINGS

Mayor Lord noted the City Council would be on summer break until the next Regular Meeting on August 19, 2019.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:43 p.m.

Darcie McCracken, City Clerk

Georgia Lord, 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 July 8, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2019.

SEAL:

Darcie McCracken, City Clerk